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

IN THE SENATE OF THE UNITED STATES

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

A BILL

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

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Stop the Spread of
Invasive Mussels Act of 2019”.

SEC. 2. BUREAU OF RECLAMATION ASSISTANCE.

(a) DEFINITIONS.—In this section:

(1) AQUATIC INVASIVE SPECIES.—The term
“aquatic invasive species” has the meaning given the
term “aquatic nuisance species” in section 1003 of
the Nonindigenous Aquatic Nuisance Prevention and

(2) Reclamation State.—The term “reclamation State” has the meaning given the term in sec-
tion 4014 of the Water Infrastructure Improvements
for the Nation Act (43 U.S.C. 390b note; Public
Law 114–322)).

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

(b) Watercraft Inspection in Reclamation
States.—The Secretary shall provide financial assistance
to a reclamation State to prevent the spread of aquatic
invasive species into and out of reservoirs operated and
maintained by the Secretary, including financial assistance
to purchase, establish, operate, or maintain a watercraft
inspection and decontamination station that has the high-
est likelihood of preventing the spread of aquatic invasive
species at reservoirs operated and maintained by the Sec-
retary, if the Secretary determines that the financial as-
sistance is—

(1) necessary; and

(2) in the interests of the United States.

(c) Cost Share.—The non-Federal share of the cost
of purchasing, establishing, operating, and maintaining a
watercraft inspection and decontamination station (including a non-Federal watercraft inspection and decontamination station) under subsection (b), including personnel costs, shall be—

(1) not less than 50 percent; and

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

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

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

(2) aligns with—

(A) priorities of the reclamation State; and

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

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

(1) each of the reclamation States;
(2) affected Indian Tribes; and

(3) the heads of appropriate Federal agencies.

(f) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section $25,000,000 for fiscal year 2020 and each fiscal year thereafter.

SEC. 3. WATERCRAFT INSPECTION AND DECONTAMINATION AUTHORITY.

(a) Mandatory Inspection and Decontamination.—

(1) Definition of Task Force Agency.—In this subsection, the term “task force agency” means any Federal agency the head of which is a member of the Aquatic Nuisance Species Task Force under section 1201(b) of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4721(b)).

(2) Mandatory Inspection and Decontamination.—To limit the movement of aquatic invasive species (as defined in section 2(a)) into or out of the waters of the United States, each task force agency may, as appropriate—

(A) conduct mandatory inspections and decontamination of watercraft; and
(B) if necessary, impound, quarantine, or otherwise prevent entry of a watercraft.

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

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

(2) by redesignating paragraph (7) as paragraph (10); and

(3) by inserting after paragraph (6) the following:

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

“(8) the Director of the Bureau of Land Management;

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

(c) AQUATIC NUISANCE SPECIES PROGRAM.—Section 1202 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4722) is amended—

(1) in subsection (b)—

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

(B) in paragraph (6), by striking the period at the end and inserting “; and”; and
(C) by adding at the end the following:

“(7) not later than 90 days after the date of enactment of the Stop the Spread of Invasive Mussels Act of 2019, recommend legislative or regulatory changes to eliminate remaining gaps in authorities between members of the Task Force to effectively manage and control the movement of aquatic nuisance species into or out of waters of the United States.”; and

(2) in subsection (e)—

(A) in paragraph (1)—

(i) in the first sentence, by inserting “, economy, infrastructure,” after “environment”; and

(ii) in the second sentence, by inserting “(including through the use of watercraft inspection and decontamination stations)” after “aquatic nuisance species”; and

(B) in paragraph (2), in the second sentence, by inserting “infrastructure, and the” after “ecosystems,”.

SEC. 4. TECHNICAL CORRECTIONS.

Section 104(d) of the River and Harbor Act of 1958 (33 U.S.C. 610(d)) is amended—
(1) in the subsection heading, by inserting “AND DECONTAMINATION” after “INSPECTION”;

(2) in paragraph (1)—

(A) in subparagraph (A)—

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

(ii) in clause (iii), by striking “Arizona” and inserting “Arkansas”; and

(B) by striking subparagraph (B) and inserting the following:

“(B) LOCATIONS.—The Secretary shall place watercraft inspection and decontamination stations under subparagraph (A) at locations with the highest likelihood of preventing the spread of aquatic invasive species into and out of waters of the United States, as determined by the Secretary in consultation with the Governors and entities described in paragraph (3).”; and

(3) by striking “watercraft inspection stations” each place it appears and inserting “watercraft inspection and decontamination stations”.