

119TH CONGRESS
2D SESSION

H. R. 8876

To amend the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 to provide for the prevention, management, control, and eradication of aquatic nuisance species, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 19, 2026

Mr. WALBERG (for himself and Ms. ELFRETH) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 to provide for the prevention, management, control, and eradication of aquatic nuisance species, 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 “Aquatic Invasive Spe-
5 cies Control and Prevention Act of 2026”.

1 **SEC. 2. AQUATIC NUISANCE SPECIES.**

2 (a) DEFINITIONS.—Section 1003 of the Nonindige-
3 nous Aquatic Nuisance Prevention and Control Act of
4 1990 (16 U.S.C. 4721) is amended—

5 (1) in paragraph (1), by inserting “and the
6 term ‘aquatic invasive species’” before “means a
7 nonindigenous”;

8 (2) in paragraph (18), by striking “and” at the
9 end;

10 (3) in paragraph (19), by striking the period at
11 the end and inserting a semicolon; and

12 (4) by adding at the end the following:

13 “(20) ‘rapid response activities’ means
14 timely actions taken upon the detection of an
15 aquatic invasive species—

16 “(A) to—

17 “(i) eradicate the aquatic
18 invasive species; or

19 “(ii) control and prevent the es-
20 tablishment of the aquatic invasive
21 species;

22 “(B) to ensure conservation outcomes
23 of noninvasive species and the habitats of
24 such species;

1 “(C) to maintain ecosystem functions
2 of ecosystems affected by the aquatic
3 invasive species; and

4 “(D) to avoid, reduce, or mitigate sig-
5 nificant economic harms and consequences
6 associated with the aquatic invasive spe-
7 cies; and

8 “(21) ‘regional panels’ means the regional
9 panels convened pursuant to section 1203, in-
10 cluding the—

11 “(A) Great Lakes Regional Panel;

12 “(B) Western Regional Panel;

13 “(C) Gulf and South Atlantic Re-
14 gional Panel;

15 “(D) Northeast Aquatic Nuisance
16 Species Regional Panel;

17 “(E) Mississippi River Basin Regional
18 Panel; and

19 “(F) Mid-Atlantic Regional Panel.”.

20 (b) GRANT PROGRAM FOR CONTROL AND ERADI-
21 CATION OF AQUATIC INVASIVE SPECIES.—Subtitle B of
22 the Nonindigenous Aquatic Nuisance Prevention and Con-
23 trol Act of 1990 (16 U.S.C. 4712 et seq.) is amended by
24 adding at the end the following:

1 **“SEC. 1105. GRANT PROGRAM FOR CONTROL AND ERADI-**
2 **CATION OF AQUATIC INVASIVE SPECIES.**

3 “(a) IN GENERAL.—Not later than 1 year after the
4 date of the enactment of this section, the Task Force, in
5 consultation with the regional panels, shall establish a
6 grant program to fund research, development, demonstra-
7 tion, and verification of environmentally sound and cost-
8 effective technologies, methods, and practices to control
9 and eradicate aquatic invasive species.

10 “(b) PURPOSES.—Proposals funded under the grant
11 program established under subsection (a) shall—

12 “(1) support Federal, State, Tribal, regional, or
13 local officials or nongovernmental organizations in
14 the control and eradication of aquatic invasive spe-
15 cies in an environmentally sound and cost-effective
16 manner;

17 “(2) increase the number of environmentally
18 sound and cost-effective technologies, methods, or
19 practices Federal, State, Tribal, regional or local of-
20 ficials and nongovernmental organizations may use
21 to control or eradicate aquatic invasive species by re-
22 searching, developing, demonstrating, or verifying
23 such technologies, methods, or practices;

24 “(3) provide for the demonstration or dissemi-
25 nation of such technologies, methods, or practices to
26 potential end-users; and

1 “(4) verify that any such technology, method,
2 or practice meets any appropriate criteria developed
3 for effectiveness, cost-effectiveness, and environ-
4 mental soundness established by the Task Force.

5 “(c) MERIT REVIEW.—The Task Force shall award
6 grants under this section through a process that is com-
7 petitive, peer-reviewed, and merit-based.

8 “(d) REPORT.—Not later than 3 years after the date
9 of the enactment of this section, the Task Force shall sub-
10 mit to Congress a report regarding the grant program es-
11 tablished under subsection (a), including findings and rec-
12 ommendations with respect to technologies, methods, and
13 practices described in that subsection.”.

14 (c) PREVENTION AND CONTROL OF AQUATIC NUI-
15 SANCE SPECIES DISPERSAL.—

16 (1) AQUATIC NUISANCE SPECIES TASK
17 FORCE.—Section 1201 of the Nonindigenous Aquat-
18 ic Nuisance Prevention and Control Act of 1990 (16
19 U.S.C. 4721) is amended—

20 (A) in subsection (b)—

21 (i) in paragraph (9), by striking
22 “and” at the end;

23 (ii) in paragraph (10), by striking the
24 period at the end and inserting “; and”;
25 and

1 (iii) by adding at the end the fol-
2 lowing:

3 “(11) 1 representative from each of the regional
4 panels.”;

5 (B) in subsection (c)—

6 (i) by striking “and” after “State
7 agencies” and inserting a comma; and

8 (ii) by inserting “, and nongovern-
9 mental organizations engaged in moni-
10 toring, prevention, or control of aquatic
11 nuisance species or other impacts relating
12 to aquatic nuisance species, including im-
13 pacts to outdoor recreation,” after “other
14 governmental entities”;

15 (C) in subsection (f)—

16 (i) by striking “Each Task Force”
17 and inserting the following:

18 “(1) IN GENERAL.—Each Task Force”; and

19 (ii) by adding at the end the fol-
20 lowing:

21 “(2) NATIONAL INVASIVE SPECIES COUNCIL.—

22 In addition to the requirement described in para-
23 graph (1), the Task Force shall develop a plan to
24 enhance coordination of any action to carry out this
25 subtitle with the National Invasive Species Council

1 established by Executive Order 13112 (42 U.S.C.
2 4321 note; relating to Invasive Species).”; and

3 (D) by adding at the end the following:

4 “(h) DETAILS FROM OTHER FEDERAL AGENCIES.—

5 Upon request of the Task Force, and with the concurrence
6 of the head of the Federal agency concerned, the head of
7 any Federal agency may detail, on a reimbursable basis,
8 any of the personnel of such Federal agency to the Task
9 Force to assist the Task Force in carrying out the duties
10 of the Task Force under this subtitle.

11 “(i) APPLICABILITY OF FEDERAL ADVISORY COM-
12 MITTEE ACT.—Chapter 10 of title 5, United States Code
13 (commonly known as the ‘Federal Advisory Committee
14 Act’), shall not apply to actions of the Task Force.”.

15 (2) AQUATIC NUISANCE SPECIES PROGRAM.—

16 (A) IN GENERAL.—Section 1202 of the
17 Nonindigenous Aquatic Nuisance Prevention
18 and Control Act of 1990 (16 U.S.C. 4722) is
19 amended—

20 (i) in subsection (c)(1)—

21 (I) in subparagraph (B), by
22 striking “and” at the end;

23 (II) in subparagraph (C), by
24 striking the period at the end and in-
25 serting a semicolon; and

1 (III) by adding at the end the
2 following:

3 “(D) identification of ecosystems that are
4 particularly susceptible to invasion by aquatic
5 invasive species under changing environmental
6 conditions, which such ecosystems shall be con-
7 sidered in the development of national and re-
8 gional management control plans for aquatic
9 nuisance species under subparagraph (E); and

10 “(E) in collaboration with the heads of rel-
11 evant Federal agencies and stakeholders, devel-
12 opment, implementation, and periodic updates
13 of national and regional management control
14 plans for aquatic nuisance species.”;

15 (ii) by redesignating subsections (j)
16 and (k) as subsections (m) and (n), respec-
17 tively; and

18 (iii) by inserting after subsection (i)
19 the following:

20 “(j) STUDY ON FEDERAL LAWS AND REGULATIONS
21 AND OTHER AUTHORITIES GOVERNING RAPID RESPONSE
22 ACTIVITIES.—

23 “(1) IN GENERAL.—Not later than 2 years
24 after the date of the enactment of this subsection,
25 the Task Force, in consultation with the Secretary,

1 Director, and Under Secretary, shall conduct a com-
2 prehensive study of Federal laws and regulations
3 and other authorities that govern rapid response ac-
4 tivities.

5 “(2) REQUIREMENTS.—In conducting the study
6 required by paragraph (1), the Task Force shall—

7 “(A) in coordination with the regional pan-
8 els and States, identify Federal laws and regu-
9 lations and other authorities that govern rapid
10 response activities or may impede rapid re-
11 sponse activities, including categorical exclu-
12 sions, waivers, and other regulatory exemptions
13 that facilitate rapid response activities;

14 “(B) review such Federal laws and regula-
15 tions and other authorities; and

16 “(C) recommend changes to such Federal
17 laws and regulations and other authorities to
18 expedite rapid response activities, including the
19 creation of such categorical exclusions, waivers,
20 and other regulatory exemptions.

21 “(3) PARTNERSHIPS.—The Task Force may
22 enter into partnerships or contracts with members of
23 the Task Force, regional panels, States, Indian
24 tribes, universities, nongovernmental organizations,
25 or the National Laboratories of the Department of

1 Energy to conduct the study required by paragraph
2 (1).

3 “(k) WATERCRAFT INSPECTIONS AND DECON-
4 TAMINATIONS.—

5 “(1) DEFINITIONS.—In this subsection:

6 “(A) DECONTAMINATION.—The term ‘de-
7 contamination’ means an action to remove
8 aquatic invasive species to prevent the introduc-
9 tion or spread of aquatic invasive species into
10 aquatic ecosystems in which the aquatic
11 invasive species is not present or does not have
12 a large presence.

13 “(B) FEDERAL LAND AND WATER.—The
14 term ‘Federal land and water’ means Federal
15 land and water operated and maintained by the
16 head of a Federal member of the Task Force.

17 “(C) INSPECTION.—The term ‘inspection’
18 means an action to find aquatic invasive species
19 to prevent the introduction or spread of aquatic
20 invasive species into aquatic ecosystems in
21 which the aquatic invasive species is not present
22 or does not have a large presence.

23 “(D) NONCONTAMINATED WATERCRAFT.—
24 The term ‘noncontaminated watercraft’ means
25 watercraft that, prior to entering a body of

1 water, is subject to inspection or decontamina-
2 tion.

3 “(E) WATERCRAFT.—The term
4 ‘watercraft’ means any vessel or other contriv-
5 ance used or designed for transportation or
6 navigation on, under, or immediately above,
7 water.

8 “(2) IN GENERAL.—Not later than 2 years
9 after the date of the enactment of this subsection,
10 the Task Force, in consultation with the regional
11 panels, shall develop a plan for the heads of the
12 Federal agencies represented on the Task Force, in
13 coordination with States, to conduct inspections and
14 decontaminations of watercraft at stations.

15 “(3) REQUIREMENTS.—The plan developed
16 under paragraph (2) shall include—

17 “(A) a process for the installation of sta-
18 tions at boat launches and access points on
19 Federal and non-Federal waterways and road-
20 side locations along Federal highways at which
21 to conduct inspections and decontaminations of
22 watercraft;

23 “(B) the development of an interagency
24 certification system to reciprocally recognize in-
25 spections and decontaminations carried out by

1 the heads of the Federal agencies represented
2 on the Task Force to minimize disruption, to
3 the maximum extent practicable, of public ac-
4 cess for boating and recreation in noncontami-
5 nated watercraft;

6 “(C) recommendations for the development
7 of a penalty structure for noncompliance with
8 inspections and decontaminations of watercraft
9 carried out by the heads of Federal agencies
10 represented on the Task Force;

11 “(D) an analysis of existing studies and re-
12 search on the siting and effectiveness of decon-
13 tamination stations, including a plan for recom-
14 mending and prioritizing siting of such stations
15 at waterways at high risk of introduction of an
16 aquatic invasive species that is not present, or
17 does not have a large presence, in the water-
18 way;

19 “(E) recommendations for a process to
20 incentivize watercraft, engine, accessory, fishing
21 gear, equipment and trailer manufacturers to
22 develop and adopt new and innovative designs
23 and models that—

1 “(i) limit unwanted transfer of aquat-
2 ic nuisance species and standing water;
3 and

4 “(ii) aid in safely expediting
5 watercraft inspection and decontamination
6 protocols approved by the regional panels
7 or Task Force;

8 “(F) recommendations for the siting of
9 user-operated cleaning stations to supplement
10 decontamination programs carried out by the
11 heads of the Federal agencies represented on
12 the Task Force in coordination with States pur-
13 suant to the plan developed under paragraph
14 (2); and

15 “(G) measures to ensure that, to the max-
16 imum extent practicable, inspections and decon-
17 taminations carried out pursuant to the plan
18 developed under paragraph (2) do not limit ac-
19 cess for recreational watercraft to non-Federal
20 lands and waters or Federal lands and waters.

21 “(I) INTERBASIN AND INTRABASIN MONITORING
22 PROGRAM.—

23 “(1) ESTABLISHMENT.—Not later than 2 years
24 after the date of the enactment of this subsection,
25 the Task Force, in coordination with the regional

1 panels and States, shall establish an interbasin and
2 intrabasin monitoring program.

3 “(2) REQUIRED ELEMENTS.—The monitoring
4 program established under paragraph (1) shall—

5 “(A) track aquatic invasive species moving
6 through—

7 “(i) the Chicago Sanitary and Ship
8 Canal;

9 “(ii) the Champlain Canal;

10 “(iii) other interbasin waterways; and

11 “(iv) as recommended by the regional
12 panels, major river systems, such as the
13 Mississippi River, in which interbasin
14 transfers of aquatic invasive species have
15 been shown to pose a significant threat to
16 fish and wildlife resources;

17 “(B) assess the efficacy of dispersal bar-
18 riers and other measures in preventing the
19 spread of aquatic invasive species through wa-
20 terways; and

21 “(C) identify waterways suitable for dis-
22 persal barrier demonstration projects, in addi-
23 tion to the waterways at which dispersal barrier
24 demonstration projects were carried out before
25 the date of the enactment of this subsection.

1 “(3) REPORTS.—The Task Force shall bienni-
2 ally issue a report describing the findings of the
3 monitoring program established under paragraph
4 (1), which shall include a plan to provide for addi-
5 tional dispersal barrier demonstration projects and
6 related research projects.”.

7 (B) AQUATIC NUISANCE SPECIES NA-
8 TIONAL AND REGIONAL MANAGEMENT CONTROL
9 PLANS UPDATE.—Not later than 5 years after
10 the date of the enactment of this section, the
11 Aquatic Nuisance Species Task Force estab-
12 lished under section 1201 of the Nonindigenous
13 Aquatic Nuisance Prevention and Control Act
14 of 1990 (16 U.S.C. 4721), in carrying out the
15 program implemented under section 1202 of
16 that Act (16 U.S.C. 4722), shall update each
17 national and regional management control plan
18 for aquatic nuisance species (as that term is de-
19 fined in section 1003 of that Act (16 U.S.C.
20 4702)) to incorporate novel and proven prac-
21 tices for the prevention, monitoring, and control
22 of aquatic nuisance species, including best prac-
23 tices submitted by participating Federal, State,
24 and Tribal agencies and researchers.

1 (3) AQUATIC NUISANCE SPECIES MANAGEMENT
2 PLANS.—Section 1204 of the Nonindigenous Aquatic
3 Nuisance Prevention and Control Act of 1990 (16
4 U.S.C. 4724) is amended by adding at the end the
5 following:

6 “(d) INTERSTATE AND REGIONAL COORDINATION.—
7 The Director, in coordination with the Task Force, shall
8 facilitate and encourage regional and interstate coordina-
9 tion with respect to the implementation of the comprehen-
10 sive aquatic nuisance species management plans and pub-
11 lic facility management plans developed under this sec-
12 tion.”.

13 (4) RAPID RESPONSE ACTIVITIES GRANT PRO-
14 GRAM.—Subtitle C of the Nonindigenous Aquatic
15 Nuisance Prevention and Control Act of 1990 (16
16 U.S.C. 4721 et seq.) is amended by adding at the
17 end the following:

18 **“SEC. 1210. RAPID RESPONSE ACTIVITIES GRANT PRO-**
19 **GRAM.**

20 “(a) IN GENERAL.—The Task Force shall establish
21 a competitive, merit-based grant program to award
22 amounts to eligible entities to carry out eligible activities.

23 “(b) IDENTIFICATION OF AQUATIC INVASIVE SPE-
24 CIES.—In awarding amounts under the grant program es-
25 tablished under subsection (a), the Task Force may only

1 award amounts to an eligible entity to carry out an eligible
2 activity if the Task Force determines the eligible entity
3 has confirmed identification of the aquatic invasive species
4 that is the subject of the eligible activity.

5 “(c) DEFINITIONS.—In this section:

6 “(1) ELIGIBLE ACTIVITY.—The term ‘eligible
7 activity’ means each of the following activities:

8 “(A) The implementation of an action that
9 supports or leads to the eradication of an
10 aquatic invasive species.

11 “(B) Determining the spatial extent and
12 abundance of an isolated aquatic invasive spe-
13 cies population.

14 “(C) Analyzing and assessing potential re-
15 sponse measures with respect to the eradication
16 or containment of an aquatic invasive species.

17 “(D) Developing measures to contain a
18 population of an aquatic invasive species during
19 an assessment of the aquatic invasive species or
20 while a long-term response plan for the aquatic
21 invasive species is formulated.

22 “(E) Monitoring the population of an
23 aquatic invasive species and the effectiveness of
24 response measures applied with respect to the
25 population.

1 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-
2 tity’ means—

3 “(A) an entity participating in a Federal
4 program other than the grant program estab-
5 lished under subsection (a);

6 “(B) an interstate organization;

7 “(C) a State or political subdivision there-
8 of;

9 “(D) an Indian tribe;

10 “(E) a university; and

11 “(F) a nongovernmental organization en-
12 gaged in activities related to the prevention and
13 control of aquatic invasive species.”.

14 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
15 1301 of the Nonindigenous Aquatic Nuisance Prevention
16 and Control Act of 1990 (16 U.S.C. 4741) is amended—

17 (1) in subsection (b), to read as follows:

18 “(b) TASK FORCE AND AQUATIC NUISANCE SPECIES
19 PROGRAM.—There are authorized to be appropriated—

20 “(1) to the Director to carry out the program
21 established under section 1202(a) \$10,000,000 for
22 each of fiscal years 2026 through 2031;

23 “(2) to the Director to carry out subsection
24 1202(l) \$3,000,000 for each of fiscal years 2026
25 through 2031;

1 “(3) to the Director to award grants under sec-
 2 tion 1210 \$5,000,000 for each of fiscal years 2026
 3 through 2031; and

4 “(4) to the Director to fund regional panels
 5 under section 1203 \$1,500,000 for each of fiscal
 6 years 2026 through 2031.”;

7 (2) in subsection (c), to read as follows:

8 “(c) GRANTS FOR STATE MANAGEMENT PRO-
 9 GRAMS.—There are authorized to be appropriated to the
 10 Director to award grants under section 1204 \$20,000,000
 11 for each of fiscal years 2026 through 2031.”; and

12 (3) by adding at the end the following:

13 “(g) TECHNOLOGY DEVELOPMENT DEMONSTRATION
 14 AND VERIFICATION GRANT PROGRAM.—There is author-
 15 ized to be appropriated to the Director to carry out the
 16 program established under section 1105(a) \$10,000,000
 17 for each of fiscal years 2026 through 2031.”.

18 **SEC. 3. USE OF GRANT AWARDS UNDER COASTAL AQUATIC**
 19 **INVASIVE SPECIES MITIGATION GRANT PRO-**
 20 **GRAM TO ENCOURAGE INSTALLATION OF**
 21 **CERTAIN BALLAST WATER MANAGEMENT**
 22 **SYSTEMS.**

23 Section 903(f)(2)(C)(i) of the Frank LoBiondo Coast
 24 Guard Authorization Act of 2018 (16 U.S.C.
 25 4729(2)(C)(i)) is amended—

1 (1) in subclause (IV), by striking “; or” and in-
2 serting a semicolon;

3 (2) in subclause (V), by striking the period at
4 the end and inserting “; or”; and

5 (3) by adding at the end the following:

6 “(VI) to encourage the installa-
7 tion, use, or maintenance of ballast
8 water management systems that con-
9 form to or exceed the standards of,
10 and regulations imposed under, inter-
11 national maritime agreements.”.

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