

109TH CONGRESS  
2D SESSION

# H. R. 4771

To amend the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 to require application to all vessels equipped with ballast water tanks, including vessels that are not carrying ballast water, the requirement to carry out exchange of ballast water or alternative ballast water management methods prior to entry into any port within the Great Lakes, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 16, 2006

Mr. KIRK (for himself, Mr. REYNOLDS, Mr. MCHUGH, Mr. EMANUEL, Mrs. MILLER of Michigan, Mr. CASE, Mr. EHLERS, Ms. SLAUGHTER, Mr. MILLER of Florida, Ms. MCCOLLUM of Minnesota, Mr. KLINE, Mrs. BIGGERT, Mr. EVANS, Mrs. JOHNSON of Connecticut, Ms. SCHAKOWSKY, Mr. GRIJALVA, Mr. SCHWARZ of Michigan, and Ms. BEAN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 to require application to all vessels equipped with ballast water tanks, including vessels that are not carrying ballast water, the requirement to carry out exchange of ballast water or alternative ballast water management methods prior to entry into any port within the Great Lakes, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Great Lakes Invasive  
3 Species Control Act”.

4 **SEC. 2. APPLICATION TO ALL VESSELS OF REQUIREMENT**  
5 **TO CARRY OUT EXCHANGE OF BALLAST**  
6 **WATER OR ALTERNATIVE BALLAST WATER**  
7 **MANAGEMENT METHODS.**

8       (a) REQUIREMENT.—Section 1101(b)(2)(B) of the  
9 Nonindigenous Aquatic Nuisance Prevention and Control  
10 Act of 1990 (16 U.S.C. 4711(b)(2)(B)) is amended in the  
11 matter preceding clause (i), by striking “a vessel” and in-  
12 serting “a vessel, including a vessel that is not carrying  
13 ballast water,”.

14       (b) DEADLINE FOR REGULATIONS.—The Secretary  
15 of the department in which the Coast Guard is operating  
16 shall issue and begin implementing regulations in accord-  
17 ance with the amendment made by subsection (a) by not  
18 later than 180 days after the date of the enactment of  
19 this Act.

20 **SEC. 3. STUDY OF EFFECTIVENESS OF ALTERNATE BAL-**  
21 **LAST WATER MANAGEMENT METHODS.**

22       (a) IN GENERAL.—The Secretary of the department  
23 in which the Coast Guard is operating shall conduct, in  
24 consultation with the Under Secretary of Commerce for  
25 Oceans and Atmosphere, a scientifically-based study or  
26 studies of the effectiveness, feasibility of application, and

1 environmental soundness of ballast water tank treatment  
2 methods, other than ballast water exchange, in reducing  
3 the threat of invasive species to the Great Lakes.

4 (b) REPORT.—Not later than 1 year after the date  
5 funds are available to carry out this section, and annually  
6 thereafter for the subsequent 2 years, the Secretary shall  
7 report to the Congress the findings, conclusions, and rec-  
8 ommendations of the study under this section.

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