

119TH CONGRESS
2D SESSION

H. R. 4294

AN ACT

To direct the Secretary of Commerce to establish a pilot program with respect to the sale of blue catfish caught within the Chesapeake Bay Watershed.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Mitigation Action and
3 Watermen Support Act of 2026” or the “MAWS Act of
4 2026”.

5 **SEC. 2. BLUE CATFISH PILOT PROGRAM.**

6 Section 307 of the National Oceanic and Atmospheric
7 Administration Authorization Act of 1992 (15 U.S.C.
8 1511d) is amended—

9 (1) by redesignating subsection (e) as sub-
10 section (f); and

11 (2) by inserting after subsection (d) the fol-
12 lowing:

13 “(e) BLUE CATFISH PILOT PROGRAM.—

14 “(1) IN GENERAL.—The Secretary, utilizing
15 and coordinating with applicable programs and ac-
16 tivities described in subsection (b)(3), shall carry out
17 a pilot program to enter into cooperative agreements
18 with covered entities for such covered entities to pur-
19 chase, in accordance with paragraph (3)—

20 “(A) from watermen, blue catfish caught
21 within the Chesapeake Bay Watershed by such
22 watermen; and

23 “(B) from seafood processors, such blue
24 catfish purchased by seafood processors from
25 such watermen.

1 “(2) APPLICATIONS.—To be eligible to enter
2 into a cooperative agreement under the pilot pro-
3 gram, a covered entity shall submit to the Secretary
4 an application in such form, at such time, and con-
5 taining such information as the Secretary deter-
6 mines appropriate.

7 “(3) USE OF AMOUNTS.—A covered entity that
8 enters into a cooperative agreement under the pilot
9 program—

10 “(A) shall use any amounts awarded under
11 such cooperative agreement to purchase blue
12 catfish from watermen or seafood processors for
13 at least the amount determined by the Sec-
14 retary under paragraph (5); and

15 “(B) may use not more than 15 percent of
16 such amounts to offset the cost to transport
17 such blue catfish to manufacturing or proc-
18 essing facilities.

19 “(4) WATERMAN AND SEAFOOD PROCESSOR
20 ELIGIBILITY.—To be eligible to sell a blue catfish
21 under the pilot program to a covered entity that en-
22 ters into a cooperative agreement under the pilot
23 program—

24 “(A) a waterman shall certify to such cov-
25 ered entity that the waterman caught the blue

1 catfish within the Chesapeake Bay Watershed;
2 and

3 “(B) a seafood processor shall certify to
4 such covered entity that the seafood processor
5 purchased the blue catfish from a waterman
6 who caught the blue catfish within the Ches-
7 apeake Bay Watershed.

8 “(5) DETERMINATION OF MINIMUM PURCHASE
9 AMOUNT.—With respect to blue catfish sold by
10 watermen or seafood processors under the pilot pro-
11 gram, the Secretary shall determine the minimum
12 price per pound, taking into consideration—

13 “(A) market factors;

14 “(B) feedback from watermen, seafood
15 processors, and covered entities that participate
16 in the pilot program, if available; and

17 “(C) differentiation of price points for fillet
18 and byproduct.

19 “(6) ABUNDANCE BASELINE.—

20 “(A) MEMORANDUM OF UNDER-
21 STANDING.—Not later than 180 days after the
22 date of the enactment of this subsection, the
23 Secretary shall seek to enter into a memo-
24 randum of understanding with eligible non-Fed-
25 eral partners—

1 “(i) to compile existing non-Federal
2 data necessary for the Secretary—

3 “(I) to develop under subpara-
4 graph (B) an estimate of the abun-
5 dance of blue catfish in the Chesa-
6 peake Bay Watershed; and

7 “(II) to provide the information
8 described in subparagraphs (A)
9 through (D) of paragraph (7) in the
10 report required under that paragraph;
11 and

12 “(ii) to adjust the collection by such
13 eligible non-Federal partners of relevant
14 data such that such data can be used as
15 described in subclauses (I) and (II) of
16 clause (i).

17 “(B) ABUNDANCE ESTIMATES.—Not later
18 than September 30, 2027, and annually there-
19 after through fiscal year 2032, the Secretary
20 shall develop, pursuant to the memorandum of
21 understanding described in subparagraph (A),
22 and make publicly available on the website of
23 the National Oceanic and Atmospheric Admin-
24 istration an estimate of the abundance of blue
25 catfish in the Chesapeake Bay Watershed.

1 “(7) REPORT.—Not later than 180 days after
2 the date on which the pilot program terminates in
3 accordance with paragraph (9), the Secretary shall
4 submit to Congress a report regarding the pilot pro-
5 gram, including the following information:

6 “(A) A summary of available information
7 regarding the size and spawning stock biomass
8 of the blue catfish population in the Chesapeake
9 Bay Watershed prior to and at the conclusion
10 of the pilot program, using the most recent
11 data available.

12 “(B) A summary of available data regard-
13 ing the size distribution and diet of the blue
14 catfish population in the Chesapeake Bay Wa-
15 tershed during and at the conclusion of the
16 pilot program.

17 “(C) The number of blue catfish and the
18 amount of blue catfish (measured in pounds)
19 caught by watermen who participate in the pilot
20 program during the pilot program.

21 “(D) The effects of the pilot program on
22 species other than the blue catfish in and the
23 environment of the Chesapeake Bay Watershed,
24 to the extent known.

1 “(E) The economic effect of the pilot pro-
2 gram on watermen who participate in the pilot
3 program, including—

4 “(i) the revenue generated by each
5 such waterman by selling blue catfish
6 under the pilot program; and

7 “(ii) catch data with respect to and
8 revenue generated from other species
9 fished by such watermen during the pilot
10 program.

11 “(F) The market response to the pilot pro-
12 gram, including—

13 “(i) the total amount awarded under
14 the pilot program to covered entities that
15 enter into cooperative agreements under
16 the pilot program; and

17 “(ii) trends in the types of such cov-
18 ered entities.

19 “(G) With respect to the manufacturing or
20 processing practices of each covered entity that
21 enters into a cooperative agreement under the
22 pilot program, information regarding whether
23 each such covered entity—

24 “(i) uses internal or third-party man-
25 ufacturers or processors;

1 “(ii) uses, for each type of food prod-
2 uct produced by the covered entity, whole
3 fish, fillet, or byproduct; and

4 “(iii) if the covered entity uses only
5 part of the fish, sells the remainder to
6 third parties.

7 “(H) How each covered entity that enters
8 into a cooperative agreement under the pilot
9 program transports blue catfish purchased by
10 the covered entity, including—

11 “(i) whether the covered entity freezes
12 such blue catfish;

13 “(ii) how often the covered entity
14 picks up such blue catfish; and

15 “(iii) whether the covered entity uses
16 a seafood transport company that is local
17 to the Chesapeake Bay Watershed.

18 “(I) Policy recommendations regarding—

19 “(i) the continuation of the pilot pro-
20 gram in the Chesapeake Bay Watershed;
21 and

22 “(ii) the expansion of the pilot pro-
23 gram to other watersheds, including—

24 “(I) best practices;

1 “(II) specific recommendations
2 regarding invasive species of carp in
3 the Mississippi rivershed;

4 “(III) with respect to other
5 invasive aquatic species and water-
6 sheds that may benefit from the pilot
7 program; and

8 “(IV) other strategies with re-
9 spect to the mitigation of aquatic
10 invasive species for Congress to con-
11 sider piloting.

12 “(J) Additional data necessary for Con-
13 gress to shape related policy, including—

14 “(i) data—

15 “(I) the Secretary was unable to
16 collect; or

17 “(II) is not collected by eligible
18 non-Federal partners; and

19 “(ii) recommendations for congres-
20 sional action to support the collection of
21 relevant data sets.

22 “(8) BRIEFINGS.—Not later than 90 days after
23 the date of the enactment of this subsection and
24 quarterly thereafter until the date on which the pilot
25 program terminates in accordance with paragraph

1 (9), the Secretary shall provide to the Committee on
2 Natural Resources of the House of Representatives
3 and the Committee on Commerce, Science, and
4 Transportation of the Senate briefings on the status
5 of the implementation of this subsection.

6 “(9) DURATION.—

7 “(A) IN GENERAL.—The Secretary shall
8 carry out the pilot program during the 2-year
9 period that begins on the first day of the fiscal
10 year immediately following the later of the fis-
11 cal year in which the Secretary—

12 “(i) first makes publicly available the
13 first abundance estimate under paragraph
14 (6); and

15 “(ii) issues guidance under subpara-
16 graph (B).

17 “(B) CRITERIA.—Not later than 1 year
18 after the date of the enactment of this sub-
19 section, the Secretary, in consultation with the
20 Chesapeake Bay Program Invasive Catfish
21 Workgroup and the heads of relevant Federal
22 agencies with experience administering similar
23 programs, shall issue guidance for the pilot pro-
24 gram.

25 “(10) DEFINITIONS.—In this subsection:

1 “(A) ANIMAL FEED.—The term ‘animal
2 feed’—

3 “(i) means an article that is intended
4 for use—

5 “(I) for food for an animal other
6 than man; and

7 “(II) as a substantial source of
8 nutrients in the diet of such an ani-
9 mal; and

10 “(ii) is not limited to a mixture in-
11 tended to be the sole ration of such an ani-
12 mal.

13 “(B) AQUACULTURE FEED.—The term
14 ‘aquaculture feed’—

15 “(i) means an article that is intended
16 for use—

17 “(I) for food for an aquacultural
18 species, including any species of
19 finfish, mollusk, crustacean (or other
20 aquatic invertebrate), amphibian, rep-
21 tile, ornamental fish, or aquatic plant
22 that is propagated and reared in a
23 controlled or selected environment;
24 and

1 “(II) as a substantial source of
2 nutrients in the diet of such an
3 aquacultural species; and

4 “(ii) is not limited to a mixture in-
5 tended to be the sole ration of such an
6 aquacultural species.

7 “(C) BLUE CATFISH.—The term ‘blue cat-
8 fish’ means the species *Ictalurus furcatus*.

9 “(D) CHESAPEAKE BAY WATERSHED.—
10 The term ‘Chesapeake Bay Watershed’ means
11 the region that covers—

12 “(i) the Chesapeake Bay;

13 “(ii) the portions of the States of
14 Delaware, Maryland, New York, Pennsyl-
15 vania, Virginia, and West Virginia that
16 drain into the Chesapeake Bay; and

17 “(iii) the District of Columbia.

18 “(E) COVERED ENTITY.—The term ‘cov-
19 ered entity’ means a person engaged in the
20 business of manufacturing or processing—

21 “(i) pet food;

22 “(ii) animal feed; or

23 “(iii) aquaculture feed.

1 “(F) ELIGIBLE NON-FEDERAL PARTNER.—

2 The term ‘eligible non-Federal partner’
3 means—

4 “(i) Maryland;

5 “(ii) Virginia; and

6 “(iii) research institutions, including
7 research institutions with expertise in—

8 “(I) blue catfish research in the
9 Chesapeake Bay Watershed; or

10 “(II) acting in coordination with
11 the Invasive Catfish Workgroup of the
12 Chesapeake Bay Program.

13 “(G) PILOT PROGRAM.—The term ‘pilot
14 program’ means the pilot program established
15 under paragraph (1).

16 “(H) SEAFOOD PROCESSOR.—The term
17 ‘seafood processor’ means a person engaged in
18 the business of preparing or packaging fish or
19 fish products (including fish harvested by the
20 processor) for sale.

21 “(I) SECRETARY.—The term ‘Secretary’
22 means the Secretary of Commerce, acting

1 through the Administrator of the National Oce-
2 anic and Atmospheric Administration.”.

Passed the House of Representatives March 17,
2026.

Attest:

Clerk.

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