

HR 3618

Clean Hull Act of 2009

Congress: 111 (2009–2011, Ended)

Chamber: House

Policy Area: Transportation and Public Works

Introduced: Sep 22, 2009

Current Status: Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation. (Sep 22, 2009)

Latest Action: Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation. (Nov 18, 2009)

Official Text: <https://www.congress.gov/bill/111th-congress/house-bill/3618>

Sponsor

Name: Rep. Oberstar, James L. [D-MN-8]

Party: Democratic • **State:** MN • **Chamber:** House

Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Cummings, Elijah E. [D-MD-7]	D · MD		Sep 22, 2009
Rep. LoBiondo, Frank A. [R-NJ-2]	R · NJ		Sep 22, 2009
Rep. Mica, John L. [R-FL-7]	R · FL		Sep 22, 2009

Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Referred To	Nov 18, 2009
Homeland Security Committee	House	Bills of Interest - Exchange of Letters	Sep 22, 2010
Science, Space, and Technology Committee	House	Discharged from	Nov 7, 2009
Transportation and Infrastructure Committee	House	Discharged from	Sep 24, 2009

Subjects & Policy Tags

Policy Area:

Transportation and Public Works

Related Bills

No related bills are listed.

Clean Hull Act of 2009 - **Title I: General Provisions** - (Sec. 101) Defines "antifouling system" as a coating, paint, surface treatment, surface, or device used on a vessel to control or prevent attachment of unwanted organisms.

(Sec. 102) Defines "covered vessel" to mean any vessel (except U.S. or foreign warships, naval auxiliary, or other government noncommercial service vessels) that is: (1) documented under U.S. laws; (2) authorized to operate on the Outer Continental Shelf; or (3) otherwise operating in U.S. internal waters or territorial seas, or is in a U.S. port.

Title II: Implementation of the Convention - (Sec. 201) Requires covered vessels of at least 400 gross tons that engage in one or more international voyages, upon entry into force of the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001, to carry an International Antifouling System Certificate, issued by the Secretary of the department in which the Coast Guard is operating. Exempts from this requirement fixed or floating platforms, floating storage units (FSUs), and floating production, storage, or offloading units (FPSOs).

Authorizes such vessels of countries that are not a party to the Convention to comply with the Act's requirement through other appropriate documentation considered acceptable by the Secretary.

(Sec. 202) Requires covered vessels of at least 24 meters in length, but less than 400 gross tons, engaged on an international voyage (with the same exceptions as for vessels of at least 400 tons), to carry a signed declaration that the vessel's antifouling system complies with the Convention.

(Sec. 204) Sets forth a process for considering additional controls on antifouling systems.

(Sec. 205) Authorizes the Secretary, the Administrator of the Environmental Protection Agency (EPA), and the Administrator of the National Oceanic and Atmospheric Administration (NOAA) to each undertake scientific and technical research and monitoring and promote the availability of information regarding: (1) scientific and technical activities undertaken in accordance with the Convention; (2) marine scientific and technological programs and their objectives; and (3) the effects observed from any monitoring and assessment programs relating to antifouling systems.

(Sec. 206) Directs the EPA Administrator to provide to any party to the Convention that requests information on which decisions to regulate are based or other information used to evaluate the antifouling system.

Title III: Prohibitions and Enforcement Authority - (Sec. 301) Makes it unlawful for a person to: (1) violate a requirement of this Act; (2) sell or distribute domestically or internationally organotin (biocide) or an antifouling system containing organotin; (3) manufacture or use organotin to formulate an antifouling system; (4) apply an antifouling system that contains organotin on a vessel; or (5) apply an antifouling system on a vessel in violation of the Convention.

Prohibits the hull of a vessel, with specified exceptions, from bearing an antifouling system that contains organotin, unless it bears an overcoating that forms a barrier to organotin leaching from the underlying antifouling system.

(Sec. 302) Authorizes the Secretary to investigate and enforce vessel compliance with the requirements of this Act or the Convention.

(Sec. 303) Authorizes inspections by officers or employees of the EPA or of any state designated by the EPA Administrator.

Title IV: Action on Violation, Penalties, and Referrals - (Sec. 401) Subjects a person who knowingly violates this Act

or the Convention to specified criminal and civil penalties.

(Sec. 408) Repeals the Organotin Antifouling Paint Control Act of 1988.

Actions Timeline

- **Nov 18, 2009:** Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation.
- **Nov 17, 2009:** Mr. Cummings moved to suspend the rules and pass the bill, as amended.
- **Nov 17, 2009:** Considered under suspension of the rules. (consideration: CR H13013-13018)
- **Nov 17, 2009:** DEBATE - The House proceeded with forty minutes of debate on H.R. 3618.
- **Nov 17, 2009:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H13013-13015)
- **Nov 17, 2009:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H13013-13015)
- **Nov 17, 2009:** Motion to reconsider laid on the table Agreed to without objection.
- **Nov 7, 2009:** Reported by the Committee on Transportation. H. Rept. 111-331, Part I.
- **Nov 7, 2009:** Committee on Science and Technology discharged.
- **Nov 7, 2009:** Placed on the Union Calendar, Calendar No. 189.
- **Nov 7, 2009:** Subcommittee on Energy and Environment Discharged.
- **Sep 24, 2009:** Committee Consideration and Mark-up Session Held.
- **Sep 24, 2009:** Ordered to be Reported by Voice Vote.
- **Sep 24, 2009:** Subcommittee on Coast Guard and Maritime Transportation Discharged.
- **Sep 23, 2009:** Referred to the Subcommittee on Energy and Environment.
- **Sep 23, 2009:** Referred to the Subcommittee on Coast Guard and Maritime Transportation.
- **Sep 22, 2009:** Introduced in House
- **Sep 22, 2009:** Referred to House Transportation and Infrastructure
- **Sep 22, 2009:** Referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Science and Technology, 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 22, 2009:** Referred to House Science and Technology