

118TH CONGRESS
1ST SESSION

H. R. 3951

To establish in the Department of Agriculture an Office of Aquaculture,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 9, 2023

Ms. BONAMICI (for herself, Mr. WITTMAN, Mr. PALLONE, Ms. PINGREE, and
Mr. CASE) introduced the following bill; which was referred to the Com-
mittee on Agriculture

A BILL

To establish in the Department of Agriculture an Office
of Aquaculture, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Sustaining Healthy
5 Ecosystems, Livelihoods, and Local Seafood Act” or the
6 “SHELLS Act”.

7 **SEC. 2. OFFICE OF AQUACULTURE.**

8 (a) IN GENERAL.—Subtitle A of the Department of
9 Agriculture Reorganization Act of 1994 is amended by in-
10 serting after section 216 (7 U.S.C. 6916) the following:

1 **“SEC. 217. OFFICE OF AQUACULTURE.**

2 “(a) DEFINITIONS.—In this section:

3 “(1) AQUACULTURE.—The term ‘aquaculture’
4 has the meaning given that term in section 3 of the
5 National Aquaculture Act of 1980 (16 U.S.C. 2802).

6 “(2) COMMITTEE.—The term ‘Committee’
7 means the Aquaculture Advisory Committee estab-
8 lished under subsection (c)(1).

9 “(3) DIRECTOR.—The term ‘Director’ means
10 the Director of the Office appointed under sub-
11 section (b)(2).

12 “(4) OFFICE.—The term ‘Office’ means the Of-
13 fice of Aquaculture established under subsection
14 (b)(1).

15 “(b) OFFICE.—

16 “(1) IN GENERAL.—The Secretary shall estab-
17 lish in the Department an Office of Aquaculture.

18 “(2) DIRECTOR.—The Secretary shall appoint a
19 senior official to serve as the Director of the Office.

20 “(3) MISSION.—The mission of the Office, in
21 coordination with any other relevant Federal agency,
22 shall be to encourage and promote aquaculture oper-
23 ations that promote United States food security and
24 limit adverse environmental effects, including—

25 “(A) shellfish cultivation (including oys-
26 ters, clams, and mussels);

1 “(B) micro- and macro-algae cultivation;

2 “(C) aquaculture production within land-
3 based systems; and

4 “(D) other forms of aquaculture produc-
5 tion, as determined by the Secretary, in con-
6 sultation with the Secretary of Commerce and
7 the heads of other Federal agencies, as applica-
8 ble.

9 “(4) RESPONSIBILITIES.—The Director shall be
10 responsible for engaging in activities to carry out the
11 mission of the Office described in paragraph (3), in-
12 cluding by—

13 “(A) overseeing programs of the Depart-
14 ment to support the development and advance-
15 ment of aquaculture best practices, using the
16 best available science, in consultation with agri-
17 cultural producers and industry partners;

18 “(B) providing technical assistance on best
19 practices to aquaculture farmers and busi-
20 nesses, including for shellfish, algae, and land-
21 based aquaculture systems, using the best avail-
22 able science;

23 “(C) advising the Secretary;

24 “(D) coordinating with the agencies and
25 officials of the Department to update and en-

1 sure support for aquaculture in relevant pro-
2 grams;

3 “(E) engaging in stakeholder relations and
4 developing external partnerships;

5 “(F) identifying common State and munic-
6 ipal best practices for navigating local policies;

7 “(G) oversight of extension and outreach
8 efforts to support aquaculture producers and
9 businesses;

10 “(H) collaborating and coordinating with
11 other Federal agencies, including the National
12 Oceanic and Atmospheric Administration, the
13 United States Fish and Wildlife Service, the Of-
14 fice of Science and Technology Policy, and the
15 Environmental Protection Agency;

16 “(I) convening a working group with rel-
17 evant officials of the Department to coordinate
18 programs and share knowledge;

19 “(J) representing the Department on the
20 Subcommittee on Aquaculture of the National
21 Science and Technology Council;

22 “(K) gathering and issuing aquaculture
23 production data, in consultation with the Ad-
24 ministrator of the National Oceanic and Atmos-
25 pheric Administration;

1 “(L) applying existing programs for risk
2 mitigation as applicable to aquaculture, includ-
3 ing insurance and purchasing programs; and

4 “(M) promoting aquaculture practices that
5 provide environmental, economic, and social
6 benefits.

7 “(c) AQUACULTURE ADVISORY COMMITTEE.—

8 “(1) IN GENERAL.—Not later than 180 days
9 after the date of enactment of the Sustaining
10 Healthy Ecosystems, Livelihoods, and Local Seafood
11 Act, the Secretary shall establish an Aquaculture
12 Advisory Committee to advise the Secretary on—

13 “(A) oversight of programs of the Depart-
14 ment to support development of, and to ad-
15 vance, aquaculture best practices using the best
16 available science, in consultation with farmers
17 and industry partners;

18 “(B) the history, use and preservation of
19 Indigenous and traditional aquaculture prac-
20 tices and ecological knowledge;

21 “(C) providing technical assistance to
22 aquaculture farmers and businesses, including
23 technical assistance that pertains to shellfish,
24 algae, and land-based aquaculture systems,
25 using the best available science; and

1 “(D) any other aspects of the implementa-
2 tion of this section.

3 “(2) MEMBERSHIP.—

4 “(A) IN GENERAL.—The Committee shall
5 be composed of 14 members, to be appointed by
6 the Secretary, of whom—

7 “(i) 1 shall be a representative of the
8 Department, who shall serve as chair of
9 the Committee;

10 “(ii) 4 shall be individuals who are
11 aquaculture producers who employ best
12 practices and limit adverse effects that re-
13 sult from the operations of the aquaculture
14 producers;

15 “(iii) 2 shall be representatives from
16 an Indian Tribe or Tribal organization (as
17 such terms are defined in section 4 of the
18 Indian Self-Determination and Education
19 Assistance Act (25 U.S.C. 5304)) or from
20 a Native Hawaiian organization (as such
21 term is defined in section 2 of the Native
22 American Graves Protection and Repatri-
23 ation Act (25 U.S.C. 3001));

24 “(iv) 1 shall be a representative from
25 a State or interstate commission;

1 “(v) 1 shall be a representative from
2 an institution of higher education or exten-
3 sion program;

4 “(vi) 1 shall be an individual who rep-
5 resents a nonprofit organization, which
6 may include a public health, environ-
7 mental, or community organization;

8 “(vii) 1 shall be an individual who
9 represents a relevant port, coastal, or
10 working waterfront community;

11 “(viii) 1 shall be an individual with
12 supply chain experience, which may include
13 a food aggregator, wholesale food dis-
14 tributor, food hub, or an individual who
15 has direct-to-consumer market experience;

16 “(ix) 1 shall be an individual with re-
17 lated experience or expertise in aquaculture
18 production practices, as determined by the
19 Secretary; and

20 “(x) 1 shall be an individual who rep-
21 resents aquaculture end users, including a
22 chef, member of the food service industry,
23 or grocer.

24 “(B) INITIAL APPOINTMENTS.—The Sec-
25 retary shall appoint the members of the Com-

1 mittee not later than 180 days after the date of
2 enactment of this section.

3 “(3) PERIOD OF APPOINTMENT; VACANCIES.—

4 “(A) IN GENERAL.—Except as provided in
5 subparagraph (B), a member of the Committee
6 shall be appointed for a term of 3 years.

7 “(B) INITIAL APPOINTMENTS.—Of the
8 members first appointed to the Committee—

9 “(i) 5 of the members, as determined
10 by the Secretary, shall be appointed for a
11 term of 3 years;

12 “(ii) 5 of the members, as determined
13 by the Secretary, shall be appointed for a
14 term of 2 years; and

15 “(iii) 4 of the members, as determined
16 by the Secretary, shall be appointed for a
17 term of 1 year.

18 “(C) VACANCIES.—Any vacancy in the
19 Committee—

20 “(i) shall not affect the powers of the
21 Committee; and

22 “(ii) shall be filled as soon as prac-
23 ticable in the same manner as the original
24 appointment.

1 “(D) CONSECUTIVE TERMS.—An initial
2 appointee of the Committee may serve an addi-
3 tional consecutive term if the member is re-
4 appointed by the Secretary.

5 “(4) MEETINGS.—

6 “(A) FREQUENCY.—The Committee shall
7 meet not fewer than 3 times per year.

8 “(B) INITIAL MEETING.—Not later than
9 180 days after the date on which the members
10 are appointed under paragraph (2)(B), the
11 Committee shall hold the first meeting of the
12 Committee.

13 “(5) DUTIES.—

14 “(A) IN GENERAL.—The Committee
15 shall—

16 “(i) develop recommendations and ad-
17 vise the Director on aquaculture policies,
18 initiatives, and outreach administered by
19 the Office;

20 “(ii) evaluate and review ongoing re-
21 search and extension activities relating to
22 aquaculture practices;

23 “(iii) identify new and existing bar-
24 riers to successful aquaculture practices;
25 and

1 “(iv) provide additional assistance and
2 advice to the Director as appropriate.

3 “(B) REPORTS.—Not later than 1 year
4 after the date on which the Committee is estab-
5 lished, and every 2 years thereafter through
6 2028, the Committee shall submit to the Sec-
7 retary, the Committee on Agriculture, Nutri-
8 tion, and Forestry and the Committee on Com-
9 merce, Science, and Transportation of the Sen-
10 ate, and the Committee on Agriculture and the
11 Committee on Natural Resources of the House
12 of Representatives, a report describing the rec-
13 ommendations developed under subparagraph
14 (A).

15 “(6) PERSONNEL MATTERS.—

16 “(A) COMPENSATION.—A member of the
17 Committee shall serve without compensation.

18 “(B) TRAVEL EXPENSES.—A member of
19 the Committee shall be allowed travel expenses,
20 including per diem in lieu of subsistence, in ac-
21 cordance with section 5703 of title 5, United
22 States Code.

23 “(7) TERMINATION.—

24 “(A) IN GENERAL.—Subject to subpara-
25 graph (B), the Committee shall terminate on

1 the date that is 5 years after the date on which
2 the members are appointed under paragraph
3 (2)(B).

4 “(B) EXTENSIONS.—Before the date on
5 which the Committee terminates, the Secretary
6 may renew the Committee for 1 or more 2-year
7 periods.

8 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
9 is authorized to be appropriated to carry out this section
10 \$25,000,000 for each of fiscal years 2024 through 2028.”.

11 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

12 (1) The Department of Agriculture Reorganiza-
13 tion Act of 1994 is amended by redesignating the
14 first section 225 (7 U.S.C. 6925) (relating to the
15 Food Access Liaison) as section 224A.

16 (2) Section 296(b) of the Department of Agri-
17 culture Reorganization Act of 1994 (7 U.S.C.
18 7014(b)) is amended by adding at the end the fol-
19 lowing:

20 “(11) The authority of the Secretary to carry
21 out section 217.”.

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