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S. 93

To amend the Harmful Algal Blooms and Hypoxia Research and Control Act of 1998 to address harmful algal blooms, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 14, 2025

Mr. SULLIVAN (for himself, Ms. BALDWIN, Ms. COLLINS, Mr. CORNYN, Mr. MERKLEY, Mr. PETERS, and Mr. WHITEHOUSE) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend the Harmful Algal Blooms and Hypoxia Research and Control Act of 1998 to address harmful algal blooms, 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 “Harmful Algal Bloom
5 and Hypoxia Research and Control Amendments Act of
6 2025”.

1 **SEC. 2. AMENDMENTS TO THE HARMFUL ALGAL BLOOM**
 2 **AND HYPOXIA RESEARCH AND CONTROL ACT**
 3 **OF 1998.**

4 (a) ASSESSMENTS.—

5 (1) IN GENERAL.—Section 603 of the Harmful
 6 Algal Bloom and Hypoxia Research and Control Act
 7 of 1998 (33 U.S.C. 4001) is amended—

8 (A) in the section heading, by striking
 9 “**ASSESSMENTS**” and inserting “**TASK**
 10 **FORCE, ASSESSMENTS, AND ACTION**
 11 **STRATEGY**”;

12 (B) in subsection (a)—

13 (i) by redesignating paragraphs (13)
 14 and (14) as paragraphs (14) and (15), re-
 15 spectively; and

16 (ii) by inserting after paragraph (12)
 17 the following:

18 “(13) the Department of Energy;”;

19 (C) by striking subsections (b), (c), (d),
 20 (e), (g), (h), and (i) and redesignating sub-
 21 section (f) as subsection (b);

22 (D) in subsection (b), as so redesignated—

23 (i) in paragraph (1), in the first sen-
 24 tence, by striking “coastal waters including
 25 the Great Lakes” and inserting “marine,
 26 estuarine, and freshwater systems”; and

1 (ii) in paragraph (2)—

2 (I) by amending subparagraph

3 (A) to read as follows:

4 “(A) examine—

5 “(i) the causes and ecological con-

6 sequences of hypoxia on marine and aquat-

7 ic species in their environments; and

8 “(ii) the costs of hypoxia, including

9 impacts on food safety and security;”;

10 (II) by redesignating subpara-

11 graphs (B), (C), and (D) as subpara-

12 graphs (D), (E), and (F), respectively;

13 (III) by inserting after subpara-

14 graph (A) the following:

15 “(B) examine the effect of other environ-

16 mental stressors on hypoxia;

17 “(C) evaluate alternatives for reducing,

18 mitigating, and controlling hypoxia and its envi-

19 ronmental impacts;”;

20 (IV) in subparagraph (E), as re-

21 designated by subclause (II), by strik-

22 ing “hypoxia modeling and monitoring

23 data” and inserting “hypoxia mod-

24 eling, forecasting, and monitoring and

25 observation data”; and

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

2 “(c) ACTION STRATEGY AND SCIENTIFIC ASSESS-
3 MENT FOR MARINE AND FRESHWATER HARMFUL ALGAL
4 BLOOMS.—

5 “(1) IN GENERAL.—Not less frequently than
6 once every 5 years, the Task Force shall complete
7 and submit to Congress an action strategy for harm-
8 ful algal blooms in the United States.

9 “(2) ELEMENTS.—Each Action Strategy
10 shall—

11 “(A) examine, and include a scientific as-
12 sessment of, marine and freshwater harmful
13 algal blooms, including such blooms—

14 “(i) in the Great Lakes;

15 “(ii) in the upper reaches of estuaries;

16 “(iii) in freshwater lakes and rivers;

17 “(iv) in coastal and marine waters;

18 and

19 “(v) that originate in freshwater lakes
20 or rivers and migrate to coastal waters;

21 “(B) examine the causes, ecological con-
22 sequences or physiological consequences on
23 wildlife function, and economic or cultural im-
24 pacts, including food safety and security and
25 subsistence use, of harmful algal blooms;

1 “(C) examine the effect of other environ-
2 mental stressors on harmful algal blooms;

3 “(D) examine potential methods to pre-
4 vent, control, and mitigate harmful algal blooms
5 and the potential ecological, subsistence use,
6 and economic costs and benefits of such meth-
7 ods;

8 “(E) identify priorities for research needed
9 to advance techniques and technologies to de-
10 tect, predict, monitor, respond to, and minimize
11 the occurrence, duration, and severity of harm-
12 ful algal blooms, including recommendations to
13 eliminate significant gaps in harmful algal
14 bloom forecasting, monitoring, and observation
15 data;

16 “(F) evaluate progress made by, and the
17 needs of, activities and actions of the Task
18 Force to prevent, control, and mitigate harmful
19 algal blooms;

20 “(G) identify ways to improve coordination
21 and prevent unnecessary duplication of effort
22 among Federal agencies with respect to re-
23 search on harmful algal blooms; and

24 “(H) include regional chapters relating to
25 the requirements described in this paragraph in

1 order to highlight geographically and eco-
 2 logically diverse locations with significant eco-
 3 logical, subsistence use, cultural, and economic
 4 impacts from harmful algal blooms.

5 “(d) CONSULTATION.—In carrying out subsections
 6 (b) and (c), the Task Force shall consult with—

7 “(1) States, Indian tribes, and local govern-
 8 ments; and

9 “(2) appropriate industries (including fisheries,
 10 agriculture, and fertilizer), academic institutions,
 11 and nongovernmental organizations with relevant ex-
 12 pertise.”.

13 (2) CLERICAL AMENDMENT.—The table of con-
 14 tents in section 2 of the Coast Guard Authorization
 15 Act of 1998 (Public Law 105–383; 112 Stat. 3412;
 16 136 Stat. 1268) is amended by striking the item re-
 17 lating to section 603 and inserting the following:

“Sec. 603. Task Force, assessments, and Action Strategy.”.

18 (3) CONFORMING AMENDMENT.—Section 102
 19 of the Harmful Algal Bloom and Hypoxia Amend-
 20 ments Act of 2004 (33 U.S.C. 4001a) is amended
 21 by striking “In developing” and all that follows
 22 through “management.”.

23 (b) NATIONAL HARMFUL ALGAL BLOOM AND HY-
 24 POXIA PROGRAM.—Section 603A of the Harmful Algal

1 Bloom and Hypoxia Research and Control Act of 1998
2 (33 U.S.C. 4002) is amended—

3 (1) in subsection (a)—

4 (A) in paragraph (1)—

5 (i) by striking “predicting,” and in-
6 serting “monitoring, observing, fore-
7 casting,”; and

8 (ii) by striking “and” after the semi-
9 colon; and

10 (B) by striking paragraph (2) and insert-
11 ing the following:

12 “(2) the scientific assessment submitted under
13 section 603(b); and

14 “(3) the Action Strategy.”;

15 (2) in subsection (c)—

16 (A) in paragraph (3), by striking “ocean
17 and Great Lakes science and management pro-
18 grams and centers” and inserting “programs
19 and centers relating to the science and manage-
20 ment of marine, estuarine, and freshwater sys-
21 tems”; and

22 (B) in paragraph (5), by inserting “while
23 recognizing each agency is acting under its own
24 independent mission and authority” before the
25 semicolon;

(3) in subsection (d), by striking “Except as provided in subsection (h), the” and inserting “The”;

(4) in subsection (e)—

(A) by striking paragraph (2) and inserting the following:

“(2) examine the causes, ecological consequences, and costs of harmful algal blooms and hypoxia;”;

(B) in paragraph (3)—

(i) in subparagraph (B), by inserting “, including the annual Gulf of Mexico hypoxia zone mapping cruise” after “Program”;

(ii) in subparagraph (C), by striking “and” after the semicolon; and

(iii) by adding at the end the following:

“(E) to identify opportunities to improve monitoring of harmful algal blooms and hypoxia, with a particular focus on waters that may affect fisheries, public health, or subsistence harvest;

1 “(F) to evaluate adaptation and mitigation
2 strategies to address the impacts of harmful
3 algal blooms and hypoxia;

4 “(G) to support the resilience of the sea-
5 food industry to harmful algal blooms and to
6 expand access to testing for harmful algal
7 bloom toxins, including for subsistence and rec-
8 reational harvesters, through innovative meth-
9 ods that increase the efficiency and effective-
10 ness of such testing in rural and remote areas;

11 “(H) to support sustained observations to
12 provide State and local entities, Indian tribes,
13 and other entities access to real-time or near
14 real-time observations data for decision making
15 to protect human and ecological health and
16 local economies; and

17 “(I) to assess the combined effects of
18 harmful algal blooms, hypoxia, and stressors
19 such as runoff and infrastructure changes on
20 marine, freshwater, or estuarine ecosystems and
21 living resources;”;

22 (C) in paragraph (4), by striking “agen-
23 cies” and inserting “entities, regional coastal
24 observing systems (as defined in section 12303

1 of the Integrated Coastal and Ocean Observa-
 2 tion System Act of 2009 (33 U.S.C. 3602)),”;

3 (D) in paragraph (6), by inserting “and
 4 communities” after “ecosystems”;

5 (E) in paragraph (8), by inserting “and
 6 Indian tribes” after “managers”;

7 (F) in paragraph (9)(A), by striking “,
 8 tribal, and local stakeholders” and inserting
 9 “and local stakeholders and Indian tribes, Trib-
 10 al organizations, and Native Hawaiian organi-
 11 zations”;

12 (G) by redesignating paragraphs (3), (4),
 13 (5), (6), (7), (8), (9), (10), and (11) as para-
 14 graphs (4), (5), (6), (7), (8), (9), (10), (12),
 15 and (13), respectively;

16 (H) by inserting after paragraph (2) the
 17 following:

18 “(3) consult with entities that are most depend-
 19 ent on coastal and water resources that may be im-
 20 pacted by marine and freshwater harmful algal
 21 blooms and hypoxia, including—

22 “(A) State and local entities;

23 “(B) Indian tribes, Tribal organizations,
 24 and Native Hawaiians organizations;

25 “(C) island communities;

1 “(D) low-population rural communities;
 2 “(E) subsistence communities; and
 3 “(F) fisheries and recreation industries;”;

4 and

5 (I) by inserting after paragraph (10), as
 6 redesignated by subparagraph (G), the fol-
 7 lowing:

8 “(11) expand access to testing for harmful algal
 9 bloom toxins, including for subsistence and rec-
 10 reational harvesters, through innovative methods
 11 that increase the efficiency and effectiveness of such
 12 testing in rural and remote areas;”;

13 (5) by amending subsections (f) to read as fol-
 14 lows:

15 “(f) COOPERATION; DUPLICATION OF EFFORT.—The
 16 Under Secretary shall work cooperatively with and avoid
 17 duplication of effort of other agencies on the Task Force
 18 and States, Indian tribes, Tribal organizations, Native
 19 Hawaiian organizations, and nongovernmental organiza-
 20 tions concerned with marine and freshwater issues.”; and

21 (6) by striking subsection (g), (h), and (i).

22 (c) NATIONAL OCEANIC AND ATMOSPHERIC ADMIN-
 23 ISTRATION ACTIVITIES.—

24 (1) IN GENERAL.—Section 603B of the Harm-
 25 ful Algal Bloom and Hypoxia Research and Control

1 Act of 1998 (33 U.S.C. 4003) is amended to read
2 as follows:

3 **“SEC. 603B. NATIONAL OCEANIC AND ATMOSPHERIC AD-**
4 **MINISTRATION ACTIVITIES.**

5 “(a) IN GENERAL.—The Under Secretary shall—

6 “(1) carry out response activities for marine,
7 coastal, and Great Lakes harmful algal bloom and
8 hypoxia events;

9 “(2) develop and enhance operational harmful
10 algal bloom observing and forecasting programs, in-
11 cluding operational observations and forecasting,
12 monitoring, modeling, data management, and infor-
13 mation dissemination;

14 “(3) develop forecast modeling that includes the
15 effect of hurricanes and other weather events on the
16 resuspension of bioavailable nutrients in sediments
17 and related interactions with harmful algal blooms;

18 “(4) enhance communication and coordination
19 among Federal agencies carrying out activities and
20 research relating to marine and freshwater harmful
21 algal blooms and hypoxia;

22 “(5) leverage existing resources and expertise
23 available from local research universities and institu-
24 tions; and

1 “(6) use cost effective methods in carrying out
2 this section.

3 “(b) INTEGRATED COASTAL AND OCEAN OBSERVA-
4 TION SYSTEM.—The collection of monitoring and observ-
5 ing data under this section shall comply with all data
6 standards and protocols developed pursuant to the Inte-
7 grated Coastal and Ocean Observation System Act of
8 2009 (33 U.S.C. 3601 et seq.). Such data shall be made
9 available through the National Integrated Coastal and
10 Ocean Observation System established under section
11 12304 of that Act (33 U.S.C. 3603).”.

12 (2) CLERICAL AMENDMENT.—The table of con-
13 tents in section 2 of the Coast Guard Authorization
14 Act of 1998 (Public Law 105–383; 112 Stat. 3412;
15 136 Stat. 1268) is amended by striking the item re-
16 lating to section 603B and inserting the following:

“Sec. 603B. National Oceanic and Atmospheric Administration activities.”.

17 (d) ENVIRONMENTAL PROTECTION AGENCY ACTIVI-
18 TIES.—

19 (1) IN GENERAL.—The Harmful Algal Bloom
20 and Hypoxia Research and Control Act of 1998 is
21 amended by inserting after section 603B (33 U.S.C.
22 4003) the following:

23 **“SEC. 603C. ENVIRONMENTAL PROTECTION AGENCY AC-**
24 **TIVITIES.**

25 “(a) IN GENERAL.—The Administrator shall—

1 “(1) carry out research on the ecology and
2 human health impacts of freshwater harmful algal
3 blooms and hypoxia events;

4 “(2) develop and enhance operational fresh-
5 water harmful algal bloom monitoring, observing,
6 and forecasting programs in lakes, rivers, and res-
7 ervoirs, and coordinate with the National Oceanic
8 and Atmospheric Administration on such programs
9 in the Great Lakes and estuaries (including tribu-
10 taries thereof), including operational observations
11 and forecasting, monitoring, modeling, data manage-
12 ment, and information dissemination, to support
13 event response, prioritization, prevention, adapta-
14 tion, and mitigation activities;

15 “(3) enhance communication and coordination
16 among Federal agencies carrying out freshwater
17 harmful algal bloom and hypoxia activities and re-
18 search;

19 “(4) to the greatest extent practicable, leverage
20 existing resources and expertise available from Fed-
21 eral and State partners and local research univer-
22 sities and institutions; and

23 “(5) use cost-effective methods in carrying out
24 this section.

1 “(b) NONDUPLICATION.—The Administrator shall
 2 ensure that activities carried out under subsection (a)
 3 focus on new approaches to addressing freshwater harmful
 4 algal blooms and are not duplicative of existing research
 5 and development programs authorized by this title or any
 6 other law.”.

7 (2) CLERICAL AMENDMENT.—The table of con-
 8 tents in section 2 of the Coast Guard Authorization
 9 Act of 1998 (Public Law 105–383; 112 Stat. 3412;
 10 136 Stat. 1268) is amended by inserting after the
 11 item relating to section 603B the following:

“Sec. 603C. Environmental Protection Agency activities.”.

12 (e) NATIONAL HARMFUL ALGAL BLOOM OBSERVING
 13 NETWORK.—

14 (1) IN GENERAL.—Section 606 of the Harmful
 15 Algal Bloom and Hypoxia Research and Control Act
 16 of 1998 (33 U.S.C. 4005) is amended to read as fol-
 17 lows:

18 **“SEC. 606. NATIONAL HARMFUL ALGAL BLOOM OBSERVING**
 19 **NETWORK.**

20 “(a) IN GENERAL.—The Under Secretary, acting
 21 through the National Centers for Coastal Ocean Science
 22 and the Integrated Ocean Observing System of the Na-
 23 tional Oceanic and Atmospheric Administration, shall in-
 24 tegrate Federal, State, regional, and local observing capa-
 25 bilities to establish a national network of observing sys-

1 tems for the monitoring, detection, and forecasting of
 2 harmful algal blooms by leveraging the capacity of re-
 3 gional associations of the Integrated Ocean Observing Sys-
 4 tem, including through the incorporation of emerging tech-
 5 nologies and new data integration methods.

6 “(b) COORDINATION AND DATA ASSEMBLY.—In car-
 7 rying out subsection (a), the Program Office of the Inte-
 8 grated Ocean Observing System shall—

9 “(1) coordinate with the National Centers for
 10 Coastal Ocean Science regarding observations, data
 11 integration, and information dissemination;

12 “(2) organize, integrate, disseminate, and pro-
 13 vide a central architecture to support ecological fore-
 14 casting of harmful algal blooms; and

15 “(3) coordinate with the Water Quality Portal
 16 to store and serve discrete data related to the moni-
 17 toring of freshwater, estuarine, and coastal harmful
 18 algal blooms.”.

19 (2) CLERICAL AMENDMENT.—The table of con-
 20 tents in section 2 of the Coast Guard Authorization
 21 Act of 1998 (Public Law 105–383; 112 Stat. 3412;
 22 136 Stat. 1268) is amended by striking the item re-
 23 lating to section 606 and inserting the following:

“Sec. 606. National harmful algal bloom observing network.”.

24 (f) NATIONAL-LEVEL INCUBATOR PROGRAM.—

1 (1) IN GENERAL.—The Harmful Algal Bloom
2 and Hypoxia Research and Control Act of 1998 is
3 amended by inserting after section 606 (33 U.S.C.
4 4005) the following:

5 **“SEC. 606A. NATIONAL-LEVEL INCUBATOR PROGRAM.**

6 “(a) IN GENERAL.—The Under Secretary, in collabo-
7 ration with the Administrator and research universities
8 and institutions, shall establish a national-level incubator
9 program (in this section referred to as the ‘program’) to
10 increase the number of strategies, technologies, and meas-
11 ures available to prevent, mitigate, and control harmful
12 algal blooms.

13 “(b) FRAMEWORK.—The program shall establish a
14 framework for preliminary assessments of novel strategies,
15 technologies, and measures to prevent, mitigate, and con-
16 trol harmful algal blooms in order to determine the poten-
17 tial effectiveness and scalability of such technologies.

18 “(c) FUNDING.—The program shall provide merit-
19 based funding, using amounts otherwise available to the
20 Under Secretary for the award of grants, for strategies,
21 technologies, and measures that eliminate or reduce,
22 through biological, chemical, or physical means, the levels
23 of harmful algae and associated toxins resulting from
24 harmful algal blooms.

1 “(d) DATABASE.—The program shall include a data-
 2 base for cataloging the licensing and permitting require-
 3 ments, economic costs, feasibility, effectiveness, and
 4 scalability of novel and established strategies, tech-
 5 nologies, and measures to prevent, mitigate, and control
 6 harmful algal blooms.

7 “(e) PRIORITIZATION.—In carrying out the program,
 8 the Under Secretary shall prioritize proposed strategies,
 9 technologies, and measures that would, to the maximum
 10 extent practicable—

11 “(1) protect key habitats for fish and wildlife;

12 “(2) maintain biodiversity;

13 “(3) protect public health;

14 “(4) protect coastal resources of national, his-
 15 torical, and cultural significance; or

16 “(5) benefit low-income communities, Indian
 17 tribes, and rural communities.”.

18 (2) CLERICAL AMENDMENT.—The table of con-
 19 tents in section 2 of the Coast Guard Authorization
 20 Act of 1998 (Public Law 105–383; 112 Stat. 3412;
 21 136 Stat. 1268) is amended by inserting after the
 22 item relating to section 606 the following:

“Sec. 606A. National-level incubator program.”.

23 (g) DEFINITIONS.—Section 609 of the Harmful Algal
 24 Bloom and Hypoxia Research and Control Act of 1998
 25 (33 U.S.C. 4008) is amended—

1 (1) in paragraph (1), by striking “means the
2 comprehensive research plan and action strategy es-
3 tablished under section 603B” and inserting “means
4 the action strategy for harmful algal blooms in the
5 United States most recently submitted under section
6 603(c)”;

7 (2) by amending paragraph (3) to read as fol-
8 lows:

9 “(3) HARMFUL ALGAL BLOOM.—The term
10 ‘harmful algal bloom’ means a high concentration of
11 marine or freshwater algae (including diatoms),
12 macroalgae (including Sargassum), or cyanobacteria
13 resulting in nuisance conditions or harmful impacts
14 on marine and freshwater ecosystems, subsistence
15 resources, communities, or human health through
16 the production of toxic compounds or other biologi-
17 cal, chemical, or physical impacts of the bloom.”;

18 (3) by striking paragraph (9);

19 (4) by redesignating paragraphs (4), (5), (6),
20 (7), and (8) as paragraphs (5), (8), (9), (11), and
21 (13), respectively;

22 (5) by inserting after paragraph (3) the fol-
23 lowing:

24 “(4) HARMFUL ALGAL BLOOM AND HYPOXIA
25 EVENT.—The term ‘harmful algal bloom and hy-

1 poxia event’ means the occurrence of a harmful algal
 2 bloom or hypoxia as a result of a natural, anthropo-
 3 genic, or undetermined cause.”;

4 (6) in paragraph (5), as redesignated by para-
 5 graph (4)—

6 (A) by striking “aquatic” and inserting
 7 “marine or freshwater”; and

8 (B) by striking “resident” and inserting
 9 “marine or freshwater”;

10 (7) by inserting after paragraph (5), as redesign-
 11 nated by paragraph (4), the following:

12 “(6) INDIAN TRIBE.—The term ‘Indian tribe’
 13 has the meaning given that term in section 4 of the
 14 Indian Self-Determination and Education Assistance
 15 Act (25 U.S.C. 5304).

16 “(7) NATIVE HAWAIIAN ORGANIZATION.—The
 17 term ‘Native Hawaiian organization’ has the mean-
 18 ing given that term in section 6207 of the Elemen-
 19 tary and Secondary Education Act of 1965 (20
 20 U.S.C. 7517) and includes the Department of Ha-
 21 waiian Home Lands and the Office of Hawaiian Af-
 22 fairs.”;

23 (8) by inserting after paragraph (9), as redesign-
 24 nated by paragraph (4), the following:

1 “(10) SUBSISTENCE USE.—The term ‘subsist-
 2 ence use’ means the customary and traditional use
 3 of fish, wildlife, or other freshwater, coastal, or ma-
 4 rine resources by any individual or community to
 5 meet personal or family needs, including essential
 6 economic, nutritional, or cultural applications.”; and

7 (9) by inserting after paragraph (11), as redes-
 8 ignated by paragraph (4), the following:

9 “(12) TRIBAL ORGANIZATION.—The term ‘Trib-
 10 al organization’ has the meaning given that term in
 11 section 4 of the Indian Self-Determination and Edu-
 12 cation Assistance Act (25 U.S.C. 5304).”.

13 (h) AUTHORIZATION OF APPROPRIATIONS.—Section
 14 610 of the Harmful Algal Bloom and Hypoxia Research
 15 and Control Act of 1998 (33 U.S.C. 4009) is amended—

16 (1) by amending subsection (a) to read as fol-
 17 lows:

18 “(a) IN GENERAL.—There is authorized to be appro-
 19 priated to carry out this title, for each of fiscal years 2026
 20 through 2030—

21 “(1) \$19,500,000 to the Under Secretary; and

22 “(2) \$8,000,000 to the Administrator.”; and

23 (2) by adding at the end the following:

24 “(c) TRANSFER AUTHORITY.—As specifically pro-
 25 vided in advance in appropriations Acts, the Under Sec-

1 retary or the Administrator may transfer funds made
 2 available to carry out this title to the head of any Federal
 3 department or agency, with the concurrence of such head,
 4 to carry out, as appropriate, relevant provisions of this
 5 title and section 9(g) of the National Integrated Drought
 6 Information System Reauthorization Act of 2018 (33
 7 U.S.C. 4010).”.

8 **SEC. 3. OTHER HARMFUL ALGAL BLOOM AND HYPOXIA**
 9 **MATTERS.**

10 Section 9(g) of the National Integrated Drought In-
 11 formation System Reauthorization Act of 2018 (33 U.S.C.
 12 4010) is amended—

13 (1) in paragraph (1)—

14 (A) in subparagraph (B), by adding at the
 15 end the following new sentence: “The appro-
 16 priate Federal official may waive the non-Fed-
 17 eral share requirements of the preceding sen-
 18 tence if such official determines no reasonable
 19 means are available through which the recipient
 20 of the Federal share can meet the non-Federal
 21 share requirement.”; and

22 (B) by adding at the end the following:

23 “(D) CONTRACT, COOPERATIVE AGREE-
 24 MENT, AND GRANT AUTHORITY.—The appro-
 25 priate Federal official may enter into contracts,

1 cooperative agreements, and grants with States,
 2 Indian Tribes, Tribal organizations, Native Ha-
 3 waiian organizations, local governments, or
 4 other entities to pay for or reimburse costs in-
 5 curred by such entities for the purposes of sup-
 6 porting the determination of, and assessing the
 7 environmental, economic, subsistence use, and
 8 public health effects of, an event of national
 9 significance.”;

10 (2) in paragraph (2)—

11 (A) in subparagraph (A), by inserting “a
 12 leadership official of an affected Indian Tribe,
 13 the executive official of the District of Colum-
 14 bia, or the executive official of an affected terri-
 15 tory or possession of the United States,” after
 16 “State,”; and

17 (B) in subparagraph (B), by striking “con-
 18 sider” and all that follows through “boundary.”
 19 and inserting “consider factors such as—

20 “(i) the risk to public health and the
 21 potential severity of the detrimental envi-
 22 ronmental effects of the hypoxia or harm-
 23 ful algal bloom event, as indicated by—

24 “(I) data on shellfish or water
 25 quality obtained through sampling

1 programs, including baseline data,
 2 and regulatory or advisory thresholds
 3 established to explain management ac-
 4 tions related to the event;

5 “(II) toxin levels in fish, marine
 6 mammals, seabirds, shellfish, or water
 7 during the event;

8 “(III) toxic aerosols produced
 9 during the event, including potential
 10 human exposures to toxic aerosols;

11 “(IV) reports of human or ani-
 12 mal illnesses or mortalities during the
 13 event;

14 “(V) any closures of fishing or
 15 shellfish harvesting locations or rec-
 16 reational public waters, including
 17 beaches, during the event;

18 “(VI) the duration and spatial
 19 extent of the event; or

20 “(VII) impacts to habitats or
 21 ecosystems associated with the event;

22 “(ii) the potential economic, food safe-
 23 ty and security, and subsistence impacts
 24 associated with the hypoxia or harmful
 25 algal bloom event, including to fisheries

1 and aquaculture, recreation and tourism,
 2 monitoring and management, resource use,
 3 and event response activities, assessed in
 4 comparison with historical data from when
 5 a State or region did not experience such
 6 an event, as possible, as indicated by—

7 “(I) increases in public health ex-
 8 penditures;

9 “(II) losses to commercial fish-
 10 eries and aquaculture industries,
 11 recreation and tourism, real estate,
 12 and other impacted industries or busi-
 13 nesses;

14 “(III) increases in monitoring
 15 and management expenditures, includ-
 16 ing costs incurred for event response
 17 and clean-up (such as for beach clean-
 18 up following an influx of biomass or a
 19 fish-kill) by public or private sectors;
 20 or

21 “(IV) impacts to subsistence re-
 22 sources, including nutritional, re-
 23 source use, and economic effects on
 24 subsistence communities;

1 “(iii) the relative magnitude of those
 2 impacts in relation to past occurrences of
 3 hypoxia or harmful algal bloom events that
 4 occur on a recurrent or annual basis; and

5 “(iv) the geographic scope of the hy-
 6 poxia or harmful algal bloom event, includ-
 7 ing the potential of the event to affect sev-
 8 eral municipalities, to affect more than 1
 9 State, or to cross an international bound-
 10 ary.”;

11 (3) in paragraph (3), by adding at the end the
 12 following:

13 “(D) INDIAN TRIBE.—The term ‘Indian
 14 Tribe’ has the meaning given that term in sec-
 15 tion 4 of the Indian Self-Determination and
 16 Education Assistance Act (25 U.S.C. 5304).

17 “(E) NATIVE HAWAIIAN ORGANIZATION.—
 18 The term ‘Native Hawaiian organization’ has
 19 the meaning given that term in section 6207 of
 20 the Elementary and Secondary Education Act
 21 of 1965 (20 U.S.C. 7517) and includes the De-
 22 partment of Hawaiian Home Lands and the Of-
 23 fice of Hawaiian Affairs.

24 “(F) SUBSISTENCE USE.—The term ‘sub-
 25 sistence use’ means the customary and tradi-

1 tional use of fish, wildlife, or other freshwater,
 2 coastal, or marine resources by any individual
 3 or community to meet personal or family needs,
 4 including essential economic, nutritional, or cul-
 5 tural applications.

6 “(G) TRIBAL ORGANIZATION.—The term
 7 ‘Tribal organization’ has the meaning given
 8 that term in section 4 of the Indian Self-Deter-
 9 mination and Education Assistance Act (25
 10 U.S.C. 5304).”; and

11 (4) by adding at the end the following:

12 “(4) AUTHORIZATION OF APPROPRIATIONS.—

13 There is authorized to be appropriated to carry out
 14 this subsection \$2,000,000 for each of fiscal years
 15 2026 through 2030, to remain available until ex-
 16 pended.”.

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