

103^D CONGRESS
1ST SESSION

H. R. 3360

To direct the Secretary of Transportation to demonstrate on vessels ballast water management technologies and practices, including vessel modification and design, that will prevent aquatic nonindigenous species from being introduced and spread in United States waters.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 26, 1993

Mr. LIPINSKI (for himself, Mr. TAUZIN, Mr. MANTON, Mr. STUPAK, and Mr. LAFALCE) introduced the following bill; which was referred to the Committee on Merchant Marine and Fisheries

A BILL

To direct the Secretary of Transportation to demonstrate on vessels ballast water management technologies and practices, including vessel modification and design, that will prevent aquatic nonindigenous species from being introduced and spread in United States waters.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ballast Water Control
5 Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act—

1 (1) “Secretary” means the Secretary of Trans-
2 portation;

3 (2) “ballast water” means water and sediments
4 taken into or expelled out of a vessel’s ballast sys-
5 tem;

6 (3) “Aquatic Nuisance Species Task Force”
7 means the task force established in section 1201 of
8 the Nonindigenous Aquatic Nuisance Prevention and
9 Control Act of 1990 (16 U.S.C. 4721); and

10 (4) “nonindigenous species” has the meaning
11 given the term in section 1003(9) of the
12 Nonindigenous Aquatic Nuisance Prevention and
13 Control Act of 1990 (16 U.S.C. 4702(9)).

14 **SEC. 3. BALLAST WATER MANAGEMENT STUDY.**

15 (a) IN GENERAL.—The Secretary shall study ballast
16 water technologies and practices that prevent aquatic
17 nonindigenous species from being introduced and spread
18 through ballast water in the Great Lakes and other United
19 States waters.

20 (b) IDENTIFICATION OF TECHNOLOGIES AND PRAC-
21 TICES FOR DEMONSTRATION.—Based on the study under
22 subsection (a), the Secretary shall identify for demonstra-
23 tion under section 4 technologies and practices that—

24 (1) may be retrofitted on existing vessels or in-
25 corporated in new vessel designs;

- 1 (2) are operationally practical;
- 2 (3) are safe for vessel and crew;
- 3 (4) are environmentally sound;
- 4 (5) are cost effective; and
- 5 (6) the vessel operator can monitor.

6 **SEC. 4. BALLAST WATER MANAGEMENT DEMONSTRATION**
7 **PROGRAM.**

8 (a) **IN GENERAL.**—The Secretary shall conduct an
9 18-month ballast water management demonstration pro-
10 gram to demonstrate technologies and practices, including
11 those the Secretary identifies under section 3, to prevent
12 aquatic nonindigenous species from being introduced and
13 spread through ballast water in the Great Lakes and other
14 United States waters.

15 (b) **UNITED STATES SHIPYARDS AND SHIP REPAIR**
16 **FACILITIES.**—Installation and Construction requiring a
17 shipyard or ship repair facility shall be performed in a
18 United States shipyard or ship repair facility.

19 (c) **VESSEL SELECTION.**—In demonstrating tech-
20 nologies and practices on vessels under this section, the
21 Secretary shall—

- 22 (1) use only vessels that—
 - 23 (A) have ballast systems that test the tech-
24 nologies or practices;

1 (B) are documented under the laws of the
2 United States; and

3 (C) are actively used for trade or other
4 maritime or public purposes during that dem-
5 onstration; and

6 (2) seek to use—

7 (A) vessels that call on ports in the United
8 States on the Great Lakes and vessels that are
9 operated along the other major coasts of the
10 United States and inland waterways; and

11 (B) a variety of vessel types.

12 **SEC. 5. AUTHORITIES; CONSULTATION AND COOPERATION**
13 **WITH INTERNATIONAL MARITIME ORGANIZA-**
14 **TION AND AQUATIC NUISANCE SPECIES TASK**
15 **FORCE.**

16 (a) **AUTHORITIES.**—In conducting the study under
17 section 3 and the demonstration program under section
18 4, the Secretary may—

19 (1) enter into cooperative agreements with
20 other government agencies and private entities;

21 (2) accept funds, facilities, equipment, or per-
22 sonnel from other Federal agencies; and

23 (3) accept donations for property and services.

24 (b) **CONSULTATION AND COOPERATION.**—The Sec-
25 retary shall consult and cooperate with the International

1 Maritime Organization and the Aquatic Nuisance Species
2 Task Force in carrying out this Act.

3 **SEC. 6. REPORTS TO CONGRESS.**

4 The Secretary shall submit a report to the Con-
5 gress—

6 (1) no later than 18 months after the date this
7 Act is enacted on the results of the study conducted
8 under section 3, that specifies the technologies and
9 practices for demonstration under section 4; and

10 (2) no later than three years after the date this
11 Act is enacted on the findings for and recommenda-
12 tions resulting from the demonstration program con-
13 ducted under section 4.

14 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

15 There is authorized to be appropriated to the Sec-
16 retary \$2,000,000 to carry out this Act.

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