

## Union Calendar No.

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4294

[Report No. 119-]

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.

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### IN THE HOUSE OF REPRESENTATIVES

JULY 7, 2025

Ms. ELFRETH (for herself, Mr. WITTMAN, Mrs. KIGGANS of Virginia, and Mr. HOYER) introduced the following bill; which was referred to the Committee on Natural Resources

FEBRUARY --, 2026

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italics]

[For text of introduced bill, see copy of bill as introduced on July 7, 2025]

## **A BILL**

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,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Mitigation Action and*  
5 *Watermen Support Act of 2026” or the “MAWS Act of*  
6 *2026”.*

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

8 *Section 307 of the National Oceanic and Atmospheric*  
9 *Administration Authorization Act of 1992 (15 U.S.C.*  
10 *1511d) is amended—*

11 *(1) by redesignating subsection (e) as subsection*  
12 *(f); and*

13 *(2) by inserting after subsection (d) the fol-*  
14 *lowing:*

15 *“(e) BLUE CATFISH PILOT PROGRAM.—*

16 *“(1) IN GENERAL.—The Secretary, utilizing and*  
17 *coordinating with applicable programs and activities*  
18 *described in subsection (b)(3), shall carry out a pilot*  
19 *program to enter into cooperative agreements with*  
20 *covered entities for such covered entities to purchase,*  
21 *in accordance with paragraph (3)—*

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

1           “(B) from seafood processors, such blue cat-  
2           fish purchased by seafood processors from such  
3           watermen.

4           “(2) APPLICATIONS.—To be eligible to enter into  
5           a cooperative agreement under the pilot program, a  
6           covered entity shall submit to the Secretary an appli-  
7           cation in such form, at such time, and containing  
8           such information as the Secretary determines appro-  
9           priate.

10          “(3) USE OF AMOUNTS.—A covered entity that  
11          enters into a cooperative agreement under the pilot  
12          program—

13                 “(A) shall use any amounts awarded under  
14                 such cooperative agreement to purchase blue cat-  
15                 fish from watermen or seafood processors for at  
16                 least the amount determined by the Secretary  
17                 under paragraph (5); and

18                 “(B) may use not more than 15 percent of  
19                 such amounts to offset the cost to transport such  
20                 blue catfish to manufacturing or processing fa-  
21                 cilities.

22          “(4) WATERMAN AND SEAFOOD PROCESSOR ELI-  
23          GIBILITY.—To be eligible to sell a blue catfish under  
24          the pilot program to a covered entity that enters into  
25          a cooperative agreement under the pilot program—

1           “(A) a waterman shall certify to such cov-  
2           ered entity that the waterman caught the blue  
3           catfish within the Chesapeake Bay Watershed;  
4           and

5           “(B) a seafood processor shall certify to  
6           such covered entity that the seafood processor  
7           purchased the blue catfish from a waterman who  
8           caught the blue catfish within the Chesapeake  
9           Bay Watershed.

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

15                 “(A) market factors;

16                 “(B) feedback from watermen, seafood proc-  
17                 essors, and covered entities that participate in  
18                 the pilot program, if available; and

19                 “(C) differentiation of price points for fillet  
20                 and byproduct.

21          “(6) ABUNDANCE BASELINE.—

22                 “(A) MEMORANDUM OF UNDERSTANDING.—  
23                 Not later than 180 days after the date of the en-  
24                 actment of this subsection, the Secretary shall

1           *seek to enter into a memorandum of under-*  
2           *standing with eligible non-Federal partners—*

3                     *“(i) to compile existing non-Federal*  
4                     *data necessary for the Secretary—*

5                             *“(I) to develop under subpara-*  
6                             *graph (B) an estimate of the abun-*  
7                             *dance of blue catfish in the Chesapeake*  
8                             *Bay Watershed; and*

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

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

18                                    *“(B) ABUNDANCE ESTIMATES.—Not later*  
19                                    *than September 30, 2027, and annually there-*  
20                                    *after through fiscal year 2032, the Secretary*  
21                                    *shall develop, pursuant to the memorandum of*  
22                                    *understanding described in subparagraph (A),*  
23                                    *and make publicly available on the website of the*  
24                                    *National Oceanic and Atmospheric Administra-*

1            *tion an estimate of the abundance of blue catfish*  
2            *in the Chesapeake Bay Watershed.*

3            *“(7) REPORT.—Not later than 180 days after the*  
4            *date on which the pilot program terminates in ac-*  
5            *cordance with paragraph (9), the Secretary shall sub-*  
6            *mit to Congress a report regarding the pilot program,*  
7            *including the following information:*

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

14           *“(B) A summary of available data regard-*  
15           *ing the size distribution and diet of the blue cat-*  
16           *fish population in the Chesapeake Bay Water-*  
17           *shed during and at the conclusion of the pilot*  
18           *program.*

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

23           *“(D) The effects of the pilot program on*  
24           *species other than the blue catfish in and the en-*

1            *vironment of the Chesapeake Bay Watershed, to*  
2            *the extent known.*

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

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

9            *“(ii) catch data with respect to and*  
10           *revenue generated from other species fished*  
11           *by such watermen during the pilot pro-*  
12           *gram.*

13           *“(F) The market response to the pilot pro-*  
14           *gram, including—*

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

19           *“(ii) trends in the types of such covered*  
20           *entities.*

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

1                   “(i) uses internal or third-party man-  
2                   ufacturers or processors;

3                   “(ii) uses, for each type of food product  
4                   produced by the covered entity, whole fish,  
5                   fillet, or byproduct; and

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

9                   “(H) How each covered entity that enters  
10                  into a cooperative agreement under the pilot pro-  
11                  gram transports blue catfish purchased by the  
12                  covered entity, including—

13                  “(i) whether the covered entity freezes  
14                  such blue catfish;

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

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

20                  “(I) Policy recommendations regarding—

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

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

1                   “(I) *best practices*;

2                   “(II) *specific recommendations re-*  
3                   *garding invasive species of carp in the*  
4                   *Mississippi rivershed*;

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

9                   “(IV) *other strategies with respect*  
10                  *to the mitigation of aquatic invasive*  
11                  *species for Congress to consider pilot-*  
12                  *ing.*

13                  “(J) *Additional data necessary for Congress*  
14                  *to shape related policy, including—*

15                  “(i) *data—*

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

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

20                  “(ii) *recommendations for congres-*  
21                  *sional action to support the collection of rel-*  
22                  *evant data sets.*

23                  “(8) *BRIEFINGS.—Not later than 90 days after*  
24                  *the date of the enactment of this subsection and quar-*  
25                  *terly thereafter until the date on which the pilot pro-*

1        *gram terminates in accordance with paragraph (9),*  
2        *the Secretary shall provide to the Committee on Nat-*  
3        *ural Resources of the House of Representatives and*  
4        *the Committee on Commerce, Science, and Transpor-*  
5        *tation of the Senate briefings on the status of the im-*  
6        *plementation of this subsection.*

7                *“(9) DURATION.—*

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

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

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

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

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; 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*.—The  
10                  term ‘Chesapeake Bay Watershed’ means the re-  
11                  gion that covers—

12                  “(i) the Chesapeake Bay;

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

17                  “(iii) the District of Columbia.

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

21                  “(i) pet food;

22                  “(ii) animal feed; or

23                  “(iii) aquaculture feed.

24                  “(F) *ELIGIBLE NON-FEDERAL PARTNER*.—  
25                  The term ‘eligible non-Federal partner’ means—

1                   “(i) *Maryland;*

2                   “(ii) *Virginia; and*

3                   “(iii) *research institutions, including*

4                   *research institutions with expertise in—*

5                   “(I) *blue catfish research in the*

6                   *Chesapeake Bay Watershed; or*

7                   “(II) *acting in coordination with*

8                   *the Invasive Catfish Workgroup of the*

9                   *Chesapeake Bay Program.*

10                  “(G) *PILOT PROGRAM.—The term ‘pilot*

11                  *program’ means the pilot program established*

12                  *under paragraph (1).*

13                  “(H) *SEAFOOD PROCESSOR.—The term*

14                  *‘seafood processor’ means a person engaged in*

15                  *the business of preparing or packaging fish or*

16                  *fish products (including fish harvested by the*

17                  *processor) for sale.*

18                  “(I) *SECRETARY.—The term ‘Secretary’*

19                  *means the Secretary of Commerce, acting*

20                  *through the Administrator of the National Oce-*

21                  *anic and Atmospheric Administration.”.*