

116TH CONGRESS  
1ST SESSION

# S. 2975

To prevent the spread of aquatic invasive species in western waters, and  
for other purposes.

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## IN THE SENATE OF THE UNITED STATES

DECEMBER 4, 2019

Mr. BENNET (for himself, Mr. DAINES, and Mr. TESTER) introduced the fol-  
lowing bill; which was read twice and referred to the Committee on Envi-  
ronment and Public Works

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## A BILL

To prevent the spread of aquatic invasive species in western  
waters, 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 “Stop the Spread of  
5 Invasive Mussels Act of 2019”.

6 **SEC. 2. BUREAU OF RECLAMATION ASSISTANCE.**

7 (a) DEFINITIONS.—In this section:

8 (1) AQUATIC INVASIVE SPECIES.—The term  
9 “aquatic invasive species” has the meaning given the  
10 term “aquatic nuisance species” in section 1003 of

1 the Nonindigenous Aquatic Nuisance Prevention and  
2 Control Act of 1990 (16 U.S.C. 4702).

3 (2) RECLAMATION STATE.—The term “reclama-  
4 tion State” has the meaning given the term in sec-  
5 tion 4014 of the Water Infrastructure Improvements  
6 for the Nation Act (43 U.S.C. 390b note; Public  
7 Law 114–322).

8 (3) SECRETARY.—The term “Secretary” means  
9 the Secretary of the Interior, acting through the  
10 Commissioner of Reclamation.

11 (b) WATERCRAFT INSPECTION IN RECLAMATION  
12 STATES.—The Secretary shall provide financial assistance  
13 to a reclamation State to prevent the spread of aquatic  
14 invasive species into and out of reservoirs operated and  
15 maintained by the Secretary, including financial assistance  
16 to purchase, establish, operate, or maintain a watercraft  
17 inspection and decontamination station that has the high-  
18 est likelihood of preventing the spread of aquatic invasive  
19 species at reservoirs operated and maintained by the Sec-  
20 retary, if the Secretary determines that the financial as-  
21 sistance is—

22 (1) necessary; and

23 (2) in the interests of the United States.

24 (c) COST SHARE.—The non-Federal share of the cost  
25 of purchasing, establishing, operating, and maintaining a

1 watercraft inspection and decontamination station (includ-  
2 ing a non-Federal watercraft inspection and decontamina-  
3 tion station) under subsection (b), including personnel  
4 costs, shall be—

5 (1) not less than 50 percent; and

6 (2) provided by the reclamation State, or a unit  
7 of local government in the reclamation State, in  
8 which the watercraft inspection and decontamination  
9 station or other project is located.

10 (d) PRIORITY.—In providing financial assistance to  
11 a reclamation State under subsection (b), the Secretary  
12 shall give priority to a project that—

13 (1) would prevent the spread of an aquatic  
14 invasive species to waters under the jurisdiction of  
15 the Secretary, including an irrigation, reclamation,  
16 or other water project; and

17 (2) aligns with—

18 (A) priorities of the reclamation State; and

19 (B) the document submitted to the Aquatic  
20 Nuisance Species Task Force entitled “Quagga-  
21 Zebra Mussel Action Plan for Western U.S.  
22 Waters” and dated February 2010.

23 (e) COORDINATION.—In carrying out this section, the  
24 Secretary shall consult and coordinate with—

25 (1) each of the reclamation States;

1 (2) affected Indian Tribes; and

2 (3) the heads of appropriate Federal agencies.

3 (f) AUTHORIZATION OF APPROPRIATIONS.—There is  
4 authorized to be appropriated to carry out this section  
5 \$25,000,000 for fiscal year 2020 and each fiscal year  
6 thereafter.

7 **SEC. 3. WATERCRAFT INSPECTION AND DECONTAMINA-**  
8 **TION AUTHORITY.**

9 (a) MANDATORY INSPECTION AND DECONTAMINA-  
10 TION.—

11 (1) DEFINITION OF TASK FORCE AGENCY.—In  
12 this subsection, the term “task force agency” means  
13 any Federal agency the head of which is a member  
14 of the Aquatic Nuisance Species Task Force under  
15 section 1201(b) of the Nonindigenous Aquatic Nui-  
16 sance Prevention and Control Act of 1990 (16  
17 U.S.C. 4721(b)).

18 (2) MANDATORY INSPECTION AND DECON-  
19 TAMINATION.—To limit the movement of aquatic  
20 invasive species (as defined in section 2(a)) into or  
21 out of the waters of the United States, each task  
22 force agency may, as appropriate—

23 (A) conduct mandatory inspections and de-  
24 contamination of watercraft; and

1 (B) if necessary, impound, quarantine, or  
2 otherwise prevent entry of a watercraft.

3 (b) AQUATIC NUISANCE SPECIES TASK FORCE.—  
4 Section 1201(b) of the Nonindigenous Aquatic Nuisance  
5 Prevention and Control Act of 1990 (16 U.S.C. 4721(b))  
6 is amended—

7 (1) in paragraph (6), by striking “and” at the  
8 end;

9 (2) by redesignating paragraph (7) as para-  
10 graph (10); and

11 (3) by inserting after paragraph (6) the fol-  
12 lowing:

13 “(7) the Director of the National Park Service;

14 “(8) the Director of the Bureau of Land Man-  
15 agement;

16 “(9) the Commissioner of Reclamation; and”.

17 (c) AQUATIC NUISANCE SPECIES PROGRAM.—Sec-  
18 tion 1202 of the Nonindigenous Aquatic Nuisance Preven-  
19 tion and Control Act of 1990 (16 U.S.C. 4722) is amend-  
20 ed—

21 (1) in subsection (b)—

22 (A) in paragraph (5), by striking “and” at  
23 the end;

24 (B) in paragraph (6), by striking the pe-  
25 riod at the end and inserting “; and”; and

1 (C) by adding at the end the following:

2 “(7) not later than 90 days after the date of  
3 enactment of the Stop the Spread of Invasive Mus-  
4 sels Act of 2019, recommend legislative or regu-  
5 latory changes to eliminate remaining gaps in au-  
6 thorities between members of the Task Force to ef-  
7 fectively manage and control the movement of aquat-  
8 ic nuisance species into or out of waters of the  
9 United States.”; and

10 (2) in subsection (e)—

11 (A) in paragraph (1)—

12 (i) in the first sentence, by inserting  
13 “, economy, infrastructure,” after “envi-  
14 ronment”; and

15 (ii) in the second sentence, by insert-  
16 ing “(including through the use of  
17 watercraft inspection and decontamination  
18 stations)” after “aquatic nuisance spe-  
19 cies”; and

20 (B) in paragraph (2), in the second sen-  
21 tence, by inserting “infrastructure, and the”  
22 after “ecosystems,”.

23 **SEC. 4. TECHNICAL CORRECTIONS.**

24 Section 104(d) of the River and Harbor Act of 1958  
25 (33 U.S.C. 610(d)) is amended—

1 (1) in the subsection heading, by inserting  
 2 “AND DECONTAMINATION” after “INSPECTION”;

3 (2) in paragraph (1)—

4 (A) in subparagraph (A)—

5 (i) in the subparagraph heading, by  
 6 inserting “AND DECONTAMINATION” after  
 7 “INSPECTION”; and

8 (ii) in clause (iii), by striking “Ari-  
 9 zona” and inserting “Arkansas”; and

10 (B) by striking subparagraph (B) and in-  
 11 serting the following:

12 “(B) LOCATIONS.—The Secretary shall  
 13 place watercraft inspection and decontamination  
 14 stations under subparagraph (A) at locations  
 15 with the highest likelihood of preventing the  
 16 spread of aquatic invasive species into and out  
 17 of waters of the United States, as determined  
 18 by the Secretary in consultation with the Gov-  
 19 ernors and entities described in paragraph  
 20 (3).”; and

21 (3) by striking “watercraft inspection stations”  
 22 each place it appears and inserting “watercraft in-  
 23 spection and decontamination stations”.

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