

119TH CONGRESS
2D SESSION

H. R. 8337

To prohibit any procurement by the Federal Government of foreign seafood for covered food programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 16, 2026

Ms. LETLOW introduced the following bill; which was referred to the Committee on Education and Workforce, and in addition to the Committees on Agriculture, Armed Services, and Transportation and Infrastructure, 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 prohibit any procurement by the Federal Government of foreign seafood for covered food programs, 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 “Buy American Seafood
5 Act”.

1 **SEC. 2. PROHIBITION ON PROCUREMENT OF FOREIGN SEA-**
2 **FOOD.**

3 Notwithstanding any other provision of law, the head
4 of an agency may not procure seafood for any covered food
5 program unless such seafood is—

6 (1) harvested—

7 (A) in the United States; and

8 (B) by a United States-flagged fishing ves-
9 sel; or

10 (2) produced or processed in the United States
11 through aquaculture or domestic seafood processing.

12 **SEC. 3. LIMITED WAIVER AUTHORITY.**

13 (a) IN GENERAL.—The head of an agency may waive
14 the prohibition described in section 2 if the Secretary of
15 Agriculture determines that the quantity of United States-
16 produced seafood—

17 (1) is insufficient to meet the needs of the rel-
18 evant covered food program; or

19 (2) does not meet the applicable food safety or
20 quality standards required under Federal law or the
21 regulations of the relevant covered food program.

22 (b) PUBLICATION; REPORT.—

23 (1) IN GENERAL.—Not later than 30 days after
24 a waiver is granted pursuant to subsection (a), the
25 waiver shall be published in the Federal Register
26 and reported to Congress.

1 (2) CONTENTS.—Each publication and report
 2 required by paragraph (1) shall include the fol-
 3 lowing:

4 (A) An identification of the relevant cov-
 5 ered food program.

6 (B) A description of the seafood covered by
 7 the waiver.

8 (C) The duration of the waiver.

9 (D) A description of the determination by
 10 the Secretary of Agriculture described in sub-
 11 section (a) with respect to such waiver.

12 **SEC. 4. CHILD NUTRITION AMENDMENTS.**

13 Section 12(n) of the Richard B. Russell National
 14 School Lunch Act (42 U.S.C. 1760(n)) is amended—

15 (1) by amending paragraph (1) to read as fol-
 16 lows:

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

18 “(A) AQUACULTURE.—The term ‘aqua-
 19 culture’ means the farming of aquatic orga-
 20 nisms in controlled environments for human
 21 consumption.

22 “(B) DOMESTIC COMMODITY OR PROD-
 23 UCT.—The term ‘domestic commodity or prod-
 24 uct’ means—

1 “(i) agricultural commodity that is
2 produced in the United States;

3 “(ii) a food product that is processed
4 in the United States substantially using
5 agricultural commodities that are produced
6 in the United States; and

7 “(iii) seafood that is—

8 “(I) harvested—

9 “(aa) in the United States;
10 and

11 “(bb) by a United States-
12 flagged fishing vessel; or

13 “(II) produced and processed in
14 the United States through aqua-
15 culture or domestic seafood proc-
16 essing.

17 “(C) DOMESTIC SEAFOOD PROCESSING.—

18 The term ‘domestic seafood processing’ means
19 the processing operations that occur within the
20 United States to materially transform seafood
21 into a product intended for human consump-
22 tion.

23 “(D) EXCLUSIVE ECONOMIC ZONE.—The
24 term ‘exclusive economic zone’ has the meaning
25 given that term in section 3 of the Magnuson-

1 Stevens Fishery Conservation and Management
2 Act (16 U.S.C. 1802).

3 “(E) SEAFOOD.—The term ‘seafood’
4 means the following:

5 “(i) Finfish.

6 “(ii) Shellfish.

7 “(iii) Crustaceans.

8 “(iv) Shrimp.

9 “(v) Crawfish.

10 “(vi) Oysters.

11 “(vii) Catfish.

12 “(viii) Any other aquatic species in-
13 tended for human consumption.

14 “(F) UNITED STATES-FLAGGED FISHING
15 VESSEL.—The term ‘United States-flagged fish-
16 ing vessel’ means a vessel—

17 “(i) documented under chapter 121 of
18 title 46, United States Code; and

19 “(ii) eligible to operate in the exclu-
20 sive economic zone.

21 “(G) UNITED STATES-PRODUCED.—The
22 term ‘United States-produced’ means harvested,
23 raised, and processed within the United States,
24 including the territorial waters and exclusive
25 economic zone of the United States.”; and

1 (2) in paragraph (2)—

2 (A) in subparagraph (A), by inserting
3 “and subparagraph (C)” after “subparagraph
4 (B)”; and

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

6 “(C) WAIVER FOR SEAFOOD.—

7 “(i) IN GENERAL.—The Secretary
8 may waive the requirement under subpara-
9 graph (A) with respect to seafood de-
10 scribed in paragraph (1)(C) if the Sec-
11 retary determines that the quantity of
12 United States-produced seafood—

13 “(I) is insufficient to meet the
14 needs of the school lunch program
15 under this Act or the school breakfast
16 program under section 4 of the Child
17 Nutrition Act of 1966 (42 U.S.C.
18 1773); or

19 “(II) does not meet the applica-
20 ble food safety or quality standards
21 required under this Act or the Child
22 Nutrition Act of 1966 (42 U.S.C.
23 1771 et seq.).

24 “(ii) PUBLICATION; REPORT.—

1 “(I) IN GENERAL.—Not later
2 than 30 days after a waiver is granted
3 pursuant to clause (i), the waiver shall
4 be published in the Federal Register
5 and reported to Congress.

6 “(II) CONTENTS.—Each publica-
7 tion and report required by subclause
8 (I) shall include the following:

9 “(aa) A description of
10 whether the waiver is with re-
11 spect to the school lunch pro-
12 gram under this Act or the
13 school breakfast program under
14 section 4 of the Child Nutrition
15 Act of 1966 (42 U.S.C. 1773).

16 “(bb) A description of the
17 seafood covered by the waiver.

18 “(cc) The duration of the
19 waiver.

20 “(dd) A description of the
21 determination by the Secretary
22 described in clause (i) with re-
23 spect to such waiver.”.

1 **SEC. 5. IMPLEMENTATION.**

2 Not later than 180 days after the date of the enact-
3 ment of this Act, the Secretary of Agriculture, in consulta-
4 tion with the Secretary of Commerce and the Secretary
5 of Defense—

6 (1) shall promulgate, under section 553 of title
7 5, United States Code, regulations to carry out this
8 Act; and

9 (2) may issue guidance consistent with such
10 regulations to agencies to carry out this Act.

11 **SEC. 6. DEFINITIONS.**

12 In this Act:

13 (1) **AQUACULTURE.**—The term “aquaculture”
14 means the farming of aquatic organisms in con-
15 trolled environments for human consumption.

16 (2) **AGENCY.**—The term “agency” has the
17 meaning given that term in section 551 of title 5,
18 United States Code.

19 (3) **COVERED FOOD PROGRAM.**—The term “cov-
20 ered food program” means the following:

21 (A) Any program carried out under the
22 Emergency Food Assistance Act of 1983 (7
23 U.S.C. 7501 et seq.).

24 (B) A subsistence or food service program
25 of the Department of Defense.

1 (C) Any program to provide food in an
2 area in which the President has declared a
3 major disaster under section 401 of the Robert
4 T. Stafford Disaster Relief and Emergency As-
5 sistance Act (42 U.S.C. 5170) carried out by
6 the Administrator of the Federal Emergency
7 Management Agency.

8 (D) Any other program of an agency that
9 purchases or distributes food using Federal
10 funds.

11 (4) DOMESTIC SEAFOOD PROCESSING.—The
12 term “domestic seafood processing” means the proc-
13 essing operations that occur within the United
14 States to materially transform seafood into a prod-
15 uct intended for human consumption.

16 (5) EXCLUSIVE ECONOMIC ZONE.—The term
17 “exclusive economic zone” has the meaning given
18 that term in section 3 of the Magnuson-Stevens
19 Fishery Conservation and Management Act (16
20 U.S.C. 1802).

21 (6) SEAFOOD.—The term “seafood” means the
22 following:

23 (A) Finfish.

24 (B) Shellfish.

25 (C) Crustaceans.

1 (D) Shrimp.

2 (E) Crawfish.

3 (F) Oysters.

4 (G) Catfish.

5 (H) Any other aquatic species intended for
6 human consumption.

7 (7) UNITED STATES-FLAGGED FISHING VES-
8 SEL.—The term “United States-flagged fishing ves-
9 sel” means a vessel—

10 (A) documented under chapter 121 of title
11 46, United States Code; and

12 (B) eligible to operate in the exclusive eco-
13 nomic zone.

14 (8) UNITED STATES-PRODUCED.—The term
15 “United States-produced” means harvested, raised,
16 and processed within the United States, including
17 the territorial waters and exclusive economic zone of
18 the United States.

19 **SEC. 7. NO ADDITIONAL AUTHORIZATION OF APPROPRIA-**
20 **TIONS.**

21 No additional amounts are authorized to be appro-
22 priated to carry out this Act.

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