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2019 Legislative Priorities

Aquaculture is the fastest-growing food-production system globally, and shellfish aquaculture is the largest and fastest-growing marine aquaculture sector in the U.S. Over 1,500 shellfish farms on the East Coast provide thousands of jobs in rural coastal communities, harvesting over \$170 million worth of sustainable, nutritious shellfish. East Coast oyster production has doubled in the past five years and is poised to double again. Expanding production will create more jobs, improve public health and provide tangible environmental benefits. But shellfish farmers still face a variety of challenges.

Merchant Marine Act Exemption for Aquaculture Workers

The 1920 Merchant Marine Act (Jones Act) contains a little-known provision to insure mariners who are injured while working on U.S. vessels. Unfortunately, the Act's definition of "seaman" captures aquaculture workers who are working on small skiffs in state waters, exposing employers to expensive premiums, and in many states requiring firms to both buy Jones Act coverage and pay into state workers compensation for the same employees. The Act also exposes employers to crippling unlimited-liability lawsuits. Aquaculture farmers should be covered under state workers' compensation programs.

- **Co-sign the Shellfish Aquaculture Improvement Act to exempt aquaculture workers from the Merchant Marine Act when they are eligible for state workers' compensation.**

Support Genetics Research to Improve Food Security – USDA ARS

Selective breeding is a proven, effective means of improving disease resistance and production. We are seeking \$1.2M to build a selective breeding program for cold-adapted, disease-resistant lines of oysters.

A novel oyster virus has devastated producers in Europe, New Zealand and Australia. If this virus were to come to the U.S. it would expose West Coast oyster farmers to a potential crisis. We know the virus can infect the Eastern oyster as well, but we do not yet know if Eastern oysters will be negatively impacted by the virus or if they will simply be carriers. We do know that breeding is the best hope for dealing with new and emerging shellfish pathogens.

- **Appropriate \$1.2M to USDA ARS to support the selective breeding of shellfish for disease-resistant lines and enhanced food security.**
- **Support report language that encourages appropriators to fund shellfish genetics and breeding research through USDA-ARS.**

National Aquaculture Legislation – Commerce Committee

Currently, no federal agency has the authority to grant permits or leases for aquaculture operations in the Exclusive Economic Zone (3-200 miles offshore). Offshore aquaculture has tremendous potential to increase domestic seafood production and reduce our vast seafood trade deficit while creating jobs and economic development. Growers are ready, and if there were a mechanism to grant leases, we envision developing an offshore mussel-farming industry to offset the \$50 million in mussels that we import from Canada and New Zealand annually. We are also excited about the significant increases to research spending on aquaculture that the Act could deliver.

- **Support National Marine Aquaculture legislation: AQUAA**

FDA – National Shellfish Sanitation Program

The FDA works with state regulatory agencies to enforce the national sanitation standards through a cooperative program known as the National Shellfish Sanitation Program. The FDA has adopted new policies that encourage Regional Shellfish Specialists to find as many deficiencies as possible when they review state programs. This forces state regulators to devote hundreds of hours responding to issues with little or no bearing on public health. Forcing state agencies to devote limited resources on busy work means they have less resources to devote to training, enforcement and monitoring. This corrodes the trust necessary for a functional cooperative sanitation program.

- **Direct the FDA to cease its regulatory overreach and work with its state regulatory partners and refocus on issues that have significant public-health impacts.**

Critical Research Funding – USDA, NOAA & FDA

Federal shellfish aquaculture research is funded through a patchwork of USDA and NOAA programs that have suffered deep cuts in recent years. Shellfish farmers (mostly small scale) are unable to self-fund critical research in shellfish disease and food safety. NOAA Fisheries spends less than 1% of its annual budget on aquaculture research, even though 90% of the seafood consumed in the U.S. is imported, and half of that is farmed overseas.

- **Support funding for NMFS's Aquaculture Program (\$15M), Sea Grant (\$62.7M), the Sea Grant Marine Aquaculture competition (\$12M) and NOAA's Shellfish Initiative (unfunded).**
- **Support NOAA's Ocean Acidification IOOS research at the FY19 \$22M level.**
- **Support funding for critical USDA aquaculture research efforts through NIFA and the Regional Aquaculture Centers.**