

109TH CONGRESS
1ST SESSION

S. 1316

To authorize the Small Business Administration to provide emergency relief to shellfish growers affected by toxic red tide losses.

IN THE SENATE OF THE UNITED STATES

JUNE 27, 2005

Mrs. SNOWE (for herself, Mr. KERRY, Ms. COLLINS, Mr. CHAFEE, and Mr. KENNEDY) introduced the following bill; which was read twice, considered, read the third time, and passed

A BILL

To authorize the Small Business Administration to provide emergency relief to shellfish growers affected by toxic red tide losses.

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 “Red Tide Emergency
5 Relief Act of 2005”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) shellfish growers, known as
9 “aquaculturists”, from the Schoodic Peninsula in

1 Maine to Buzzards Bay in Massachusetts have suf-
2 fered substantial economic injury due to the worst
3 occurrence of toxic algae bloom, known as “Red
4 Tide”, along the New England Coast since 1972;

5 (2) toxins produced by the Red Tide algae con-
6 taminate shellfish like clams and mussels, making
7 them unsafe for people and animals to eat, forcing
8 the extended closure of shellfish beds along contami-
9 nated areas;

10 (3) hundreds of shellfish growers have been af-
11 fected by the Red Tide, and losses industrywide are
12 estimated at \$3 million a week;

13 (4) shellfish growers are currently considered to
14 be agricultural enterprises, and are therefore ineli-
15 gible for economic injury disaster loans available to
16 other small business concerns through the Small
17 Business Administration;

18 (5) shellfish growers are only eligible for emer-
19 gency loans through the Farm Service Agency of the
20 Department of Agriculture under limited cir-
21 cumstances; and

22 (6) the Small Business Act should be amended
23 to make shellfish growers eligible for emergency
24 small business assistance, as a complement to assist-
25 ance otherwise offered through Federal programs.

1 **SEC. 3. AUTHORITY TO PROVIDE DISASTER ASSISTANCE TO**
2 **AQUACULTURE ENTERPRISES.**

3 Section 18(b)(1) of the Small Business Act (15
4 U.S.C. 647(b)(1)) is amended—

5 (1) by striking “aquaculture,”; and

6 (2) by inserting before the semicolon at the end

7 “, other than aquaculture”.

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