

S 3598

Drug Trafficking Vessel Interdiction Act of 2008

Congress: 110 (2007–2009, Ended)

Chamber: Senate

Policy Area: Crime and Law Enforcement

Introduced: Sep 25, 2008

Current Status: Became Public Law No: 110-407.

Latest Action: Became Public Law No: 110-407. (Oct 13, 2008)

Law: 110-407 (Enacted Oct 13, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/senate-bill/3598>

Sponsor

Name: Sen. Inouye, Daniel K. [D-HI]

Party: Democratic • State: HI • Chamber: Senate

Cosponsors (13 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Biden, Joseph R., Jr. [D-DE]	D · DE		Sep 25, 2008
Sen. Cantwell, Maria [D-WA]	D · WA		Sep 25, 2008
Sen. Feinstein, Dianne [D-CA]	D · CA		Sep 25, 2008
Sen. Graham, Lindsey [R-SC]	R · SC		Sep 25, 2008
Sen. Grassley, Chuck [R-IA]	R · IA		Sep 25, 2008
Sen. Kerry, John F. [D-MA]	D · MA		Sep 25, 2008
Sen. Lautenberg, Frank R. [D-NJ]	D · NJ		Sep 25, 2008
Sen. Martinez, Mel [R-FL]	R · FL		Sep 25, 2008
Sen. Nelson, Bill [D-FL]	D · FL		Sep 25, 2008
Sen. Pryor, Mark L. [D-AR]	D · AR		Sep 25, 2008
Sen. Smith, Gordon H. [R-OR]	R · OR		Sep 25, 2008
Sen. Snowe, Olympia J. [R-ME]	R · ME		Sep 25, 2008
Sen. Stevens, Ted [R-AK]	R · AK		Sep 25, 2008

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred To	Sep 26, 2008
Transportation and Infrastructure Committee	House	Referred To	Sep 26, 2008

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

## Related Bills

Bill	Relationship	Last Action
110 S 3526	Related bill	<b>Nov 18, 2008:</b> Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 1116 under authority of the order of the Senate of 11/17/2008.
110 HR 7099	Identical bill	<b>Sep 26, 2008:</b> For Further Action See S.3598.
110 HR 6295	Related bill	<b>Aug 1, 2008:</b> Read twice and referred to the Committee on Commerce, Science, and Transportation.
110 S 3351	Related bill	<b>Jul 28, 2008:</b> Read twice and referred to the Committee on Commerce, Science, and Transportation.
110 S 3198	Related bill	<b>Jun 25, 2008:</b> Read twice and referred to the Committee on Commerce, Science, and Transportation.

## Summary (as of Oct 13, 2008)

**(This measure has not been amended since it was introduced. The expanded summary of the Senate passed version is repeated here.)**

Drug Trafficking Vessel Interdiction Act of 2008 - **Title I: Criminal Prohibition** - Amends the federal criminal code to impose a fine and/or prison term of up to 15 years for knowingly operating, attempting or conspiring to operate, or embarking in any submersible or semi-submersible vessel that is without nationality in, through, or from waters beyond the outer limit of the territorial sea of a single country or a lateral limit of that country's territorial sea with an adjacent country, with the intent to avoid detection. Grants extraterritorial federal jurisdiction over an offense under this Act.

Specifies that a claim of nationality or registry under this Act includes only: (1) possession on board the vessel and production of documents evidencing the vessel's nationality as provided in the 1958 Convention on the High Seas; (2) flying its nation's ensign or flag; or (3) a verbal claim of nationality or registry by the person in charge of the vessel.

Makes it an affirmative defense to a prosecution under this Act that a vessel operated at the time of a violation was: (1) a vessel of the United States or lawfully registered in a foreign nation; (2) classed by and designated in accordance with the rules of a classification society; (3) lawfully operated in a government regulated or licensed activity; or (4) equipped with and using an operable automatic identification system, vessel monitoring system, or a long range identification and tracking system. Specifies the documents required to conclusively prove an affirmative defense.

Directs the U.S. Sentencing Commission to promulgate or amend sentencing guidelines to provide adequate penalties for violating the criminal prohibition imposed by this Act.

**Title II: Civil Prohibition** - Imposes a civil penalty of up to \$1 million for a violation of this Act. Allows the same defenses to a civil enforcement proceeding as for a criminal prosecution under this Act.

Defines a "semi-submersible vessel" as any manned or unmanned watercraft constructed or adapted to operate with most of its hull and bulk under the surface of the water. Defines a "submersible vessel" as a manned or unmanned vessel capable of operating completely below the surface of the water.

## Actions Timeline

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- **Oct 13, 2008:** Signed by President.
- **Oct 13, 2008:** Became Public Law No: 110-407.
- **Oct 3, 2008:** Presented to President.
- **Sep 29, 2008:** Considered as unfinished business. (consideration: CR H10631)
- **Sep 29, 2008:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by voice vote.(text: CR 9/27/2008 H10251-10252)
- **Sep 29, 2008:** On motion to suspend the rules and pass the bill Agreed to by voice vote. (text: CR 9/27/2008 H10251-10252)
- **Sep 29, 2008:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 29, 2008:** Cleared for White House.
- **Sep 27, 2008:** Mr. Conyers moved to suspend the rules and pass the bill.
- **Sep 27, 2008:** Considered under suspension of the rules. (consideration: CR H10251-10254)
- **Sep 27, 2008:** DEBATE - The House proceeded with forty minutes of debate on S. 3598.
- **Sep 27, 2008:** At the conclusion of debate, the chair put the question on the motion to suspend the rules. Mr. Smith (TX) objected to the vote on the grounds that a quorum was not present. Further proceedings on the motion were postponed. The point of no quorum was withdrawn.
- **Sep 26, 2008:** Received in the House.
- **Sep 26, 2008:** Message on Senate action sent to the House.
- **Sep 26, 2008:** Referred to the Committee on the Judiciary, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
- **Sep 25, 2008:** Introduced in Senate
- **Sep 25, 2008:** Passed/agreed to in Senate: Introduced in the Senate, read twice, considered, read the third time, and passed without amendment by Unanimous Consent.(consideration: CR S9553-9554; text as passed Senate: CR S9553-9554)
- **Sep 25, 2008:** Introduced in the Senate, read twice, considered, read the third time, and passed without amendment by Unanimous Consent. (consideration: CR S9553-9554; text as passed Senate: CR S9553-9554)