S. 2883 BluntRochester_Substitute

AMENDMENT NO._____ Calendar No._____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—119th Cong., 2d Sess.

S. 2883

To establish an East Coast Bivalve Research Task Force.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by _____

Viz:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Quantifying Uncertainty and Action to Help Optimize Growth of Shellfish Act of 2025" or the "QUAHOGS Act of 2025".

SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to ensure that bivalve trends in East Coast States regarding productivity and abundance are characterized and that research needs are identified;

(2) to prioritize scientific research needs for commercially harvested and aquacultured East Coast bivalves;

(3) to address the increased variability or decline in harvests of key bivalve species in East Coast States, including quahogs (hard clams), by creating a coordinated bivalve research strategy; and

(4) to support collaboration and coordination for bivalve conservation efforts in East Coast States.

SEC. 3. DEFINITIONS.

In this Act:

(1) BIVALVE.—The term ''bivalve'' means aquatic mollusks that have an external 2-part hinged shell containing a soft-bodied invertebrate, including clams, oysters, mussels, and scallops.

(2) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(3) QUAHOG (HARD CLAM).—The term ''quahog (hard clam)'' means the Northern quahog or hard clam, Mercenaria mercenaria, as well as the Southern quahog or Southern hard clam, Mercenaria campechiensis.

SEC. 4. EAST COAST BIVALVE RESEARCH TASK FORCE.

(a) IN GENERAL.—Subject to the availability of appropriations, not later than 90 days after the date of enactment of this Act, the Secretary of Commerce, in consultation with the Chairs of the New England, Mid-Atlantic, and South Atlantic Fishery Management Councils and the Atlantic States Marine Fisheries Commission, shall convene an East Coast Bivalve Research Task Force (referred to in this section as the ''Research Task Force'') to—

(1) review existing bivalve research in East Coast States;

(2) identify applied research needed to better understand the increased variability and declining harvests of quahogs (hard clams) and other bivalves in some parts of the East Coast;

(3) identify research needed to better support bivalve fisheries in East Coast States and bivalve aquaculture operations; and

(4) evaluate economic impacts of bivalve wild populations, fisheries, and aquaculture.

(b) COMPOSITION AND APPOINTMENT.—

(1) IN GENERAL.—The Research Task Force shall be composed of not fewer than 16 and not more than 21 members, who shall be appointed under paragraph (2).

(2) APPOINTMENT BY SECRETARY.—The Secretary of Commerce shall appoint members to the Research Task Force as follows:

(A) One representative from each of the following:

(i) The National Oceanic and Atmospheric Administration who is knowledgeable about bivalve research efforts in East Coast States.

(ii) The Environmental Protection Agency who is knowledgeable about United States water quality assessments and standards for bivalve and human health.

(iii) The United States Department of Agriculture who is experienced in aquaculture research or management.

(iv) The New England Fishery Management Council.

(v) The Mid-Atlantic Fishery Management Council.

(vi) The South Atlantic Fishery Management Council.

(vii) The Atlantic States Marine Fisheries Commission.

(B) One representative from a State fish and wildlife management agency from each of—

(i) the region defined by the New England Fishery Management Council;

(ii) the region defined by the Mid-Atlantic Fishery Management Council; and

(iii) the region defined by the South Atlantic Fishery Management Council.

(C) Not less than 1 and not more than 3 representatives of Indian Tribes with current or historic, or both, knowledge of and reliance on East Coast bivalves to be appointed with due regard to differences in regional perspectives and experience.

(D) Not less than 3 and not more than 6 representatives from the bivalve fishing industry throughout the supply chain to be appointed with due regard to differences in regional perspectives and experience, including from—

(i) directed commercial harvesting;

(ii) recreational harvesting;

(iii) fisheries of an Indian Tribe;

(iv) bivalve processors or distributors; or

(v) bivalve aquaculture, including hatcheries.

(E) 2 representatives who are academic experts in bivalve biology and ecology, bivalve habitat restoration and conservation, bivalve aquaculture, comprehensive marine research planning in East Coast States, or the economics or social dynamics of bivalve fisheries and aquaculture, including at least 1 representative with expertise in quahogs (hard clams).

(3) CHAIR.—The National Oceanic and Atmospheric Administration representative described in paragraph (2)(A)(i) shall be the Chair of the Research Task Force.

(c) DUTIES.—

(1) REVIEW.—The Research Task Force shall—

(A) conduct a review of bivalve science relevant to understanding current and potential future harvests of quahogs (hard clams) and other culturally or economically important bivalve species in East Coast States, as well as solutions to identified problems, such as an examination of—

(i) traditional knowledge of bivalve populations and their ecosystems, including potential for incorporation into management plans;

(ii) habitat requirements for bivalve populations, including water quality and potential for water quality improvement or alteration through habitat restoration or other means, as well as potential future habitat change;

(iii) impacts of erosion and sedimentation on bivalve populations and farms, including potential mitigation techniques;

(iv) impacts of changing environmental conditions;

(v) conditions and techniques for successful restoration, including feasibility of multitrophic restoration, such as bivalves and seagrass meadows;

(vi) mitigation strategies for changing environmental conditions, including assisted migration;

(vii) culture and breeding techniques, including genomic modifications to meet

different commercial, recreational, and restoration needs;

(viii) life cycle, including larval dispersal, recruitment dynamics, life-stage specific mortality, and growth rate;

(ix) current and historic ranges, as well as potential future range shifts;

(x) prevalence of diseases and disease mitigating strategies;

(xi) management strategies for sustainable bivalve aquaculture and potential impacts; and

(xii) economic value and potential of bivalve aquaculture, including financial and regulatory barriers to entry for small-scale operations, such as permitting requirements;

(B) identify—

(i) scientific research gaps in understanding the ecology of culturally and economically important bivalve species in East Coast States; and

(ii) the needs for developing solutions to declining harvests and other identified

problems, including with respect to quahogs (hard clams);

(C) consider both current and future impacts on the health and populations of bivalves in East Coast States; and

(D) identify solutions to current and predicted impacts on the health and populations of bivalves in East Coast States.

(2) REPORT.—Not later than 2 years after the date the Research Task Force is established, the Chair of the Research Task Force shall submit to the Secretary of Commerce, the Secretary of Agriculture, the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Environment and Public Works of the Senate, the Committee on Agriculture, Nutrition, and Forestry of the Senate, the Subcommittee on Commerce, Justice, Science, and Related Agencies of the Committee on Appropriations of the Senate, the Committee on Natural Resources of the House of Representatives, the Committee on Agriculture of the House of Representatives, the Subcommittee on Commerce, Justice, Science, and Related Agencies of the Committee on Appropriations of the House of Representatives and make publicly available, a report—

(A) describing the review conducted under paragraph (1); and

(B) that includes recommendations on filling knowledge gaps that warrant further scientific inquiry.

(d) ADMINISTRATIVE MATTERS.—

(1) WORK GROUPS.—The Research Task Force may establish work groups within the Research Task Force, as members determine appropriate.

(2) COMPENSATION.—Each member of the Research Task Force and each member of a work group shall serve without compensation.

(3) EXPENSES.—Subject to the availability of appropriations, a member of the Research Task Force shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Research Task Force.

(4) ADMINISTRATIVE SUPPORT.—Subject to the availability of appropriations, the Secretary of Commerce shall provide such administrative support as is necessary for the Research Task Force and its work

groups to carry out their duties, which may include support for virtual or in-person participation.

(e) RULE OF CONSTRUCTION.—

(1) NO REQUIREMENT TO EXPEND OR REDIRECT FUNDS.—Nothing in this Act shall be construed to require a Regional Fishery Management Council, interstate fisheries commission, or other governmental or advisory body to expend or redirect funds, personnel, or other resources designated for responsibilities under other applicable law to carry out activities under this Act.

(2) NO REQUIREMENT TO DIVERT FUNDS.—Nothing in this Act shall be construed to require the Secretary of Commerce to divert funds, personnel, or other resources otherwise available to the National Marine Fisheries Service to carry out responsibilities under other provisions of law to carry out this Act.

(f) SUNSET.—The Research Task Force and any work groups established under subsection (d)(1) shall terminate on the earlier of—

(1) the date on which the report required under subsection (c)(2) is submitted and made publicly available; or

(2) the date that is 3 years after the date on which the Research Task Force is established.