

STAFF SUMMARY OF EXECUTIVE ACTIONS AND
FEDERAL LEGISLATION IN THE 115TH U.S. CONGRESS

A summary of recent Federal legislation is attached. This summary is intended as a general overview for discussion purposes. Full text of these bills, with background information and current status, can be found at the Library of Congress website (<http://thomas.gov>) or at <http://govtrack.us>.

The topics below are organized generally in order of priority to the Council. Figures in percentages (x%) are the bill's chance of passage as assigned by Skopos Labs.

Signed into Law

HR 3979: Keep America's Refuges Operational Act

- Introduced by Jeffries (D-NY) on October 5, 2017
- Signed into law on April 23.

Reauthorizes the Fish and Wildlife Act through FY 2022.

Newly Introduced

Marine Aquaculture Act of 2018

- Discussion draft introduced by Roger Wicker (R-MS)

This discussion draft (Agenda Item C.6, Att. 2) would encourage a Federal strategy related to marine aquaculture in Federal waters of the Exclusive Economic Zone. It would establish an Office of Aquaculture within National Marine Fisheries Service headquarters and "regional fisheries offices." This Office would be the lead agency for issuing offshore aquaculture permits. The bill would direct Commerce to coordinate the offshore aquaculture permitting process with relevant agencies, tribes, and Councils. The bill outlines a process for obtaining 25-year offshore aquaculture permits. States could oppose certain species and locations for offshore aquaculture.

The bill would encourage the National Oceanic and Atmospheric Administration (NOAA) to conduct environmental impact statements for areas that are favorable for marine aquaculture. It also creates a research and development grant program to investigate priority issues, such as disease prevention, feed alternatives, and seafood marketing programs. The bill authorizes \$350 million over 5 years to carry out the legislation.

S 2764: Sustainable Shark Fisheries and Trade Act

- Introduced by Marco Rubio (R-FL) on April 26, 2018
- Companion bill to HR 5248 (Webster, R-FL)

This bill creates a shark conservation and trade fairness certification for nations wishing to import shark products to the U.S.; prohibits the import of shark products originating from any nation without a certification; updates the High Seas Driftnet Fishing Moratorium Protection Act to reflect the U.S. commitment to international agreements that encourage the adoption of shark conservation and management measures and measures to prevent shark finning, consistent with the International Plan of Action for Conservation and Management of Sharks; and directs Commerce to include rays and skates in a seafood traceability program to ensure that shark products are not smuggled into the U.S. falsely labeled as rays and skates.

S 2773/HR 5638 Driftnet Modernization and Bycatch Reduction Act

- Introduced by Dianne Feinstein (D-CA) and Ted Lieu (D-CA) on April 26, 2018

This bill (Agenda Item C.6, Att. 3) aims to phase out large-scale driftnet fishing for swordfish in U.S. waters by 2020, and authorizes NOAA to develop a program to help the driftnet fishery transition to more sustainable methods.

Other Previously Discussed Bills

California SB 1017 Commercial fishing: drift gill net shark and swordfish fishery

- Introduced by Sen. Allen on February 7, 2018
- Amended and reported by committee March and April 2018.

This bill, discussed in April, aims to phase out shark and swordfish driftnet fishing in California starting in 2019. A hearing was held May 4, 2018.

No other previously discussed bills have moved since the April Council meeting.

HR 3144: To provide for operations of the Federal Columbia River Power System pursuant to a certain operation plan for a specified period of time; and House Appropriations Bill

- HR 3144 introduced by Cathy McMorris Rodgers (R-WA) on June 29. (57%)
- Passed House on April 25, 2018.

HR 3144, discussed in April, seems to be moving forward. The bill would effectively prevent Federal agencies from increasing “spill” to aid salmon, overturning the court ruling of U.S. District Court Judge Michael Simon earlier this year calling for additional spill. The bill would prohibit studying removal of the four lower Snake River dams and would derail a new planning

process that includes new economic analyses, a review of recovery alternatives including dam removal, and an opportunity for citizen involvement. Related language is included in the House appropriations bill (Agenda Item C.6 Att 4).

Fishing and environmental groups oppose the bill, which makes no mention of commercial or sport fishing economies or tribes.

No other previously discussed bills have moved since the April Council meeting.

PFMC
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