

119TH CONGRESS  
1ST SESSION

# H. R. 1894

To amend the Endangered Species Act of 1973 to vest in the Secretary of the Interior functions under that Act with respect to species of fish that spawn in fresh or estuarine waters and migrate to ocean waters and species of fish that spawn in ocean waters and migrate to fresh or estuarine waters, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 6, 2025

Mr. CALVERT (for himself, Mr. COSTA, Mr. LAMALFA, Mr. MCCLINTOCK, and Mr. ISSA) introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To amend the Endangered Species Act of 1973 to vest in the Secretary of the Interior functions under that Act with respect to species of fish that spawn in fresh or estuarine waters and migrate to ocean waters and species of fish that spawn in ocean waters and migrate to fresh or estuarine waters, 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 “Federally Integrated  
5 Species Health Act of 2025” or the “FISH Act of 2025”.

1 **SEC. 2. TRANSFER OF FUNCTIONS WITH RESPECT TO**  
2 **ANADROMOUS SPECIES AND CATADROMOUS**  
3 **SPECIES.**

4 (a) **TRANSFER OF FUNCTIONS.**—All functions with  
5 respect to anadromous species and catadromous species  
6 under the Endangered Species Act of 1973 (16 U.S.C.  
7 1531 et seq.) that were vested in the Secretary of Com-  
8 merce or the National Marine Fisheries Service imme-  
9 diately before the enactment of this Act are transferred  
10 to the Secretary of the Interior.

11 (b) **CONFORMING AMENDMENTS.**—The Endangered  
12 Species Act of 1973 is amended—

13 (1) in section 3(15) (16 U.S.C. 1532(15))—

14 (A) by inserting “(A)” after “(15)”; and

15 (B) by inserting after “Secretary of Agri-  
16 culture.” the following:

17 “(B) Notwithstanding subparagraph (A), with re-  
18 spect to anadromous species and catadromous species, the  
19 term ‘Secretary’ means the Secretary of the Interior.”;  
20 and

21 (2) in section 3 (16 U.S.C. 1532) by adding at  
22 the end the following:

23 “(22) The term ‘anadromous species’ means a species  
24 of fish that spawns in fresh or estuarine waters and mi-  
25 grates to ocean waters.

1       “(23) The term ‘catadromous species’ means a spe-  
2 cies of fish that spawns in ocean waters and migrates to  
3 fresh or estuarine waters.”.

4       (c) RECONSIDERATION OF ADMINISTRATIVE DETER-  
5 MINATIONS.—Following the complete transfer of National  
6 Marine Fisheries Service responsibilities to the Depart-  
7 ment of the Interior, any final administrative determina-  
8 tion made by National Marine Fisheries Service within 3  
9 years prior to the date of the transfer may be reconsidered  
10 upon request to the Secretary of the Interior. The Sec-  
11 retary may grant or deny the request, and the final deci-  
12 sion will be made publicly available. Any request for recon-  
13 sideration made under this subsection shall be filed with  
14 the Department of Interior within 365 days of transfer  
15 completion.

16 **SEC. 3. MISCELLANEOUS PROVISIONS.**

17       (a) REFERENCES.—Any reference in any other Fed-  
18 eral law, Executive order, rule, regulation, or delegation  
19 of authority, or any document of or pertaining to a depart-  
20 ment or office from which a function is transferred by this  
21 Act—

22               (1) to the head of such department or office is  
23 deemed to refer to the Secretary of the Interior; or

24               (2) to such department or office is deemed to  
25 refer to the Department of the Interior.

1           (b) EXERCISE OF AUTHORITIES.—Except as other-  
2 wise provided by law, the Secretary of the Interior may,  
3 for purposes of performing the functions transferred by  
4 this Act, exercise all authorities under the Endangered  
5 Species Act of 1973 (16 U.S.C. 1531 et seq.) that were  
6 available with respect to the performance of that function  
7 immediately before the effective date of the transfer of the  
8 function under this Act.

9           (c) SAVINGS PROVISIONS.—

10           (1) LEGAL DOCUMENTS.—All orders, deter-  
11 minations, rules, regulations, permits, grants, loans,  
12 contracts, agreements, certificates, licenses, and  
13 privileges—

14                   (A) that have been issued, made, granted,  
15 or allowed to become effective by the Secretary  
16 of Commerce, any officer or employee of the  
17 Department of Commerce, or any other Govern-  
18 ment official in the performance of any function  
19 that is transferred by this Act, or by a court of  
20 competent jurisdiction with respect to such per-  
21 formance; and

22                   (B) that are in effect on the effective date  
23 of this Act (or become effective after such date  
24 pursuant to their terms as in effect on such ef-  
25 fective date),

1 shall continue in effect according to their terms until  
2 modified, terminated, superseded, set aside, or re-  
3 voked in accordance with law by the President, any  
4 other authorized official, a court of competent juris-  
5 diction, or operation of law.

6 (2) PROCEEDINGS.—

7 (A) IN GENERAL.—This Act shall not af-  
8 fect any proceedings or any application for any  
9 benefits, service, license, permit, certificate, or  
10 financial assistance pending on the date of the  
11 enactment of this Act before an office trans-  
12 ferred by this Act. Such proceedings and appli-  
13 cations shall be continued. Orders shall be  
14 issued in such proceedings, appeals shall be  
15 taken therefrom, and payments shall be made  
16 pursuant to such orders, as if this Act had not  
17 been enacted, and orders issued in any such  
18 proceeding shall continue in effect until modi-  
19 fied, terminated, superseded, or revoked by a  
20 duly authorized official, by a court of competent  
21 jurisdiction, or by operation of law.

22 (B) LIMITATION.—Nothing in this para-  
23 graph shall be considered to prohibit the dis-  
24 continuance or modification of any such pro-  
25 ceeding under the same terms and conditions

1           and to the same extent that such proceeding  
2           could have been discontinued or modified if this  
3           Act had not been enacted.

4           (3) SUITS.—This Act shall not affect suits com-  
5           menced before the date of the enactment of this Act,  
6           and in all such suits, proceeding shall be had, ap-  
7           peals taken, and judgments rendered in the same  
8           manner and with the same effect as if this Act had  
9           not been enacted.

10           (4) NONABATEMENT OF ACTIONS.—No suit, ac-  
11           tion, or other proceeding commenced by or against  
12           the Department of Commerce or the Secretary of  
13           Commerce, or by or against any individual in the of-  
14           ficial capacity of such individual as an officer or em-  
15           ployee of the Department of Commerce, shall abate  
16           by reason of the enactment of this Act.

17           (5) CONTINUANCE OF SUITS.—If any Govern-  
18           ment officer in the official capacity of such officer  
19           is party to a suit with respect to a function of the  
20           officer, and under this Act such function is trans-  
21           ferred to any other officer or office, then such suit  
22           shall be continued with the other officer or the head  
23           of such other office, as applicable, substituted or  
24           added as a party.

1           (6) ADMINISTRATIVE PROCEDURE AND JUDI-  
2           CIAL REVIEW.—Except as otherwise provided by this  
3           Act, any statutory requirements relating to notice,  
4           hearings, action upon the record, or administrative  
5           or judicial review that apply to any function trans-  
6           ferred by this Act shall apply to the exercise of such  
7           function by the head of the Federal agency, and  
8           other officers of the agency, to which such function  
9           is transferred by this Act.

10 **SEC. 4. DEFINITIONS.**

11           For purposes of this Act:

12           (1) ANADROMOUS SPECIES AND CATADROMOUS  
13           SPECIES.—Each of the terms “anadromous species”  
14           and “catadromous species” has the meaning that  
15           term has under section 3 of the Endangered Species  
16           Act of 1973 (16 U.S.C. 1532), as amended by sec-  
17           tion 3 of this Act.

18           (2) FUNCTION.—The term “function” includes  
19           any duty, obligation, power, authority, responsibility,  
20           right, privilege, activity, or program.

21           (3) OFFICE.—The term “office” includes any  
22           office, administration, agency, bureau, institute,  
23           council, unit, organizational entity, or component  
24           thereof.

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