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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To establish the Mississippi River Basin Fishery Commission, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. EZELL introduced the following bill; which was referred to the Committee on _____

A BILL

To establish the Mississippi River Basin Fishery Commission, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Mississippi River Basin Fishery Commission Act of
6 2025”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.

- Sec. 3. Definitions.
- Sec. 4. Establishment of Mississippi River Basin Fishery Commission.
- Sec. 5. Commission governance.
- Sec. 6. Commission management duties.
- Sec. 7. Commission grant program.
- Sec. 8. Nonbinding authority.
- Sec. 9. Withdrawal from the Commission.
- Sec. 10. Report to Congress.
- Sec. 11. Appropriations.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Management of the inland fishery resources
4 of the Mississippi River Basin are shared by 31
5 States, multiple Federal agencies, and 2 Canadian
6 provinces.

7 (2) The Mississippi River Basin is the fourth
8 largest watershed in the world, and the largest wa-
9 tershed in the Nation, draining all or part of 31
10 States and 2 Canadian provinces. The watershed
11 measures approximately 1,200,000 square miles, and
12 covers 41 percent of the continental United States.

13 (3) The Mississippi River and its tributaries
14 comprise 1 of the largest and most valuable eco-
15 systems in the world.

16 (4) The Mississippi River Basin supports eco-
17 nomically and culturally significant subsistence, com-
18 mercial, and recreational fisheries.

19 (5) States within the Mississippi River Basin
20 have formed multiple regional interstate partner-
21 ships, and 1 basin-wide partnership, to promote co-

1 operation and communication among the conserva-
2 tion agencies to manage the interjurisdictional fish-
3 ery resources of the basin. Twenty-eight Mississippi
4 River Basin State fishery agencies, the United
5 States Fish and Wildlife Service, the Bureau of Rec-
6 lamation, the United States Geological Survey, the
7 Tennessee Valley Authority, the Chippewa-Cree
8 Tribe, and the Chickasaw Nation ratified the Mis-
9 sissippi Interstate Cooperative Resource Agreement
10 in 1990 and formed the Mississippi Interstate Coop-
11 erative Resource Association (MICRA) in 1991 to
12 improve the management of interjurisdictional fish-
13 ery resources in the basin.

14 (6) Recognizing the economic, ecologic, and cul-
15 tural value of the diverse interjurisdictional fishery
16 resources in the Mississippi River Basin and the
17 complexity and severity of issues facing resource
18 management agencies, Congress acknowledges the
19 need for the establishment of a Mississippi River
20 Basin Fishery Commission for basin-wide, inter-
21 agency collaboration in the establishment of shared
22 management objectives, and the collaborative plan-
23 ning, implementation, and evaluation of management
24 actions to provide for the long-term biologic and eco-

1 nomic sustainability of interjurisdictional fishery re-
2 sources in the basin.

3 (7) As long-term sustainability of interjurisdic-
4 tional fishery resources is dependent on the control
5 of aquatic invasive species within the Mississippi
6 River Basin, it is the further purpose of this Com-
7 mission to provide for coordinated, inter-agency,
8 basin-wide management, control, and removal of
9 invasive carps and other prioritized aquatic invasive
10 species within the basin.

11 (8) By consent of Congress, and as directed by
12 Federal law under the Magnuson-Stevens Fishery
13 Conservation and Management Act (16 U.S.C. 1801
14 et seq.) and the Interjurisdictional Fisheries Act of
15 1986 (16 U.S.C. 4101 et seq.), sustainable fisheries
16 within the United States coastal waters of the Pa-
17 cific, Atlantic, and Caribbean Oceans, and the Gulf
18 of Mexico, have been managed by multi-state com-
19 missions and fishery councils for many decades.

20 (9) The interjurisdictional and international
21 fishery resources of the Great Lakes are coopera-
22 tively managed by the Great Lakes Fishery Commis-
23 sion, operating through the 1954 Convention on
24 Great Lake Fisheries.

1 (10) The Mississippi River Basin Fishery Com-
2 mission will improve the management and utilization
3 of sustainable interjurisdictional fishery resources in
4 the Mississippi River Basin through the development
5 of a multi-agency program for the joint management
6 and protection of such fishery resources.

7 **SEC. 3. DEFINITIONS.**

8 In this Act:

9 (1) **AQUATIC INVASIVE SPECIES.**—The term
10 “aquatic invasive species” means a nonindigenous
11 species that threatens the diversity or abundance of
12 native species in, or the ecological stability of, in-
13 fested waters, or commercial, agricultural,
14 aquacultural, or recreational activities dependent on
15 such waters.

16 (2) **COMMISSION.**—The term “Commission”
17 means the Mississippi River Basin Fishery Commis-
18 sion established under section 4.

19 (3) **DIRECTOR OF FISHERIES.**—The term “di-
20 rector of fisheries” means the individual in a State
21 who is the highest designated officer in charge of
22 fishery management employed by the State, regard-
23 less of the formal title of such individual.

24 (4) **ELIGIBLE ENTITY.**—The term “eligible enti-
25 ty” includes—

1 (A) any political subdivision, agency, or de-
2 partment of a Mississippi River Basin State
3 that regulates Mississippi River Basin fisheries;

4 (B) an Indian Tribe (as defined in section
5 4 of the Indian Self-Determination and Edu-
6 cation Assistance Act (25 U.S.C. 5304)) or an
7 entity controlled by an Indian Tribe that man-
8 ages Mississippi River Basin fisheries;

9 (C) the United States Geological Survey;

10 (D) the United States Fish and Wildlife
11 Service;

12 (E) the United States Army Corps of En-
13 gineers;

14 (F) the Engineer Research and Develop-
15 ment Center of the United States Army Corps
16 of Engineers; and

17 (G) the Tennessee Valley Authority.

18 (5) FISHERY RESOURCE.—The term “fishery
19 resource” means finfish, mollusks, crustaceans, and
20 any other form of animal or plant life, other than
21 mammals or birds.

22 (6) INTERJURISDICTIONAL FISHERY RE-
23 SOURCE.—The term “interjurisdictional fishery re-
24 source” means—

1 (A) a fishery resource located in a fishery
2 in waters under the jurisdiction of 2 or more
3 Mississippi River Basin States;

4 (B) a fishery resource for which there ex-
5 ists an interstate fishery management plan; or

6 (C) a fishery resource that migrates be-
7 tween the waters under the jurisdiction of 2 or
8 more Mississippi River Basin States.

9 (7) INVASIVE CARP.—The term “invasive carp”
10 means an aquatic invasive species of finfish that—

11 (A) originated in Europe and Asia;

12 (B) spread quickly once they are estab-
13 lished in a body of water or waterway;

14 (C) cause serious damage to the native fish
15 populations, as well as economic and physical
16 harm to humans; and

17 (D) include the bighead carp, black carp,
18 grass carp, and silver carp.

19 (8) MEMBER ENTITY.—The term “member en-
20 tity” means an eligible entity that maintains an ac-
21 tive membership in the Commission.

22 (9) MISSISSIPPI RIVER BASIN STATE.—The
23 term “Mississippi River Basin State” means a State
24 whose borders include waters that drain into the
25 Mississippi River Basin, including Alabama, Arkan-

1 sas, Colorado, Georgia, Illinois, Indiana, Iowa, Kan-
2 sas, Kentucky, Louisiana, Maryland, Michigan, Min-
3 nesota, Mississippi, Missouri, Montana, Nebraska,
4 New Mexico, New York, North Carolina, North Da-
5 kota, Ohio, Oklahoma, Pennsylvania, South Dakota,
6 Tennessee, Texas, Virginia, West Virginia, Wis-
7 consin, and Wyoming.

8 (10) SECRETARY.—The term “Secretary”
9 means the Secretary of the Interior.

10 **SEC. 4. ESTABLISHMENT OF MISSISSIPPI RIVER BASIN**
11 **FISHERY COMMISSION.**

12 (a) IN GENERAL.—There is established in the De-
13 partment of the Interior the Mississippi River Basin Fish-
14 ery Commission.

15 (b) MEMBERS OF THE COMMISSION.—Any eligible
16 entity may join the Commission by notifying the executive
17 director and existing members of the Commission in writ-
18 ing of its intent to join the Commission.

19 **SEC. 5. COMMISSION GOVERNANCE.**

20 (a) VOTING DELEGATES.—

21 (1) STATES.—With respect to each eligible enti-
22 ty described in section 3(4)(A) that joins the Com-
23 mission, the director of fisheries of such eligible enti-
24 ty shall serve as the voting delegate to represent
25 such entity’s interests on the Commission.

1 (2) FEDERAL AGENCIES AND INDIAN TRIBES.—

2 With respect to each eligible entity described in any
3 of subparagraphs (B) through (G) of section 3(4)
4 that joins the Commission, such entity shall appoint
5 1 individual to serve as the voting delegate to rep-
6 resent such entity's interests on the Commission.

7 (b) BODY CORPORATE.—The Commission shall be a
8 body corporate with the powers and duties described in
9 this Act. The member entities shall establish a governance
10 structure for the Commission.

11 (c) EXECUTIVE DIRECTOR AND STAFF.—The Com-
12 mission shall—

13 (1) appoint a full-time executive director and
14 staff as needed to carry out the administrative du-
15 ties of the Commission, who shall—

16 (A) provide advice to, and carry out oper-
17 ational duties of, the Commission; and

18 (B) have no voting rights on the Commis-
19 sion; and

20 (2) at its pleasure, appoint, remove, or dis-
21 charge such executive director and staff, as may be
22 needed, and fix and determine their duties, qualifica-
23 tions, and compensation.

1 (d) CHAIR AND VICE CHAIR.—The Commission shall
2 elect a Chair and a Vice Chair of the Commission from
3 the member entities.

4 (e) RULE AND REGULATIONS.—The Commission
5 shall adopt rules and regulations for the conduct of its
6 business.

7 (f) OFFICES AND MEETINGS.—The Commission—

8 (1) may establish and maintain 1 or more of-
9 fices for the transaction of its business, which shall
10 be located within the Mississippi River Basin; and

11 (2) may meet at any time or place but not less
12 often than annually.

13 (g) DECISION MAKING.—The Commission may make
14 a recommendation or take an action regarding its general
15 affairs only by an affirmative vote of a majority of the
16 member entities. The Commission shall strive for una-
17 nimity in its decisions but shall operate by consensus in
18 its decision making.

19 (h) FACCA NOT TO APPLY.—Chapter 10 of title 5,
20 United States Code, shall not apply to the Commission.

21 **SEC. 6. COMMISSION MANAGEMENT DUTIES.**

22 (a) OVERSEEING SUB-BASIN FISHERY MANAGE-
23 MENT.—

24 (1) IN GENERAL.—The Commission shall over-
25 see the management plans and the implementation

1 and evaluation of the effectiveness of management
2 actions of the 6 Mississippi River sub-basins de-
3 scribed in paragraph (2) to provide for the long-term
4 biologic and economic sustainability of interjurisdic-
5 tional fisheries in the Mississippi River Basin.

6 (2) SUB-BASINS.—The 6 Mississippi River sub-
7 basins are the Arkansas-Red-White, the Lower Mis-
8 sissippi, the Missouri, the Ohio, the Tennessee-Cum-
9 berland, and the Upper Mississippi.

10 (b) COMMISSION MANAGEMENT PLAN.—

11 (1) IN GENERAL.—As the framework for a
12 management plan for the Commission, the Commis-
13 sion shall adopt and use the MICRA Joint Strategic
14 Plan for Management of Mississippi River Fisheries,
15 which—

16 (A) was adopted and approved by 28
17 States in the Mississippi River Basin; and

18 (B) establishes a formal commitment to a
19 set of strategic procedures for a coordinated,
20 inter-agency approach to cooperatively man-
21 aging self-sustaining interjurisdictional fishery
22 resources in the Mississippi River Basin.

23 (2) BEST METHODS, PRACTICES, AND CONDI-
24 TIONS.—The Commission shall work to research and
25 implement the best scientific methods, best prac-

1 tices, and best conditions to bring about the con-
2 servation and sustainable management of interjuris-
3 dictional fisheries in the Mississippi River Basin.

4 (3) STRATEGIES TO CONTROL INVASIVE SPE-
5 CIES.—The Commission shall—

6 (A) develop and coordinate inter-agency
7 and inter-basin strategies to prevent the intro-
8 duction and control the abundance and spread
9 of invasive carps and other prioritized aquatic
10 invasive species within the Mississippi River
11 Basin; and

12 (B) draft and recommend to the appro-
13 priate management agencies strategies and ap-
14 proaches for dealing with the conservation of
15 interjurisdictional fisheries and the manage-
16 ment and control of aquatic invasive species
17 within the Mississippi River Basin.

18 (4) CONSULTATION AND ADVICE.—The Com-
19 mission shall consult with and advise the pertinent
20 administrative agencies party to the Commission re-
21 garding problems connected with the fisheries in the
22 Mississippi River Basin and recommend the adop-
23 tion of such regulations as it determines advisable.

24 (5) REEXAMINATION AND EVALUATION OF
25 JOINT STRATEGIC PLAN.—Not later than 30 years

1 after the date of enactment of this Act, the Commis-
2 sion, in consultation with the Secretary, shall—

3 (A) reexamine and evaluate the Joint Stra-
4 tegic Plan described in paragraph (1) to—

5 (i) determine which portions of the
6 Plan have been completed and which need
7 updating; and

8 (ii) add new objectives, if any, to the
9 Plan; and

10 (B) issue a report to Congress on the sta-
11 tus of interjurisdictional fishery populations and
12 the state of the ongoing work to eradicate,
13 manage, and control aquatic invasive species in
14 the Mississippi River Basin in accordance with
15 the management plan of the Commission.

16 **SEC. 7. COMMISSION GRANT PROGRAM.**

17 (a) ESTABLISHMENT OF GRANT PROGRAM.—Not
18 later than 2 years after the date of enactment of this Act,
19 the Commission, in consultation with the Secretary, shall
20 establish—

21 (1) a competitive grant program to award
22 grants to entities to carry out an eligible project;
23 and

24 (2) a formula grant program to award grants
25 to State member entities to carry out eligible inter-

1 jurisdictional fisheries projects carried out in accord-
2 ance with the recommendation of the Commission or
3 the Joint Strategic Plan described in section 6(b)(1).

4 (b) ENTITIES ELIGIBLE TO RECEIVE GRANTS.—The
5 Commission may provide—

6 (1) formula grants and competitive grants to
7 State member entities; and

8 (2) competitive grants to private entities, Fed-
9 eral agencies, nongovernmental organizations, public
10 and private institutions of higher education, and
11 partnerships between entities described in this sub-
12 section.

13 (c) COMPETITIVE GRANTS.—

14 (1) APPLICATIONS.—An entity desiring a com-
15 petitive grant under this section shall submit to the
16 Commission an application at such time, in such
17 manner, and containing such information as the
18 Commission may require.

19 (2) PRIORITY FOR ENTITIES PROVIDING
20 MATCHING FUNDS.—In awarding competitive grants
21 under this section, the Commission shall give pri-
22 ority to entities that will provide matching funds
23 from non-Federal sources of not less than 10 per-
24 cent of the grant award, which may be provided in
25 cash or in-kind.

1 (d) FORMULA GRANT PROGRAM.—The Commission
2 shall determine the amount that each State member entity
3 shall receive annually under the formula grant program.

4 (e) USE OF FUNDS.—An entity that receives a grant
5 under this section shall use the grant funds—

6 (1) in the case of—

7 (A) a competitive grant, in accordance with
8 the goals and objectives of the Joint Strategic
9 Plan described in section 6(b)(1) and each of
10 the interjurisdictional fishery management
11 plans of the 6 Mississippi River sub-basins de-
12 scribed in section 6(a)(2); and

13 (B) a formula grant, to carry out eligible
14 interjurisdictional fishery projects carried out in
15 accordance with the recommendation of the
16 Commission or the Joint Strategic Plan de-
17 scribed in section 6(b)(1); and

18 (2) only for projects, research, personnel, work,
19 and programs located wholly or partially in a Mis-
20 sissippi River Basin State.

21 (f) ADMINISTRATIVE COSTS.—An entity awarded a
22 grant under this section may use not more than 5 percent
23 of the grant funds for administrative costs relating to the
24 grant.

1 (g) REPORT REQUIREMENTS.—Not later than 1 year
2 after the disbursement of grant funding under this sec-
3 tion, the Chair of the Commission shall submit to Con-
4 gress a report on—

5 (1) the entities awarded grants under this sec-
6 tion;

7 (2) the amount each such grant;

8 (3) how such entities used the grant awards;
9 and

10 (4) how such grant awards enhanced the man-
11 agement and sustainability of the interjurisdictional
12 fisheries of the Mississippi River Basin.

13 **SEC. 8. NONBINDING AUTHORITY.**

14 (a) IN GENERAL.—The authority of the Commission
15 shall be nonbinding.

16 (b) RULE OF CONSTRUCTION.—Nothing in this Act
17 shall be construed—

18 (1) to limit the powers of any member entity
19 that is a State to repeal or enact State laws; or

20 (2) to limit the enforcement of any requirement
21 by any member entity that is a State imposing addi-
22 tional conditions and restrictions to conserve its fish-
23 eries within the borders of the State.

1 **SEC. 9. WITHDRAWAL FROM THE COMMISSION.**

2 A member entity that intends to withdraw from the
3 Commission shall submit a notice of intent to withdraw
4 in writing not later than 6 months before the date of the
5 withdrawal to—

6 (1) the Commission; and

7 (2) each of the other member entities of the
8 Commission.

9 **SEC. 10. REPORT TO CONGRESS.**

10 Not later than September 1 of each year after the
11 date of enactment of this Act, the Commission shall sub-
12 mit a report to Congress which shall set forth the activities
13 of the Commission during the previous year.

14 **SEC. 11. APPROPRIATIONS.**

15 There are authorized to be appropriated—

16 (1) \$1,000,000 for fiscal year 2026 to carry out
17 the initial administrative steps necessary to set up
18 operations, house, and administer the Commission;

19 (2) to carry out sections 6 and 7—

20 (A) \$30,000,000 for each of fiscal years
21 2027 through 2029, to remain available until
22 expended; and

23 (B) \$50,000,000 for each of fiscal years
24 2030 through 2032, to remain available until
25 expended; and

1 (3) \$500,000 for each of fiscal years 2026
2 through 2032 to the Secretary of the Interior for
3 housing the Commission, to remain available until
4 expended.