

119TH CONGRESS  
1ST SESSION

# S. 1078

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

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## IN THE SENATE OF THE UNITED STATES

MARCH 14, 2025

Mr. WICKER (for himself, Ms. BALDWIN, and Mr. BOOZMAN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## 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”.

6       (b) TABLE OF CONTENTS.—The table of contents for  
7       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-  
22 operation and communication among the conserva-  
23 tion agencies to manage the interjurisdictional fish-

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

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

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

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

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

23          (10) The Mississippi River Basin Fishery Com-  
24          mission will improve the management and utilization  
25          of sustainable interjurisdictional fisheries resources

1 in the Mississippi River Basin through the develop-  
2 ment of a multi-agency program for the joint man-  
3 agement and protection of such fisheries.

4 **SEC. 3. DEFINITIONS.**

5 In this Act:

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

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

16 (3) **DIRECTOR OF FISHERIES.**—The term “di-  
17 rector of fisheries” means the individual in a State  
18 who is the highest designated officer in charge of  
19 fisheries management employed by the State, re-  
20 gardless of the formal title of such individual.

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

23 (A) any political subdivision, agency, or de-  
24 partment of a Mississippi River Basin State  
25 that regulates Mississippi River Basin fisheries;

(B) an Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)) or an entity controlled by an Indian Tribe that manages Mississippi River Basin fisheries;

(C) the United States Geological Survey;

(D) the United States Fish and Wildlife Service;

(E) the United States Army Corps of Engineers;

(F) the Engineer Research and Development Center of the United States Army Corps of Engineers; and

(G) the Tennessee Valley Authority.

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

(6) INTERJURISDICTIONAL FISHERY RESOURCE.—The term “interjurisdictional fishery resource” means—

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

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

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

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

8 (A) originated in Europe and Asia;

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

11 (C) cause serious damage to the native fish  
 12 populations, as well as economic and physical  
 13 harm to humans; and

14 (D) include the bighead carp, black carp,  
 15 grass carp, and silver carp.

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

19 (9) MISSISSIPPI RIVER BASIN STATE.—The  
 20 term “Mississippi River Basin State” means a State  
 21 whose borders include waters that drain into the  
 22 Mississippi River Basin, including Alabama, Arkan-  
 23 sas, Colorado, Georgia, Illinois, Indiana, Iowa, Kan-  
 24 sas, Kentucky, Louisiana, Maryland, Michigan, Min-  
 25 nesota, Mississippi, Missouri, Montana, Nebraska,

1 New Mexico, New York, North Carolina, North Da-  
 2 kota, Ohio, Oklahoma, Pennsylvania, South Dakota,  
 3 Tennessee, Texas, Virginia, West Virginia, Wis-  
 4 consin, and Wyoming.

5 (10) SECRETARY.—The term “Secretary”  
 6 means the Secretary of the Interior.

7 **SEC. 4. ESTABLISHMENT OF MISSISSIPPI RIVER BASIN**  
 8 **FISHERY COMMISSION.**

9 (a) IN GENERAL.—There is established in the De-  
 10 partment of the Interior the Mississippi River Basin Fish-  
 11 ery Commission.

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

16 **SEC. 5. COMMISSION GOVERNANCE.**

17 (a) VOTING DELEGATES.—

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

23 (2) FEDERAL AGENCIES AND INDIAN TRIBES.—  
 24 With respect to each eligible entity described in any  
 25 of subparagraphs (B) through (G) of section 3(4)



1       that joins the Commission, such entity shall appoint  
2       1 individual to serve as the voting delegate to rep-  
3       resent such entity's interests on the Commission.

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

8       (c) EXECUTIVE DIRECTOR AND STAFF.—The Com-  
9       mission shall—

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

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

15                   (B) have no voting rights on the Commis-  
16       sion; and

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

21       (d) CHAIR AND VICE CHAIR.—The Commission shall  
22       elect a Chair and a Vice Chair of the Commission from  
23       the member entities.

1 (e) RULES AND REGULATIONS.—The Commission  
2 shall adopt rules and regulations for the conduct of its  
3 business.

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

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

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

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

16 (h) FACA NOT TO APPLY.—Chapter 10 of title 5,  
17 United States Code, shall not apply to the Commission.

18 **SEC. 6. COMMISSION MANAGEMENT DUTIES.**

19 (a) OVERSEEING SUB-BASIN FISHERY MANAGE-  
20 MENT.—

21 (1) IN GENERAL.—The Commission shall over-  
22 see the management plans and the implementation  
23 and evaluation of the effectiveness of management  
24 actions of the 6 Mississippi River sub-basins de-  
25 scribed in paragraph (2) to provide for the long-term

1 biologic and economic sustainability of interjurisdic-  
 2 tional fisheries in the Mississippi River Basin.

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

7 (b) COMMISSION MANAGEMENT PLAN.—

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

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

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

20 (2) BEST METHODS, PRACTICES, AND CONDI-  
 21 TIONS.—The Commission shall work to research and  
 22 implement the best scientific methods, best prac-  
 23 tices, and best conditions to bring about the con-  
 24 servation and sustainable management of interjuris-  
 25 dictional fisheries in the Mississippi River Basin.

(3) STRATEGIES TO CONTROL INVASIVE SPECIES.—The Commission shall—

(A) develop and coordinate inter-agency and inter-basin strategies to prevent the introduction and control the abundance and spread of invasive carps and other prioritized aquatic invasive species within the Mississippi River Basin; and

(B) draft and recommend to the appropriate management agencies strategies and approaches for dealing with the conservation of interjurisdictional fisheries and the management and control of aquatic invasive species within the Mississippi River Basin.

(4) CONSULTATION AND ADVICE.—The Commission shall consult with and advise the pertinent administrative agencies party to the Commission regarding problems connected with the fisheries in the Mississippi River Basin and recommend the adoption of such regulations as it determines advisable.

(5) REEXAMINATION AND EVALUATION OF JOINT STRATEGIC PLAN.—Not later than 30 years after the date of enactment of this Act, the Commission, in consultation with the Secretary, shall—

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

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

6 (ii) add new objectives, if any, to the  
7 Plan; and

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

14 **SEC. 7. COMMISSION GRANT PROGRAM.**

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

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

22 (2) a formula grant program to award grants  
23 to State member entities to carry out eligible inter-  
24 jurisdictional fisheries projects carried out in accord-

1       ance with the recommendation of the Commission or  
 2       the Joint Strategic Plan described in section 6(b)(1).

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

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

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

12      (c) COMPETITIVE GRANTS.—

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

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

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; or

24 (3) to impede, supersede, or alter the authority  
 25 of the Great Lakes Fishery Commission, States, or



1 Indian tribes under the Convention on Great Lakes  
2 Fisheries between the United States of America and  
3 Canada signed at Washington, September 10, 1954  
4 or the Joint Strategic Plan for Management of  
5 Great Lakes Fisheries.

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

7 A member entity that intends to withdraw from the  
8 Commission shall submit a notice of intent to withdraw  
9 in writing not later than 6 months before the date of the  
10 withdrawal to—

11 (1) the Commission; and

12 (2) each of the other member entities of the  
13 Commission.

14 **SEC. 10. REPORT TO CONGRESS.**

15 Not later than September 1 of each year after the  
16 date of enactment of this Act, the Commission shall sub-  
17 mit a report to Congress which shall set forth the activities  
18 of the Commission during the previous year.

19 **SEC. 11. APPROPRIATIONS.**

20 There are authorized to be appropriated—

21 (1) \$1,000,000 for fiscal year 2026 to carry out  
22 the initial administrative steps necessary to set up  
23 operations, house, and administer the Commission;

24 (2) to carry out sections 6 and 7—

1           (A) \$30,000,000 for each of fiscal years  
2           2027 through 2031, to remain available until  
3           expended; and

4           (B) \$50,000,000 for each of fiscal years  
5           2032 through 2036, to remain available until  
6           expended; and

7           (3) \$500,000 for each of fiscal years 2025  
8           through 2035 to the Secretary of the Interior for  
9           housing the Commission, to remain available until  
10          expended.

○