

118TH CONGRESS  
1ST SESSION

# S. 2105

To authorize the Secretary of the Interior and the Secretary of Agriculture 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.

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IN THE SENATE OF THE UNITED STATES

JUNE 22, 2023

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

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## A BILL

To authorize the Secretary of the Interior and the Secretary of Agriculture 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.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Stop the Spread of  
3 Invasive Mussels Act of 2023”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

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

12 (2) **FEDERAL LAND AND WATER.**—The term  
13 “Federal land and water” means Federal land and  
14 water operated and maintained by the Bureau of  
15 Land Management, the Bureau of Reclamation, the  
16 National Park Service, or the Forest Service, as ap-  
17 plicable.

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

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

25 (5) **PARTNER.**—The term “partner” means—  
26 (A) a Reclamation State;

1 (B) an Indian Tribe in a Reclamation  
2 State;

3 (C) an applicable nonprofit organization in  
4 a Reclamation State; or

5 (D) a unit of local government in a Rec-  
6 lamation State.

7 (6) RECLAMATION STATE.—

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

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

13 (i) Alaska;

14 (ii) Arizona;

15 (iii) California;

16 (iv) Colorado;

17 (v) Idaho;

18 (vi) Kansas;

19 (vii) Montana;

20 (viii) Nebraska;

21 (ix) Nevada;

22 (x) New Mexico;

23 (xi) North Dakota;

24 (xii) Oklahoma;

25 (xiii) Oregon;

- 1 (xiv) South Dakota;  
2 (xv) Texas;  
3 (xvi) Utah;  
4 (xvii) Washington; and  
5 (xviii) Wyoming.

6 (7) SECRETARIES.—The term “Secretaries”  
7 means—

8 (A) the Secretary of the Interior, acting  
9 through the Director of the Bureau of Land  
10 Management, the Commissioner of Reclama-  
11 tion, and the Director of the National Park  
12 Service; and

13 (B) the Secretary of Agriculture, acting  
14 through the Chief of the Forest Service.

15 **SEC. 3. FEDERAL LAND AND AQUATIC RESOURCE ACTIVI-**  
16 **TIES ASSISTANCE.**

17 (a) AUTHORITY OF BUREAU OF LAND MANAGE-  
18 MENT, BUREAU OF RECLAMATION, NATIONAL PARK  
19 SERVICE, AND FOREST SERVICE WITH RESPECT TO CER-  
20 TAIN AQUATIC RESOURCE ACTIVITIES ON FEDERAL LAND  
21 AND WATER.—

22 (1) IN GENERAL.—The Secretaries may inspect  
23 and decontaminate watercraft entering and leaving  
24 Federal land and water located within a river basin

1 that contains a Bureau of Reclamation water  
2 project.

3 (2) REQUIREMENTS.—The Secretaries shall—

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

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

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

15 (3) PARTNERSHIPS.—The Secretaries may  
16 enter into a partnership to provide technical assist-  
17 ance to a partner—

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

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

22 (4) DATA SHARING.—The Secretaries shall  
23 make available to a Reclamation State any data  
24 gathered relating to inspections carried out in the  
25 Reclamation State under this subsection.

1 (b) GRANT PROGRAM FOR RECLAMATION STATES  
2 FOR WATERCRAFT INSPECTION AND DECONTAMINATION  
3 STATIONS.—

4 (1) WATERCRAFT INSPECTION IN RECLAMATION  
5 STATES.—Subject to the availability of appropria-  
6 tions, the Secretary of the Interior, acting through  
7 the Commissioner of Reclamation (referred to in this  
8 subsection as the “Secretary”), shall establish a  
9 competitive grant program to provide grants to part-  
10 ners to conduct inspections and decontamination of  
11 watercraft in reservoirs operated and maintained by  
12 the Secretary, including to purchase, establish, oper-  
13 ate, or maintain a watercraft inspection and decon-  
14 tamination station.

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

18 (3) STANDARDS.—Before awarding a grant  
19 under paragraph (1), the Secretary shall determine  
20 that the project is technically and financially fea-  
21 sible.

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

24 (A) each of the Reclamation States;

25 (B) affected Indian Tribes; and

1 (C) the Aquatic Nuisance Species Task  
2 Force.

3 (c) AUTHORIZATION OF APPROPRIATIONS.—There is  
4 authorized to be appropriated to carry out this section  
5 \$25,000,000 for fiscal year 2024 and each fiscal year  
6 thereafter.

7 **SEC. 4. TECHNICAL CORRECTIONS TO THE NONINDIGE-**  
8 **NOUS AQUATIC NUISANCE PREVENTION AND**  
9 **CONTROL ACT OF 1990.**

10 (a) PURPOSES.—Section 1002(b) of the Nonindige-  
11 nous Aquatic Nuisance Prevention and Control Act of  
12 1990 (16 U.S.C. 4701(b)) is amended—

13 (1) in paragraph (2)—

14 (A) by inserting a comma after “preven-  
15 tion”; and

16 (B) by inserting a comma after “dissemi-  
17 nation”; and

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

20 (b) PREVENTION OF UNINTENTIONAL INTRODUC-  
21 TIONS.—Section 1301(a)(2) of the Nonindigenous Aquatic  
22 Nuisance Prevention and Control Act of 1990 (16 U.S.C.  
23 4741(a)(2)) is amended by striking “1102(a)(2)” and in-  
24 serting “1102(a)(2)”.

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