

Comparative Print: Changes in Existing Law for Bill number:

Notice

This document was computer-generated to show how legislative text that may be considered by the House proposes to change existing law. It has not been reviewed for accuracy. This document does not represent an official expression by the House and should not be relied on as an authoritative delineation of the proposed change(s) to existing law.

Omitted text is shown ~~stricken~~, new matter that is proposed is in underlined italics, and existing text in which no change is being proposed is shown in regular roman. Typesetting and stylistic characteristics, particularly in the headings and indentations, may not conform to how the text, if adopted, would be illustrated in subsequent versions of legislation or public law.

Summary

- (1) 2 amendments.
- (2) 0 automated notifications.

Current Law(s) being amended

[1. Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990](#)

Comparative Print: Changes in Existing Law

1. Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990

[As Amended Through P.L. 118–272, Enacted January 4, 2025]

TITLE I—AQUATIC NUISANCE PREVENTION AND CONTROL

* * * * *

Subtitle C—Prevention and Control of Aquatic Nuisance Species Dispersal

* * * * *

Sec. 1202. AQUATIC NUISANCE SPECIES PROGRAM.

(a) **In General.**— The Task Force shall develop and implement a program for waters of the United States to prevent introduction and dispersal of aquatic nuisance species; to monitor, control and study such species; and to disseminate related information.

(b) **Content.**— The program developed under subsection (a) shall—

- (1) identify the goals, priorities, and approaches for aquatic nuisance species prevention, monitoring, control, education and research to be conducted or funded by the Federal Government;
- (2) describe the specific prevention, monitoring, control, education and research activities to be conducted by each Task Force member;
- (3) coordinate aquatic nuisance species programs and activities of Task Force members and affected State agencies;
- (4) describe the role of each Task Force member in implementing the elements of the program as set forth in this subtitle;
- (5) include recommendations for funding to implement elements of the program; and
- (6) develop a demonstration program of prevention, monitoring, control, education and research for the zebra mussel, to be implemented in the Great Lakes and any other waters infested, or likely to become infested in the near future, by the zebra mussel.

(c) **Prevention.**—

(1) **In general.**— The Task Force shall establish and implement measures, within the program developed under subsection (a), to minimize the risk of introduction of aquatic nuisance species to waters of the United States, including—

- (A) identification of pathways by which aquatic organisms are introduced to waters of the United States;
- (B) assessment of the risk that an aquatic organism carried by an identified pathway may become an aquatic nuisance species; and
- (C) evaluation of whether measures to prevent introductions of aquatic nuisance species are effective and environmentally sound.

(2) **Implementation.**— Whenever the Task Force determines that there is a substantial risk of unintentional introduction of an aquatic nuisance species by an identified pathway and that the adverse consequences of such an introduction are likely to be substantial, the Task Force shall, acting through the appropriate Federal agency, and after an opportunity for public

comment, carry out cooperative, environmentally sound efforts with regional, State and local entities to minimize the risk of such an introduction.

(d) Monitoring.— The Task Force shall establish and implement monitoring measures, within the program developed under subsection (a), to—

- (1) detect unintentional introductions of aquatic nuisance species;
- (2) determine the dispersal of aquatic nuisance species after introduction; and
- (3) provide for the early detection and prevention of infestations of aquatic nuisance species in unaffected drainage basins.

(e) Control.—

(1) In general.— The Task Force may develop cooperative efforts, within the program established under subsection (a), to control established aquatic nuisance species to minimize the risk of harm to the environment and the public health and welfare. For purposes of this Act, control efforts include eradication of infestations, reductions of populations, development of means of adapting human activities and public facilities to accommodate infestations, and prevention of the spread of aquatic nuisance species from infested areas. Such control efforts shall be developed in consultation with affected Federal agencies, States, Indian Tribes, local governments, interjurisdictional organizations, and other appropriate entities. Control actions authorized by this section shall be based on the best available scientific information and shall be conducted in an environmentally sound manner.

(2) Decisions.— The Task Force or any other affected agency or entity may recommend that the Task Force initiate a control effort. In determining whether a control program is warranted, the Task Force shall evaluate the need for control (including the projected consequences of no control and less than full control); the technical and biological feasibility and cost-effectiveness of alternative control strategies and actions; whether the benefits of control, including costs avoided, exceed the costs of the program; the risk of harm to non-target organisms and ecosystems, public health and welfare; and such other considerations the Task Force determines appropriate. The Task Force shall also determine the nature and extent of control of target aquatic nuisance species that is feasible and desirable.

(3) Programs.— If the Task Force determines in accordance with paragraph (2) that control of an aquatic nuisance species is warranted, the Task Force shall develop a proposed control program to achieve the target level of control. A notice summarizing the proposed action and soliciting comments shall be published in the Federal Register, in major newspapers in the region affected, and in principal trade publications of the industries affected. Within 180 days of proposing a control program, and after consultation with affected governmental and other appropriate entities and taking into consideration other comments received, the Task Force shall complete development of the proposed control program.

(4) Technical assistance and recommendations.— The Task Force may provide technical assistance and recommendations for best practices to an agency or entity engaged in vessel inspections or decontaminations for the purpose of—

- (A) effectively managing and controlling the movement of aquatic nuisance species into, within, or out of water of the United States; and
- (B) inspecting recreational vessels in a manner that minimizes disruptions to public access for boating and recreation in non-contaminated vessels.

(5) Consultation and input.— In carrying out paragraph (4), including the development of recommendations, the Task Force may consult with Indian Tribes and solicit input from—

- (A) State and Tribal fish and wildlife management agencies;

(B) other State and Tribal agencies that manage fishery resources of the State or sustain fishery habitat; and

(C) relevant nongovernmental entities.

(f) Research.—

(1) Priorities.— The Task Force shall, within the program developed under subsection (a), conduct research concerning—

(A) the environmental and economic risks and impacts associated with the introduction of aquatic nuisance species into the waters of the United States;

(B) the principal pathways by which aquatic nuisance species are introduced and dispersed;

(C) possible methods for the prevention, monitoring and control of aquatic nuisance species; and

(D) the assessment of the effectiveness of prevention, monitoring and control methods.

(2) Protocol.— Within 90 days of the date of enactment of this Act, the Task Force shall establish and follow a protocol to ensure that research activities carried out under this subtitle do not result in the introduction of aquatic nuisance species to waters of the United States.

(3) Grants for research.— The Task Force shall allocate funds authorized under this Act for competitive research grants to study all aspects of aquatic nuisance species, which shall be administered through the National Sea Grant College Program and the Cooperative Fishery and Wildlife Research Units. Grants shall be conditioned to ensure that any recipient of funds follows the protocol established under paragraph (2) of this subsection.

(g) Technical Assistance.— The Task Force shall, within the program developed under subsection (a), provide technical assistance to State and local governments and persons to minimize the environmental, public health, and safety risks associated with aquatic nuisance species, including an early warning system for advance notice of possible infestations and appropriate responses.

(h) Education.— The Task Force shall, with the program developed under subsection (a), establish and implement educational programs through Sea Grant Marine Advisory Services and any other available resources that it determines to be appropriate to inform the general public, State governments, governments of political subdivisions of States, and industrial and recreational users of aquatic resources in connection with matters concerning the identification of aquatic nuisance species, and control methods for such species, including the prevention of the further distribution of such species.

(i) Zebra Mussel Demonstration Program.—

(1) Zebra mussel.—

(A) In general.— The Task Force shall, within the program developed under subsection (a), undertake a program of prevention, monitoring, control, education and research for the zebra mussel to be implemented in the Great Lakes and any other waters of the United States infested or likely to become infested by the zebra mussel, including—

(i) research and development concerning the species life history, environmental tolerances and impacts on fisheries and other ecosystem components, and the efficacy of control mechanisms and means of avoiding or minimizing impacts;

(ii) tracking the dispersal of the species and establishment of an early warning system to alert likely areas of future infestations;

(iii) development of control plans in coordination with regional, State and local entities; and

(iv) provision of technical assistance to regional, State and local entities to carry out this section.

(B) Public facility research and development.— The Assistant Secretary, in consultation with the Task Force, shall develop a program of research, technology development, and demonstration for the environmentally sound control of zebra mussels in and around public facilities. The Assistant Secretary shall collect and make available, through publications and other appropriate means, information pertaining to such control methods.

(C) Voluntary guidelines.— Not later than 1 year after the date of enactment of this subparagraph, the Task Force shall develop and submit to the Secretary voluntary guidelines for controlling the spread of the zebra mussel and, if appropriate, other aquatic nuisance species through recreational activities, including boating and fishing. Not later than 4 months after the date of such submission, and after providing notice and an opportunity for public comment, the Secretary shall issue voluntary guidelines that are based on the guidelines developed by the Task Force under this subparagraph.

(2) Dispersal containment analysis.—

(A) Research.— The Administrator of the Environmental Protection Agency, in cooperation with the National Science Foundation and the Task Force, shall provide research grants on a competitive basis for projects that—

(i) identify environmentally sound methods for controlling the dispersal of aquatic nuisance species, such as the zebra mussel; and

(ii) adhere to research protocols developed pursuant to subsection (f)(2).

(B) Authorization of appropriations.— There are authorized to be appropriated to the Environmental Protection Agency to carry out this paragraph, \$500,000.

(3) Dispersal barrier demonstration.—

(A) In general.— The Assistant Secretary, in consultation with the Task Force, shall investigate and identify environmentally sound methods for preventing and reducing the dispersal of aquatic nuisance species between the Great Lakes-Saint Lawrence drainage and the Mississippi River drainage through the Chicago River Ship and Sanitary Canal, including any of those methods that could be incorporated into the operation or construction of the lock system of the Chicago River Ship and Sanitary Canal.

(B) Report.— Not later than 18 months after the date of enactment of this paragraph, the Assistant Secretary shall issue a report to the Congress that includes recommendations concerning—

(i) which of the methods that are identified under the study conducted under this paragraph are most promising with respect to preventing and reducing the dispersal of aquatic nuisance species; and

(ii) ways to incorporate those methods into ongoing operations of the United States Army Corps of Engineers that are conducted at the Chicago River Ship and Sanitary Canal.

(C) Authorization of appropriations.— There are authorized to be appropriated to the Department of the Army such sums as are necessary to carry out the dispersal barrier demonstration project directed by this paragraph.

(4) **Contributions.**— To the extent allowable by law, in carrying out the studies under paragraphs (2) and (3), the Administrator of the Environmental Protection Agency and the Secretary of the Army may enter into an agreement with an interested party under which that party provides in kind or monetary contributions for the study.

(5) **Technical assistance.**— The Great Lakes Environmental Research Laboratory of the National Oceanic and Atmospheric Administration shall provide technical assistance to appropriate entities to assist in the research conducted pursuant to this subsection.

(j) GOLDEN MUSSEL DEMONSTRATION PROGRAM.—

(1) DEMONSTRATION PROGRAM.—

(A) IN GENERAL.— The Task Force, in partnership with State and local entities, port authorities, industry partners, institutions of higher education, and local nonprofit organizations, shall develop a demonstration program of prevention, monitoring, control, eradication, education, and research with respect to the golden mussel, including—

(i) research and development regarding—

(I) the biology;

(II) the environmental tolerances;

(III) the effect on—

(aa) fisheries;

(bb) water quality; and

(cc) other ecosystem components; and

(IV) the efficacy of control mechanisms and technologies;

(ii) tracking dispersal and establishment of an early warning system to alert likely areas of future infestations;

(iii) development of control and eradication methods and plans, including—

(I) in and around—

(aa) derelict vessels;

(bb) public infrastructure;

(cc) fish screens; and

(dd) waterways; and

(II) hull inspections; and

(iv) provision of technical assistance to regional, State and local entities to carry out this subsection, as applicable.

(B) IMPLEMENTATION AREA.— The demonstration program shall be implemented in the Sacramento-San Joaquin Delta and any other waters of the United States the Task Force determines are infested, or likely to become infested, by the golden mussel.

(C) AVAILABILITY OF CERTAIN INFORMATION.— The Task Force shall collect and make available to State and local entities and port authorities, through direct reports, publications, and other means necessary, information relating to control and eradication methods and plans developed under the demonstration program.

(D) CONTROL AND ERADICATION GUIDELINES.— Not later than 1 year after the date of the enactment of this subsection, the Task Force shall develop guidelines to control the spread

of and eradicate the golden mussel, including through the establishment of watercraft inspection stations.

(2) RESPONSE AND CONTAINMENT RESEARCH GRANT PROGRAM.—

(A) IN GENERAL.— The Task Force shall establish a grant program to award amounts, on a competitive basis, to State and local entities, institutions of higher education, nonprofit organizations, and industry partners to carry out projects that—

(i) identify effective technologies and mechanisms to control and remove golden mussels from—

(I) water intakes;

(II) conveyance infrastructure;

(III) fish screens;

(IV) derelict vessels;

(V) boat hulls;

(VI) waterways; or

(VII) other areas where the golden mussel may be found; or

(ii) provide an understanding of the biology of the golden mussel and effective containment science with respect to the golden mussel.

(B) TECHNOLOGY TRANSFER.— In carrying out the grant program, the Task Force may enter into an agreement with a State or local entity, port authority, industry partner, or any other appropriate entity for the use or sale of any new technology developed under the grant program to expedite the control and eradication of golden mussels.

(3) COORDINATION.—

(A) IN GENERAL.— The demonstration program shall provide guidance to other Federal agencies, States, port authorities for all United States ports of entry, local government agencies, and regional and other entities with the necessary expertise to participate in control and eradication methods and plans developed pursuant to the demonstration program.

(B) DELEGATION.— The Task Force may delegate responsibility for implementing all or a portion of a control or eradication method or plan developed pursuant to the demonstration program to an entity described in subparagraph (A) if the Task Force determines—

(i) such entity has sufficient authority or jurisdiction and expertise; and

(ii) it will be more efficient or effective to delegate such responsibility than to retain such responsibility.

(4) AUTHORIZATION OF APPROPRIATIONS.— There are authorized to be appropriated to the Task Force to carry out this section \$15,000,000 for each of fiscal years 2026 through 2030.

(5) DEFINITIONS.— In this subsection:

(A) DEMONSTRATION PROGRAM.— The term “**demonstration program**” means the demonstration program developed under paragraph (1)(A).

(B) GRANT PROGRAM.— The term “**grant program**” means the grant program established under paragraph (2)(A).

(C) INSTITUTION OF HIGHER EDUCATION.— The term “institution of higher education” has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(j) Implementation.—

(1) **Regulations.**— The Director, the Secretary, and the Under Secretary may issue such rules and regulations as may be necessary to implement this section.

(2) **Participation of others.**— The Task Force shall provide opportunities for affected Federal agencies which are not part of the Task Force, State and local government agencies, and regional and other entities with the necessary expertise to participate in control programs. If these other agencies or entities have sufficient authority or jurisdiction and expertise and where this will be more efficient or effective, responsibility for implementing all or a portion of a control program may be delegated to such agencies or entities.

(k) Reports.—

(1) Not later than 12 months after the date of enactment of this Act, the Task Force shall submit a report describing the program developed under subsection (a), including the research protocol required under subsection (f)(2), to the Congress.

(2) On an annual basis after the submission of the report under paragraph (1), the Task Force shall submit a report to the Congress detailing progress in carrying out this section.

(3) Not later than 90 days after the date of enactment of the Don Young Coast Guard Authorization Act of 2022, the Task Force shall submit a report to Congress recommending legislative, programmatic, 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.

[(16 U.S.C. 4722)]

* * * * *

Summary

- (1) 2 amendments.
- (2) 0 automated notifications.

About this report

U.S. Code release point 119-102, dated 07/12/2026

XML Database version: 0.6.32

CSS version: 2.0.2

Version of the system: Bill to Law Report Generator 2.0.3; AMPL 2.2.13

