

117TH CONGRESS
2D SESSION

S. 4717

To authorize the Director of the Bureau of Land Management and the Director of the National Park Service to carry out activities to control the movement of aquatic invasive species into, across, and out of Federal land and waters, to provide for financial assistance from the Commissioner of Reclamation to Reclamation States for watercraft inspection and decontamination stations, to amend the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 to make certain technical corrections, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2022

Mr. BENNET (for himself and Mr. DAINES) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

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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 “Stop the Spread of
 5 Invasive Mussels Act of 2022”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) AQUATIC NUISANCE SPECIES TASK
 9 FORCE.—The term “Aquatic Nuisance Species Task
 10 Force” means the Aquatic Nuisance Species Task
 11 Force established by section 1201(a) of the Non-
 12 indigenous Aquatic Nuisance Prevention and Control
 13 Act of 1990 (16 U.S.C. 4721(a)).

14 (2) FEDERAL LAND AND WATER.—The term
 15 “Federal land and water” means Federal land and
 16 water operated and maintained by the Bureau of
 17 Land Management or the National Park Service, as
 18 applicable.

19 (3) INDIAN TRIBE.—The term “Indian Tribe”
 20 has the meaning given the term in section 4 of the
 21 Indian Self-Determination and Education Assistance
 22 Act (25 U.S.C. 5304).

23 (4) INSPECTION.—The term “inspection”
 24 means an inspection to prevent and respond to bio-
 25 logical invasions of an aquatic ecosystem.

1 (5) PARTNER.—The term “partner” means—

2 (A) a Reclamation State;

3 (B) an Indian Tribe in a Reclamation
4 State;

5 (C) an applicable nonprofit organization in
6 a Reclamation State; or

7 (D) a unit of local government in a Rec-
8 lamation State.

9 (6) RECLAMATION STATE.—

10 (A) IN GENERAL.—The term “Reclamation
11 State” means any State in which a Bureau of
12 Reclamation reservoir is located.

13 (B) INCLUSIONS.—The term “Reclamation
14 State” includes any of the States of—

15 (i) Alaska;

16 (ii) Arizona;

17 (iii) California;

18 (iv) Colorado;

19 (v) Idaho;

20 (vi) Kansas;

21 (vii) Montana;

22 (viii) Nebraska;

23 (ix) Nevada;

24 (x) New Mexico;

25 (xi) North Dakota;

- 1 (xii) Oklahoma;
- 2 (xiii) Oregon;
- 3 (xiv) South Dakota;
- 4 (xv) Texas;
- 5 (xvi) Utah;
- 6 (xvii) Washington; and
- 7 (xviii) Wyoming.

8 (7) SECRETARY.—The term “Secretary” means
9 the Secretary of the Interior.

10 **SEC. 3. FEDERAL LAND AND AQUATIC RESOURCE ACTIVI-**
11 **TIES ASSISTANCE.**

12 (a) AUTHORITY OF BUREAU OF LAND MANAGEMENT
13 AND NATIONAL PARK SERVICE WITH RESPECT TO CER-
14 TAIN AQUATIC RESOURCE ACTIVITIES ON FEDERAL LAND
15 AND WATER.—

16 (1) IN GENERAL.—The Secretary may inspect
17 and decontaminate watercraft entering and leaving
18 Federal land and water located within a river basin
19 that contains a Bureau of Reclamation water
20 project.

21 (2) REQUIREMENTS.—The Secretary, acting
22 through the Director of the Bureau of Land Man-
23 agement and the Director of the National Park
24 Service, shall—

1 (A) in carrying out an inspection under
 2 paragraph (1), coordinate with 1 or more part-
 3 ners;

4 (B) consult with the Aquatic Nuisance
 5 Species Task Force to identify potential im-
 6 provements in the detection and management of
 7 invasive species on Federal land and water; and

8 (C) to the maximum extent practicable, in-
 9 spect watercraft in a manner that minimizes
 10 disruptions to public access for boating and
 11 recreation in noncontaminated watercraft.

12 (3) PARTNERSHIPS.—The Secretary, acting
 13 through the Director of the Bureau of Land Man-
 14 agement and the Director of the National Park
 15 Service, may enter into a partnership to provide
 16 technical assistance to a partner—

17 (A) to carry out an inspection or decon-
 18 tamination of watercraft; or

19 (B) to establish an inspection and decon-
 20 tamination station for watercraft.

21 (b) GRANT PROGRAM FOR RECLAMATION STATES
 22 FOR WATERCRAFT INSPECTION AND DECONTAMINATION
 23 STATIONS.—

24 (1) WATERCRAFT INSPECTION IN RECLAMATION
 25 STATES.—Subject to the availability of appropria-

1 tions, the Secretary, acting through the Commis-
2 sioner of Reclamation, shall establish a competitive
3 grant program to provide grants to partners to con-
4 duct inspections and decontamination of watercraft
5 in reservoirs operated and maintained by the Sec-
6 retary, including to purchase, establish, operate, or
7 maintain a watercraft inspection and decontamina-
8 tion station.

9 (2) COST SHARE.—The Federal share of the
10 cost of a grant under paragraph (1), including per-
11 sonnel costs, shall not exceed 75 percent.

12 (3) STANDARDS.—Before awarding a grant
13 under paragraph (1), the Secretary shall determine
14 that the project is technically and financially fea-
15 sible.

16 (4) COORDINATION.—In carrying out this sub-
17 section, the Secretary shall coordinate with—

18 (A) each of the Reclamation States;

19 (B) affected Indian Tribes; and

20 (C) the Aquatic Nuisance Species Task
21 Force.

22 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
23 authorized to be appropriated to carry out this section
24 \$25,000,000 for fiscal year 2023 and each fiscal year
25 thereafter.

1 **SEC. 4. TECHNICAL CORRECTIONS TO THE NONINDIGE-**
 2 **NOUS AQUATIC NUISANCE PREVENTION AND**
 3 **CONTROL ACT OF 1990.**

4 (a) PURPOSES.—Section 1002(b) of the Nonindige-
 5 nous Aquatic Nuisance Prevention and Control Act of
 6 1990 (16 U.S.C. 4701(b)) is amended—

7 (1) in paragraph (2)—

8 (A) by inserting a comma after “funded”;

9 (B) by inserting a comma after “preven-
 10 tion”; and

11 (C) by inserting a comma after “dissemi-
 12 nation”; and

13 (2) in paragraph (3), by inserting a comma
 14 after “monitor”.

15 (b) DEFINITIONS.—Section 1003 of the Nonindige-
 16 nous Aquatic Nuisance Prevention and Control Act of
 17 1990 (16 U.S.C. 4702) is amended—

18 (1) in paragraph (7), by striking “Canandian”
 19 and inserting “Canadian”;

20 (2) by redesignating paragraphs (13) through
 21 (17) as paragraphs (14) through (18), respectively;
 22 and

23 (3) by inserting after paragraph (12) the fol-
 24 lowing:

25 “(13) ‘State’ means—

26 “(A) a State;

1 “(B) the District of Columbia;
 2 “(C) American Samoa;
 3 “(D) Guam;
 4 “(E) the Commonwealth of Puerto Rico;
 5 “(F) the Commonwealth of the Northern
 6 Mariana Islands; and
 7 “(G) the United States Virgin Islands;”.

8 (c) GREAT LAKES PANEL.—Section 1203(a) of the
 9 Nonindigenous Aquatic Nuisance Prevention and Control
 10 Act of 1990 (16 U.S.C. 4723(a)) is amended—

11 (1) in paragraph (1)(F), by inserting “and”
 12 after “research,”; and

13 (2) in paragraph (3), by striking “encourage”
 14 and inserting “encouraged”.

15 (d) ADMINISTRATIVE COSTS.—Section 1204(b)(4) of
 16 the Nonindigenous Aquatic Nuisance Prevention and Con-
 17 trol Act of 1990 (16 U.S.C. 4724(b)(4)) is amended, in
 18 the paragraph heading, by striking “ADMINISTRATIVE” and
 19 inserting “ADMINISTRATIVE”.

20 (e) BROWN TREE SNAKE CONTROL PROGRAM.—Sec-
 21 tion 1209 of the Nonindigenous Aquatic Nuisance Preven-
 22 tion and Control Act of 1990 (16 U.S.C. 4728) is amend-
 23 ed by striking “subsection (a)” and inserting “section
 24 1202(a)”.

1 (f) PREVENTION OF UNINTENTIONAL INTRODUC-
2 TIONS.—Section 1301(a)(2) of the Nonindigenous Aquatic
3 Nuisance Prevention and Control Act of 1990 (16 U.S.C.
4 4741(a)(2)) is amended by striking “1102(a)(2)” and in-
5 serting “1102(a)(2)”.

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