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[Report No. 119–34]

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, Mr. WHITEHOUSE, Ms. MURKOWSKI, Mr. COONS, Mr. PADILLA, Mr. CASSIDY, Mr. WICKER, Mr. MORENO, Mr. SCHIFF, and Mr. KING) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

JULY 1 (legislative day, JUNE 30), 2025

Reported by Mr. CRUZ, without amendment and with an amendment to the title

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Harmful Algal Bloom
3 and Hypoxia Research and Control Amendments Act of
4 2025”.

5 **SEC. 2. AMENDMENTS TO THE HARMFUL ALGAL BLOOM**
6 **AND HYPOXIA RESEARCH AND CONTROL ACT**
7 **OF 1998.**

8 (a) ASSESSMENTS.—

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

12 (A) in the section heading, by striking
13 “ASSESSMENTS” and inserting “**TASK**
14 **FORCE, ASSESSMENTS, AND ACTION**
15 **STRATEGY**”;

16 (B) in subsection (a)—

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

20 (ii) by inserting after paragraph (12)
21 the following:

22 “(13) the Department of Energy;”;

23 (C) by striking subsections (b), (c), (d),
24 (e), (g), (h), and (i) and redesignating sub-
25 section (f) as subsection (b);

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

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

5 (ii) in paragraph (2)—

6 (I) by amending subparagraph
 7 (A) to read as follows:

8 “(A) examine—

9 “(i) the causes and ecological con-
 10 sequences of hypoxia on marine and aquat-
 11 ic species in their environments; and

12 “(ii) the costs of hypoxia, including
 13 impacts on food safety and security;”;

14 (II) by redesignating subpara-
 15 graphs (B), (C), and (D) as subpara-
 16 graphs (D), (E), and (F), respectively;

17 (III) by inserting after subpara-
 18 graph (A) the following:

19 “(B) examine the effect of other environ-
 20 mental stressors on hypoxia;

21 “(C) evaluate alternatives for reducing,
 22 mitigating, and controlling hypoxia and its envi-
 23 ronmental impacts;”;

24 (IV) in subparagraph (E), as re-
 25 designated by subclause (II), by strik-

1 ing “hypoxia modeling and monitoring
 2 data” and inserting “hypoxia mod-
 3 eling, forecasting, and monitoring and
 4 observation data”; and

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

6 “(c) ACTION STRATEGY AND SCIENTIFIC ASSESS-
 7 MENT FOR MARINE AND FRESHWATER HARMFUL ALGAL
 8 BLOOMS.—

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

13 “(2) ELEMENTS.—Each Action Strategy
 14 shall—

15 “(A) examine, and include a scientific as-
 16 sessment of, marine and freshwater harmful
 17 algal blooms, including such blooms—

18 “(i) in the Great Lakes;

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

20 “(iii) in freshwater lakes and rivers;

21 “(iv) in coastal and marine waters;

22 and

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

1 “(B) examine the causes, ecological con-
2 sequences or physiological consequences on
3 wildlife function, and economic or cultural im-
4 pacts, including food safety and security and
5 subsistence use, of harmful algal blooms;

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

8 “(D) examine potential methods to pre-
9 vent, control, and mitigate harmful algal blooms
10 and the potential ecological, subsistence use,
11 and economic costs and benefits of such meth-
12 ods;

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

21 “(F) evaluate progress made by, and the
22 needs of, activities and actions of the Task
23 Force to prevent, control, and mitigate harmful
24 algal blooms;

1 “(G) identify ways to improve coordination
 2 and prevent unnecessary duplication of effort
 3 among Federal agencies with respect to re-
 4 search on harmful algal blooms; and

5 “(H) include regional chapters relating to
 6 the requirements described in this paragraph in
 7 order to highlight geographically and eco-
 8 logically diverse locations with significant eco-
 9 logical, subsistence use, cultural, and economic
 10 impacts from harmful algal blooms.

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

13 “(1) States, Indian tribes, and local govern-
 14 ments; and

15 “(2) appropriate industries (including fisheries,
 16 agriculture, and fertilizer), academic institutions,
 17 and nongovernmental organizations with relevant ex-
 18 pertise.”.

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 603 and inserting the following:

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

24 (3) CONFORMING AMENDMENT.—Section 102
 25 of the Harmful Algal Bloom and Hypoxia Amend-

1 ments Act of 2004 (33 U.S.C. 4001a) is amended
 2 by striking “In developing” and all that follows
 3 through “management.”.

4 (b) NATIONAL HARMFUL ALGAL BLOOM AND HY-
 5 POXIA PROGRAM.—Section 603A of the Harmful Algal
 6 Bloom and Hypoxia Research and Control Act of 1998
 7 (33 U.S.C. 4002) is amended—

8 (1) in subsection (a)—

9 (A) in paragraph (1)—

10 (i) by striking “predicting,” and in-
 11 serting “monitoring, observing, fore-
 12 casting,”; and

13 (ii) by striking “and” after the semi-
 14 colon; and

15 (B) by striking paragraph (2) and insert-
 16 ing the following:

17 “(2) the scientific assessment submitted under
 18 section 603(b); and

19 “(3) the Action Strategy.”;

20 (2) in subsection (c)—

21 (A) in paragraph (3), by striking “ocean
 22 and Great Lakes science and management pro-
 23 grams and centers” and inserting “programs
 24 and centers relating to the science and manage-

1 ment of marine, estuarine, and freshwater sys-
2 tems”; and

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

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

10 (4) in subsection (e)—

11 (A) by striking paragraph (2) and insert-
12 ing the following:

13 “(2) examine the causes, ecological con-
14 sequences, and costs of harmful algal blooms and
15 hypoxia;”;

16 (B) in paragraph (3)—

17 (i) in subparagraph (B), by inserting
18 “, including the annual Gulf of Mexico hy-
19 poxia zone mapping cruise” after “Pro-
20 gram”;

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

23 (iii) by adding at the end the fol-
24 lowing:

1 “(E) to identify opportunities to improve
2 monitoring of harmful algal blooms and hy-
3 poxia, with a particular focus on waters that
4 may affect fisheries, public health, or subsist-
5 ence harvest;

6 “(F) to evaluate adaptation and mitigation
7 strategies to address the impacts of harmful
8 algal blooms and hypoxia;

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

16 “(H) to support sustained observations to
17 provide State and local entities, Indian tribes,
18 and other entities access to real-time or near
19 real-time observations data for decision making
20 to protect human and ecological health and
21 local economies; and

22 “(I) to assess the combined effects of
23 harmful algal blooms, hypoxia, and stressors
24 such as runoff and infrastructure changes on

1 marine, freshwater, or estuarine ecosystems and
2 living resources;”;

3 (C) in paragraph (4), by striking “agen-
4 cies” and inserting “entities, regional coastal
5 observing systems (as defined in section 12303
6 of the Integrated Coastal and Ocean Observa-
7 tion System Act of 2009 (33 U.S.C. 3602)),”;

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

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

12 (F) in paragraph (9)(A), by striking “,
13 tribal, and local stakeholders” and inserting
14 “and local stakeholders and Indian tribes, Trib-
15 al organizations, and Native Hawaiian organi-
16 zations”;

17 (G) by redesignating paragraphs (3), (4),
18 (5), (6), (7), (8), (9), (10), and (11) as para-
19 graphs (4), (5), (6), (7), (8), (9), (10), (12),
20 and (13), respectively;

21 (H) by inserting after paragraph (2) the
22 following:

23 “(3) consult with entities that are most depend-
24 ent on coastal and water resources that may be im-

1 pacted by marine and freshwater harmful algal
2 blooms and hypoxia, including—

3 “(A) State and local entities;

4 “(B) Indian tribes, Tribal organizations,
5 and Native Hawaiians organizations;

6 “(C) island communities;

7 “(D) low-population rural communities;

8 “(E) subsistence communities; and

9 “(F) fisheries and recreation industries;”;

10 and

11 (I) by inserting after paragraph (10), as
12 redesignated by subparagraph (G), the fol-
13 lowing:

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

19 (5) by amending subsections (f) to read as fol-
20 lows:

21 “(f) COOPERATION; DUPLICATION OF EFFORT.—The
22 Under Secretary shall work cooperatively with and avoid
23 duplication of effort of other agencies on the Task Force
24 and States, Indian tribes, Tribal organizations, Native

1 Hawaiian organizations, and nongovernmental organiza-
 2 tions concerned with marine and freshwater issues.”; and

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

4 (c) NATIONAL OCEANIC AND ATMOSPHERIC ADMIN-
 5 ISTRATION ACTIVITIES.—

6 (1) IN GENERAL.—Section 603B of the Harm-
 7 ful Algal Bloom and Hypoxia Research and Control
 8 Act of 1998 (33 U.S.C. 4003) is amended to read
 9 as follows:

10 **“SEC. 603B. NATIONAL OCEANIC AND ATMOSPHERIC AD-
 11 MINISTRATION ACTIVITIES.**

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

13 “(1) carry out response activities for marine,
 14 coastal, and Great Lakes harmful algal bloom and
 15 hypoxia events;

16 “(2) develop and enhance operational harmful
 17 algal bloom observing and forecasting programs, in-
 18 cluding operational observations and forecasting,
 19 monitoring, modeling, data management, and infor-
 20 mation dissemination;

21 “(3) develop forecast modeling that includes the
 22 effect of hurricanes and other weather events on the
 23 resuspension of bioavailable nutrients in sediments
 24 and related interactions with harmful algal blooms;

1 “(4) enhance communication and coordination
2 among Federal agencies carrying out activities and
3 research relating to marine and freshwater harmful
4 algal blooms and hypoxia;

5 “(5) leverage existing resources and expertise
6 available from local research universities and institu-
7 tions; and

8 “(6) use cost effective methods in carrying out
9 this section.

10 “(b) INTEGRATED COASTAL AND OCEAN OBSERVA-
11 TION SYSTEM.—The collection of monitoring and observ-
12 ing data under this section shall comply with all data
13 standards and protocols developed pursuant to the Inte-
14 grated Coastal and Ocean Observation System Act of
15 2009 (33 U.S.C. 3601 et seq.). Such data shall be made
16 available through the National Integrated Coastal and
17 Ocean Observation System established under section
18 12304 of that Act (33 U.S.C. 3603).”.

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 603B and inserting the following:

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

24 (d) ENVIRONMENTAL PROTECTION AGENCY ACTIVI-
25 TIES.—

1 (1) IN GENERAL.—The Harmful Algal Bloom
2 and Hypoxia Research and Control Act of 1998 is
3 amended by inserting after section 603B (33 U.S.C.
4 4003) the following:

5 **“SEC. 603C. ENVIRONMENTAL PROTECTION AGENCY AC-**
6 **TIVITIES.**

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

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

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

22 “(3) enhance communication and coordination
23 among Federal agencies carrying out freshwater
24 harmful algal bloom and hypoxia activities and re-
25 search;

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

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

7 “(b) NONDUPLICATION.—The Administrator shall
 8 ensure that activities carried out under subsection (a)
 9 focus on new approaches to addressing freshwater harmful
 10 algal blooms and are not duplicative of existing research
 11 and development programs authorized by this title or any
 12 other law.”.

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 inserting after the
 17 item relating to section 603B the following:

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

18 (e) NATIONAL HARMFUL ALGAL BLOOM OBSERVING
 19 NETWORK.—

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

1 **“SEC. 606. NATIONAL HARMFUL ALGAL BLOOM OBSERVING**
 2 **NETWORK.**

3 “(a) IN GENERAL.—The Under Secretary, acting
 4 through the National Centers for Coastal Ocean Science
 5 and the Integrated Ocean Observing System of the Na-
 6 tional Oceanic and Atmospheric Administration, shall in-
 7 tegrate Federal, State, regional, and local observing capa-
 8 bilities to establish a national network of observing sys-
 9 tems for the monitoring, detection, and forecasting of
 10 harmful algal blooms by leveraging the capacity of re-
 11 gional associations of the Integrated Ocean Observing Sys-
 12 tem, including through the incorporation of emerging tech-
 13 nologies and new data integration methods.

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

17 “(1) coordinate with the National Centers for
 18 Coastal Ocean Science regarding observations, data
 19 integration, and information dissemination;

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

23 “(3) coordinate with the Water Quality Portal
 24 to store and serve discrete data related to the moni-
 25 toring of freshwater, estuarine, and coastal harmful
 26 algal blooms.”.

1 (2) CLERICAL AMENDMENT.—The table of con-
 2 tents in section 2 of the Coast Guard Authorization
 3 Act of 1998 (Public Law 105–383; 112 Stat. 3412;
 4 136 Stat. 1268) is amended by striking the item re-
 5 lating to section 606 and inserting the following:

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

6 (f) NATIONAL-LEVEL INCUBATOR PROGRAM.—

7 (1) IN GENERAL.—The Harmful Algal Bloom
 8 and Hypoxia Research and Control Act of 1998 is
 9 amended by inserting after section 606 (33 U.S.C.
 10 4005) the following:

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

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

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

24 “(c) FUNDING.—The program shall provide merit-
 25 based funding, using amounts otherwise available to the

1 Under Secretary for the award of grants, for strategies,
 2 technologies, and measures that eliminate or reduce,
 3 through biological, chemical, or physical means, the levels
 4 of harmful algae and associated toxins resulting from
 5 harmful algal blooms.

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

12 “(e) PRIORITIZATION.—In carrying out the program,
 13 the Under Secretary shall prioritize proposed strategies,
 14 technologies, and measures that would, to the maximum
 15 extent practicable—

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

17 “(2) maintain biodiversity;

18 “(3) protect public health;

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

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

23 (2) CLERICAL AMENDMENT.—The table of con-
 24 tents in section 2 of the Coast Guard Authorization
 25 Act of 1998 (Public Law 105–383; 112 Stat. 3412;

1 136 Stat. 1268) is amended by inserting after the
2 item relating to section 606 the following:

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

3 (g) DEFINITIONS.—Section 609 of the Harmful Algal
4 Bloom and Hypoxia Research and Control Act of 1998
5 (33 U.S.C. 4008) is amended—

6 (1) in paragraph (1), by striking “means the
7 comprehensive research plan and action strategy es-
8 tablished under section 603B” and inserting “means
9 the action strategy for harmful algal blooms in the
10 United States most recently submitted under section
11 603(c)”;

12 (2) by amending paragraph (3) to read as fol-
13 lows:

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

23 (3) by striking paragraph (9);

1 (4) by redesignating paragraphs (4), (5), (6),
 2 (7), and (8) as paragraphs (5), (8), (9), (11), and
 3 (13), respectively;

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

6 “(4) HARMFUL ALGAL BLOOM AND HYPOXIA
 7 EVENT.—The term ‘harmful algal bloom and hy-
 8 poxia event’ means the occurrence of a harmful algal
 9 bloom or hypoxia as a result of a natural, anthropo-
 10 genic, or undetermined cause.”;

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

13 (A) by striking “aquatic” and inserting
 14 “marine or freshwater”; and

15 (B) by striking “resident” and inserting
 16 “marine or freshwater”;

17 (7) by inserting after paragraph (5), as redesign-
 18 ated by paragraph (4), the following:

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

23 “(7) NATIVE HAWAIIAN ORGANIZATION.—The
 24 term ‘Native Hawaiian organization’ has the mean-
 25 ing given that term in section 6207 of the Elemen-

1 tary and Secondary Education Act of 1965 (20
 2 U.S.C. 7517) and includes the Department of Ha-
 3 waiian Home Lands and the Office of Hawaiian Af-
 4 fairs.”;

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

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

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

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

19 (h) AUTHORIZATION OF APPROPRIATIONS.—Section
 20 610 of the Harmful Algal Bloom and Hypoxia Research
 21 and Control Act of 1998 (33 U.S.C. 4009) is amended—

22 (1) by amending subsection (a) to read as fol-
 23 lows:

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

4 “(1) \$19,500,000 to the Under Secretary; and

5 “(2) \$8,000,000 to the Administrator.”; and

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

7 “(c) TRANSFER AUTHORITY.—As specifically pro-
 8 vided in advance in appropriations Acts, the Under Sec-
 9 retary or the Administrator may transfer funds made
 10 available to carry out this title to the head of any Federal
 11 department or agency, with the concurrence of such head,
 12 to carry out, as appropriate, relevant provisions of this
 13 title and section 9(g) of the National Integrated Drought
 14 Information System Reauthorization Act of 2018 (33
 15 U.S.C. 4010).”.

16 **SEC. 3. OTHER HARMFUL ALGAL BLOOM AND HYPOXIA**
 17 **MATTERS.**

18 Section 9(g) of the National Integrated Drought In-
 19 formation System Reauthorization Act of 2018 (33 U.S.C.
 20 4010) is amended—

21 (1) in paragraph (1)—

22 (A) in subparagraph (B), by adding at the
 23 end the following new sentence: “The appro-
 24 priate Federal official may waive the non-Fed-
 25 eral share requirements of the preceding sen-

tence if such official determines no reasonable means are available through which the recipient of the Federal share can meet the non-Federal share requirement.”; and

(B) by adding at the end the following:

“(D) CONTRACT, COOPERATIVE AGREEMENT, AND GRANT AUTHORITY.—The appropriate Federal official may enter into contracts, cooperative agreements, and grants with States, Indian Tribes, Tribal organizations, Native Hawaiian organizations, local governments, or other entities to pay for or reimburse costs incurred by such entities for the purposes of supporting the determination of, and assessing the environmental, economic, subsistence use, and public health effects of, an event of national significance.”;

(2) in paragraph (2)—

(A) in subparagraph (A), by inserting “a leadership official of an affected Indian Tribe, the executive official of the District of Columbia, or the executive official of an affected territory or possession of the United States,” after “State,”; and

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

4 “(i) the risk to public health and the
5 potential severity of the detrimental envi-
6 ronmental effects of the hypoxia or harm-
7 ful algal bloom event, as indicated by—

8 “(I) data on shellfish or water
9 quality obtained through sampling
10 programs, including baseline data,
11 and regulatory or advisory thresholds
12 established to explain management ac-
13 tions related to the event;

14 “(II) toxin levels in fish, marine
15 mammals, seabirds, shellfish, or water
16 during the event;

17 “(III) toxic aerosols produced
18 during the event, including potential
19 human exposures to toxic aerosols;

20 “(IV) reports of human or ani-
21 mal illnesses or mortalities during the
22 event;

23 “(V) any closures of fishing or
24 shellfish harvesting locations or rec-

1 reational public waters, including
2 beaches, during the event;

3 “(VI) the duration and spatial
4 extent of the event; or

5 “(VII) impacts to habitats or
6 ecosystems associated with the event;

7 “(ii) the potential economic, food safe-
8 ty and security, and subsistence impacts
9 associated with the hypoxia or harmful
10 algal bloom event, including to fisheries
11 and aquaculture, recreation and tourism,
12 monitoring and management, resource use,
13 and event response activities, assessed in
14 comparison with historical data from when
15 a State or region did not experience such
16 an event, as possible, as indicated by—

17 “(I) increases in public health ex-
18 penditures;

19 “(II) losses to commercial fish-
20 eries and aquaculture industries,
21 recreation and tourism, real estate,
22 and other impacted industries or busi-
23 nesses;

24 “(III) increases in monitoring
25 and management expenditures, includ-

1 ing costs incurred for event response
 2 and clean-up (such as for beach clean-
 3 up following an influx of biomass or a
 4 fish-kill) by public or private sectors;
 5 or

6 “(IV) impacts to subsistence re-
 7 sources, including nutritional, re-
 8 source use, and economic effects on
 9 subsistence communities;

10 “(iii) the relative magnitude of those
 11 impacts in relation to past occurrences of
 12 hypoxia or harmful algal bloom events that
 13 occur on a recurrent or annual basis; and

14 “(iv) the geographic scope of the hy-
 15 poxia or harmful algal bloom event, includ-
 16 ing the potential of the event to affect sev-
 17 eral municipalities, to affect more than 1
 18 State, or to cross an international bound-
 19 ary.”;

20 (3) in paragraph (3), by adding at the end the
 21 following:

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

1 “(E) NATIVE HAWAIIAN ORGANIZATION.—

2 The term ‘Native Hawaiian organization’ has
3 the meaning given that term in section 6207 of
4 the Elementary and Secondary Education Act
5 of 1965 (20 U.S.C. 7517) and includes the De-
6 partment of Hawaiian Home Lands and the Of-
7 fice of Hawaiian Affairs.

8 “(F) SUBSISTENCE USE.—The term ‘sub-
9 sistence use’ means the customary and tradi-
10 tional use of fish, wildlife, or other freshwater,
11 coastal, or marine resources by any individual
12 or community to meet personal or family needs,
13 including essential economic, nutritional, or cul-
14 tural applications.

15 “(G) TRIBAL ORGANIZATION.—The term
16 ‘Tribal organization’ has the meaning given
17 that term in section 4 of the Indian Self-Deter-
18 mination and Education Assistance Act (25
19 U.S.C. 5304).’; and

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

21 “(4) AUTHORIZATION OF APPROPRIATIONS.—

22 There is authorized to be appropriated to carry out
23 this subsection \$2,000,000 for each of fiscal years
24 2026 through 2030, to remain available until ex-
25 pended.”.

Amend the title so as to read: “A bill to amend the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998 to address harmful algal blooms, and for other purposes.”.

Calendar No. 109

119TH CONGRESS
1ST Session

S. 93

[Report No. 119-34]

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.

JULY 1 (legislative day, JUNE 30), 2025

Reported without amendment and with an amendment to
the title