

118TH CONGRESS
1ST SESSION

S. 3348

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

NOVEMBER 27, 2023

Mr. SULLIVAN (for himself and Ms. BALDWIN) 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 2023”.

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

4 (a) ASSESSMENTS.—

5 (1) IN GENERAL.—Section 603 of the Harmful
6 Algal Blooms and Hypoxia Research and Control
7 Act 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 consequences
6 of hypoxia on marine and aquatic species in
7 their natural environments; and

8 “(ii) the socio-cultural or economic costs of
9 hypoxia, including impacts on food safety and
10 security;”;

11 (II) by redesignating subpara-
12 graphs (B), (C), and (D) as subpara-
13 graphs (D), (E), and (F), respectively;

14 (III) by inserting after subpara-
15 graph (A) the following:

16 “(B) examine the effect of other environmental
17 stressors on hypoxia;

18 “(C) evaluate alternatives for reducing, miti-
19 gating, and controlling hypoxia and its environ-
20 mental impacts;”;

21 (IV) in subparagraph (D), as re-
22 designated by subclause (II), by in-
23 serting “, social,” after “ecological”;
24 and

1 (V) in subparagraph (E), as re-
 2 designated by subclause (II), by strik-
 3 ing “hypoxia modeling and monitoring
 4 data” and inserting “hypoxia mod-
 5 eling, forecasting, and monitoring and
 6 observation data”; and

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

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

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

15 “(2) ELEMENTS.—Each Action Strategy
 16 shall—

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

20 “(i) in the Great Lakes and upper
 21 reaches of estuaries;

22 “(ii) in freshwater lakes and rivers;
 23 and

1 “(iii) that originate in freshwater
2 lakes or rivers and migrate to coastal
3 waters;

4 “(B) examine the causes, ecological con-
5 sequences, and economic or socio-cultural im-
6 pacts, including food safety and security, of
7 harmful algal blooms;

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

10 “(D) examine potential methods to pre-
11 vent, control, and mitigate harmful algal blooms
12 and the potential ecological, social, cultural, and
13 economic costs and benefits of such methods;

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

22 “(F) evaluate progress made by, and the
23 needs of, activities and actions of the Task
24 Force to prevent, control, and mitigate harmful
25 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, social, cultural, and economic impacts
 10 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 Blooms 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) in the matter preceding paragraph (1),
12 by inserting “(or the Administrator, as provided
13 under subsection (g))” after “Under Sec-
14 retary”;

15 (B) by amending paragraph (2) to read as
16 follows:

17 “(2) examine, in collaboration with State and
18 local entities and Indian tribes, including island
19 communities, low-population rural communities, In-
20 digenous communities, subsistence communities,
21 fisheries, and recreation industries that are most de-
22 pendent on coastal and water resources that may be
23 impacted by marine and freshwater harmful algal
24 blooms and hypoxia, the causes, ecological con-

1 sequences, cultural impacts, and social and economic
2 costs of harmful algal blooms and hypoxia;”;

3 (C) by striking paragraph (3);

4 (D) by redesignating paragraphs (4), (5),
5 and (6) as paragraphs (3), (4), and (5), respec-
6 tively;

7 (E) in paragraph (3), as so redesignated,
8 by striking “agencies” and inserting “entities,
9 regional coastal observing systems (as defined
10 in section 12303 of the Integrated Coastal and
11 Ocean Observation System Act of 2009 (33
12 U.S.C. 3602)),”;

13 (F) in paragraph (5), as redesignated by
14 subparagraph (D), by inserting “and commu-
15 nities” after “ecosystems”;

16 (G) by inserting after paragraph (5), as re-
17 designated by subparagraph (D), the following:

18 “(6) support sustained observations, including
19 through peer-reviewed, merit-based, competitive
20 grant funding, to provide State and local entities,
21 Indian tribes, and other entities access to real-time
22 or near real-time observation data for decision-mak-
23 ing to protect human and ecological health and local
24 economies;”;

1 (H) in paragraph (8), by inserting “and
2 Indian tribes” after “managers”; and

3 (I) in paragraph (9)(A), by striking “, trib-
4 al, and local stakeholders” and inserting “and
5 local stakeholders and Indian tribes”;

6 (5) by amending subsections (f), (g), and (h) to
7 read as follows:

8 “(f) COOPERATION AND COORDINATION.—The
9 Under Secretary shall—

10 “(1) work cooperatively with and avoid duplica-
11 tion of effort of other agencies on the Task Force
12 and States, Indian tribes, and nongovernmental or-
13 ganizations concerned with marine and freshwater
14 issues; and

15 “(2) coordinate harmful algal bloom and hy-
16 poxia and related activities and research with those
17 entities.

18 “(g) FRESHWATER AND ESTUARINE PROGRAM DU-
19 TIES.—The Administrator, in coordination with the Task
20 Force, shall—

21 “(1) carry out the duties under the Administra-
22 tor’s purview under subsection (e) for freshwater as-
23 pects of the Program through the activities required
24 under section 603C; and

1 “(2) coordinate with the Under Secretary on es-
 2 tuarine aspects of the Program through the activi-
 3 ties required under this section.

4 “(h) ANTI-DEFICIENCY ACT APPLIED TO HARMFUL
 5 ALGAL BLOOM SERVICES.—Any services accepted by an
 6 officer or employee of the United States Government
 7 under this title relating to the development and dissemina-
 8 tion of forecasts and bulletins through the Harmful Algal
 9 Bloom Operational Forecast System of the National Cen-
 10 ters for Coastal Ocean Science and the National Oceanic
 11 and Atmospheric Administration shall be considered, for
 12 purposes of section 1342 of title 31, United States Code,
 13 services for an emergency involving the safety of human
 14 life or the protection of property. Such consideration shall
 15 apply only to services performed for areas with active
 16 harmful algal blooms during any lapse in appropriations
 17 beginning on or after the date of the enactment of the
 18 Harmful Algal Bloom and Hypoxia Research and Control
 19 Amendments Act of 2023.”; and

20 (6) by striking subsection (i).

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

23 (1) IN GENERAL.—Section 603B of the Harm-
 24 ful Algal Blooms 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) maintain and enhance peer-reviewed,
15 merit-based, competitive grant funding relating to
16 harmful algal blooms and hypoxia—

17 “(A) to maintain and enhance baseline
18 monitoring programs established by the Pro-
19 gram;

20 “(B) to support the projects maintained
21 and established by the Program;

22 “(C) to address the research and manage-
23 ment needs and priorities identified in the Ac-
24 tion Strategy;

1 “(D) to accelerate the utilization of effective methods of intervention and mitigation to
2 reduce the frequency, severity, and impacts of
3 harmful algal bloom and hypoxia events;
4

5 “(E) to identify opportunities to improve
6 monitoring of harmful algal bloom and hypoxia,
7 with a particular focus on coastal waters that
8 may affect fisheries, public health, or subsistence harvest;
9

10 “(F) to examine the effects of other environmental stressors on harmful algal blooms
11 and hypoxia;
12

13 “(G) to assess the effects of multiple environmental stressors on living marine resources
14 and coastal ecosystems; and
15

16 “(H) to evaluate adaptation and mitigation
17 strategies to address the impacts of harmful
18 algal blooms and hypoxia;

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

23 “(5) to the greatest extent practicable, leverage
24 existing resources and expertise available from local
25 research universities and institutions; 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 maintain forecasting and mon-
5 itoring of, and event response to, freshwater harmful
6 algal blooms in lakes, rivers, estuaries (including
7 tributaries thereof), and reservoirs;

8 “(3) enhance communication and coordination
9 among Federal agencies carrying out freshwater
10 harmful algal bloom and hypoxia activities and re-
11 search;

12 “(4) to the greatest extent practicable, leverage
13 existing resources and expertise available at local re-
14 search universities and institutions; and

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

17 “(b) NONDUPLICATION.—The Administrator shall
18 ensure that activities carried out under subsection (a)
19 focus on new approaches to addressing freshwater harmful
20 algal blooms and are not duplicative of existing research
21 and development programs authorized by this title or any
22 other law.”.

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 603B the following:

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

3 (e) NATIONAL HARMFUL ALGAL BLOOM AND HY-
4 POXIA OBSERVING NETWORK.—

5 (1) IN GENERAL.—Section 606 of the Harmful
6 Algal Blooms and Hypoxia Research and Control
7 Act of 1998 (33 U.S.C. 4005) is amended to read
8 as follows:

9 **“SEC. 606. NATIONAL HARMFUL ALGAL BLOOM OBSERVING**
10 **NETWORK.**

11 “(a) IN GENERAL.—The Under Secretary, acting
12 through the National Centers for Coastal Ocean Science
13 and the Integrated Ocean Observing System of the Na-
14 tional Oceanic and Atmospheric Administration, shall in-
15 tegrate Federal, State, regional, and local observing capa-
16 bilities to establish a national network of observing sys-
17 tems for the monitoring, detection, and forecasting of
18 harmful algal blooms by leveraging the capacity of re-
19 gional associations of the Integrated Ocean Observing Sys-
20 tem, including through the incorporation of emerging tech-
21 nologies and new data integration methods, such as artifi-
22 cial intelligence.

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

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

4 “(2) establish a center for the assembly of data
 5 on harmful algal blooms to integrate, disseminate,
 6 and provide a central architecture to support ecologi-
 7 cal forecasting.”.

8 (2) CLERICAL AMENDMENT.—The table of con-
 9 tents in section 2 of the Coast Guard Authorization
 10 Act of 1998 (Public Law 105–383; 112 Stat. 3412;
 11 136 Stat. 1268) is amended by striking the item re-
 12 lating to section 606 and inserting the following:

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

13 (f) NATIONAL-LEVEL INCUBATOR PROGRAM.—

14 (1) IN GENERAL.—The Harmful Algal Blooms
 15 and Hypoxia Research and Control Act of 1998 is
 16 amended by inserting after section 606 (33 U.S.C.
 17 4005) the following:

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

19 “(a) IN GENERAL.—The Under Secretary, in collabo-
 20 ration with the Administrator and research universities
 21 and institutions, shall establish a national-level incubator
 22 program (in this section referred to as the ‘program’) to
 23 increase the number of strategies, technologies, and meas-
 24 ures available to prevent, mitigate, and control harmful
 25 algal blooms.

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

6 “(c) FUNDING.—The program shall provide merit-
 7 based funding, using amounts otherwise available to the
 8 Under Secretary for the award of grants, for strategies,
 9 technologies, and measures that eliminate or reduce,
 10 through biological, chemical, or physical means, the levels
 11 of harmful algae and associated toxins resulting from
 12 harmful algal blooms.

13 “(d) DATABASE.—The program shall include a data-
 14 base for cataloging the licensing and permitting require-
 15 ments, economic costs, feasibility, effectiveness, and
 16 scalability of novel and established strategies, tech-
 17 nologies, and measures to prevent, mitigate, and control
 18 harmful algal blooms.

19 “(e) PRIORITIZATION.—In carrying out the program,
 20 the Under Secretary shall prioritize proposed strategies,
 21 technologies, and measures that would, to the maximum
 22 extent practicable—

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

24 “(2) maintain biodiversity;

25 “(3) protect public health;

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

3 “(5) benefit low-income communities, Indian
4 tribes or Indigenous communities, and rural commu-
5 nities.”.

6 (2) CLERICAL AMENDMENT.—The table of con-
7 tents in section 2 of the Coast Guard Authorization
8 Act of 1998 (Public Law 105–383; 112 Stat. 3412;
9 136 Stat. 1268) is amended by inserting after the
10 item relating to section 606 the following:

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

11 (g) DEFINITIONS.—Section 609 of the Harmful Algal
12 Blooms and Hypoxia Research and Control Act of 1998
13 (33 U.S.C. 4008) is amended—

14 (1) in paragraph (1), by striking “means the
15 comprehensive research plan and action strategy es-
16 tablished under section 603B” and inserting “means
17 the action strategy for harmful algal blooms in the
18 United States most recently submitted under section
19 603(c)”;

20 (2) by amending paragraph (3) to read as fol-
21 lows:

22 “(3) HARMFUL ALGAL BLOOM.—The term
23 ‘harmful algal bloom’ means a high concentration of
24 marine or freshwater algae or macroalgae, including
25 Sargassum, resulting in nuisance conditions or

1 harmful impacts on marine and freshwater eco-
 2 systems, communities, or human health through the
 3 production of toxic compounds or other biological,
 4 chemical, or physical impacts of the algae out-
 5 break.”;

6 (3) by striking paragraph (9);

7 (4) by redesignating paragraphs (4), (5), (6),
 8 (7), and (8) as paragraphs (6), (7), (8), (10), and
 9 (11), respectively;

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

12 “(4) HARMFUL ALGAL BLOOM AND HYPOXIA
 13 EVENT.—The term ‘harmful algal bloom and hy-
 14 poxia event’ means the occurrence of a harmful algal
 15 bloom or hypoxia as a result of a natural, anthropo-
 16 genic, or undetermined cause.

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

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

23 (A) by striking “aquatic” and inserting
 24 “marine or freshwater”; and

1 (B) by striking “resident” and inserting
 2 “marine or freshwater”; and

3 (7) by inserting after paragraph (8), as redesign-
 4 nated by paragraph (4), the following:

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

11 (h) AUTHORIZATION OF APPROPRIATIONS.—Sub-
 12 section (a) of section 610 of the Harmful Algal Blooms
 13 and Hypoxia Research and Control Act of 1998 (33
 14 U.S.C. 4009) is amended to read as follows:

15 “(a) IN GENERAL.—There is authorized to be appro-
 16 priated to carry out this title, for each of fiscal years 2024
 17 through 2028—

18 “(1) \$19,500,000 to the Under Secretary; and

19 “(2) \$8,000,000 to the Administrator.”.

20 **SEC. 3. OTHER HARMFUL ALGAL BLOOM MATTERS.**

21 (a) HARMFUL ALGAL BLOOM OR HYPOXIA EVENT OF
 22 NATIONAL SIGNIFICANCE.—Section 9(g) of the National
 23 Integrated Drought Information System Reauthorization
 24 Act of 2018 (33 U.S.C. 4010(g)) is amended—

(1) in paragraph (1), by adding at the end the following:

“(D) CONTRACT, GRANT, AND COOPERATIVE AGREEMENT AUTHORITY.—The Under Secretary of Commerce for Oceans and Atmosphere may enter into agreements and grants with States, Indian Tribes, 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, social, subsistence use, and public health effects of, a harmful algal bloom or hypoxia event of national significance.”;

(2) in paragraph (2)(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

(3) by adding at the end the following:

“(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$2,000,000 for each of fiscal years 2024 through 2028, to remain available until expended.”.

1 (b) PROTECT FAMILIES FROM TOXIC ALGAL
2 BLOOMS.—Section 128 of the Water Resources Develop-
3 ment Act of 2020 (33 U.S.C. 610 note; division AA of
4 Public Law 116–260) is amended—

5 (1) by redesignating subsection (e) as sub-
6 section (f); and

7 (2) by inserting after subsection (d) the fol-
8 lowing:

9 “(e) HARMFUL ALGAL BLOOM TECHNOLOGIES.—In
10 carrying out the demonstration program under subsection
11 (a), the Secretary may enter into agreements with water
12 and irrigation districts located in the focus areas described
13 in subsections (c) and (d) for the use or sale of any new
14 technologies developed under the demonstration program
15 to expedite the removal of harmful algal blooms in those
16 areas.”.

○