

## STAFF SUMMARY OF FEDERAL LEGISLATION IN THE 116<sup>TH</sup> U.S. CONGRESS

A summary of recent Federal legislation is provided below (see table below for full summary). 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>.

No relevant bills have been signed into law since the June Council meeting, and the Council has not received any new requests for comment.

### ***Updates on Previously Discussed Bills***

The following bills of interest to the Council have not significantly moved forward since the April meeting.

- FISH Act (HR 548), Calvert
- Forage Fish Conservation Act (HR 2236), Dingell
- Driftnet Modernization and Bycatch Reduction Act (S 905/HR 1979), Feinstein/Lieu

### ***Bills that Have Moved Forward***

#### **Columbia River In-Lieu and Treaty Fishing Access Sites Improvement Act (S 50/HR 91)**

- Introduced by Jeff Merkley and Earl Blumenauer (D-OR).
- HR 91 passed House on April 29.
- S 50 passed the Senate on June 27.

Authorizes Interior to assess and improve sanitation and safety conditions at Bureau of Indian Affairs facilities that were constructed to provide Columbia River Treaty tribes access to traditional fishing grounds.

#### **Coastal Communities Ocean Acidification Act (S 778/HR 1716)**

- Introduced by Lisa Murkowski (R-AK) and Chellie Pingree (D-ME) on March 13.
- HR 1716 reported by committee on May 1; passed House on June 5.

Directs Commerce, acting through NOAA, to conduct coastal community vulnerability assessments related to ocean acidification.

#### **National Estuaries and Acidification Research Act (HR 988)**

- Introduced by Bill Posey (R-FL) on February 6.
- Reported by committee on May 1; passed House on June 6.

Directs the Ocean Studies Board to examine impacts of ocean acidification and other stressors in marine environments.

### **COAST Research Act (HR 1237)**

- Introduced by Suzanne Bonamici (D-OR) on February 14.
- Reported by committee on May 1; passed House on June 5.

Establishes an Ocean Acidification Advisory Board, expands research on ocean acidification, and establishes a data archive system for ocean acidification data.

### **Northwest California Wilderness, Recreation, and Working Forests Act (HR 2250)**

- Introduced by Jared Huffman (D-CA) on April 10.
- Hearing held July 10.

Provides for restoration, economic development, recreation, and conservation on Federal lands in Northern California.

### ***New Bills***

### **Living Shorelines Act (S 1730/HR 3115)**

- Introduced by Kamala Harris (D-CA) and Frank Pallone (D-NJ) on June 5.

Directs NOAA to make grants for purposes of carrying out climate-resilient living shoreline projects that protect coastal communities by supporting ecosystem functions and habitats with the use of natural materials and systems.

### **Marine Energy Research and Development Act (S 1821/HR 3203)**

- Introduced by Ron Wyden (D-OR) and Theodore Deutsch (D-FL) on June 12.

Promotes research, development, and deployment of marine energy (tidal, hydrokinetic, and ocean thermal energy conversion) programs.

### **Refuge System Protection Act (S 1899/HR 3370)**

- Introduced by Benjamin Cardin (D-MD) and Mike Thompson (D-CA) on June 19.

Authorizes USFWS to seek compensation for injuries to trust resources and to use funds received as that compensation to restore, replace, or acquire equivalent resources.

### **Unnamed (S 1984/HR 3514)**

- Introduced by Ron Wyden (D-OR) and Seth Moulton (D-MA) on June 26.

Amends the MSA to provide fisheries disaster relief for commercial fishery failures that are due to certain duties (tariffs).

### **Fishery Failures: Urgently Needed Disaster Declarations Act (S 2346)**

- Introduced by Roger Wicker (R-MS) on July 30.

Aims to improve NMFS' Fishery Resource Disaster Relief program. Lays out process for declaring fishery disasters and making funds available.

### **Commercial Fishing Industry Vessel Clarification Act (HR 3140)**

- Introduced by Chris Pappas (D-NH) on June 5.

Simplifies a portion of U.S. code relating to commercial fishing vessel inspections to make compliance easier. Approved as an amendment in the Coast Guard Authorization Act of 2019 (HR 3409).

### **Paperwork Reduction for Farmers and H-2A Modernization Act (HR 3319)**

- Introduced by Trent Kelley (R-MS) on June 18.

Streamlines the application process for H-2A employers, including fish processors. Aimed at helping businesses in need of temporary employees.

### **Coast Guard Authorization Act (HR 3409)**

- Introduced by Peter DeFazio (D-OR) on June 21. Passed House on July 24.

Authorizes appropriations for the Coast Guard.

### **Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act (HR 3697)**

- Introduced by Don Young (R-AK) on July 11.

Amends the Magnuson-Stevens Fishery Conservation and Management Act. Exactly the same as HR 200, except that it does not include Section 502, Report on limited access privilege programs and conflicts of interest with respect to Gulf of Mexico and South Atlantic Ocean red snapper.

## House and Senate Bills by Topic

Bills that were introduced, reported by committee, or that have passed the House or Senate since the June Council meeting are bolded. All other bills were presented in June and have not yet been reported by committee.

### ACTIVE BILLS

Topic	Number	Name	Sponsor	Status	Notes
Administration	<b>S 1410</b>	A bill to amend the Federal share of the fishing safety standards grants	Markey (D-MA)	Introduced 5/9/19.	
Alternative energy	<b>S 1821/HR 3203</b>	Marine Energy Research and Development Act	Wyden (D-OR)/Deutsch (D-FL)	Introduced 6/12/19.	To provide research, development, and deployment of marine energy, and for other purposes.
Aquaculture	<b>S 2467</b>	Keep Fin Fish Free Act	Young (R-AK)	Introduced 5/1/19.	Prohibits Interior and Commerce from authorizing commercial finfish aquaculture operations in the EEZ except in accordance with a law authorizing such action.
Climate change	<b>S 1482</b>	Safeguarding America's Future and Environment Act	Whitehouse (D-RI)	Introduced 5/5/19	To establish an integrated national approach to respond to ongoing and expected effects of extreme weather and climate change by protecting, managing, and conserving the fish, wildlife, and plants of the United States, and to maximize Government efficiency and reduce costs, in cooperation with State, local, and Tribal governments and other entities.
	<b>S 1730/HR 3115</b>	Living Shorelines Act	Harris (D-CA)/Pallone (D-NJ)	Introduced 6/5/19.	Directs NOAA to make grants for purposes of carrying out climate-resilient living shoreline projects that protect coastal communities by supporting ecosystem functions and habitats with the use of natural materials and systems.

Climate change	<b>HR 1716</b>	Coastal Communities Ocean Acidification Act	Pingree (D-ME)	Introduced 3/13/19. Reported by committee 5/1. Passed House 6/5/19.	Directs Commerce (NOAA) to conduct coastal community vulnerability assessments related to ocean acidification.
	<b>HR 2349</b>	Climate Change Education Act	Dingell (D-MI)	Introduced 4/22/19.	Authorizes NOAA to establish a Climate Change Education Program.
	<b>HR 2748</b>	Safeguarding America's Future and Environment Act	Cartright (D-PA)	Introduced 5/15/19.	Aims to establish an integrated approach to respond to ongoing and expected effects of extreme weather and climate change by protecting, managing, and conserving the fish, wildlife, and plants of the United States, and to maximize Government efficiency and reduce costs, in cooperation with State, local, and Tribal governments and other entities. (Full text not available)
Coast Guard	<b>HR 3409</b>	Coast Guard Authorization Act	DeFazio (D-OR)	Introduced 6/21/19. Passed House 7/24/19.	To authorize appropriations for the Coast Guard.
Disaster relief	<b>S 1984/ HR 3514</b>	Unnamed	Wyden (D-OR)/Moulton (D-MA)	Introduced 6/26/19.	Amends the MSA to provide fisheries disaster relief for commercial fishery failures that are due to certain duties (tariffs).
	<b>S 2346</b>	Fishery Failures: Urgently Needed Disaster Declarations Act	Wicker (R-MS)	Introduced 7/30/19.	A bill to improve the Fishery Resource Disaster Relief program of the National Marine Fisheries Service.
Driftnets	<b>S 906/ HR 1979</b>	Driftnet Modernization and Bycatch Reduction Act	Feinstein (D-CA), Lieu (D-CA)	Introduced 3/27/19. Reported by committee 4/3/19.	Extends California state regulations regarding driftnets to all Federal waters within five years. Authorizes NOAA to help fishermen transition. (27%)
Forage fish	<b>HR 2236</b>	Forage Fish Conservation Act	Dingell (D-MI)	Introduced 4/10/19.	Defines forage fish; makes changes to MSA; requires SSC to make recommendations about providing sufficient abundance of forage fish to support their role in marine ecosystems; ACLs must take forage needs into account. (3%)

IUU fisheries	<b>S 1269</b>	Maritime SAFE Act	Wicker (R-MS)	Introduced 5/1/19.	Aims to address the threat to national security from IUU fishing and associated illegal activity and to prevent the illegal trade of seafood and seafood products. (9%)
Magnuson-Stevens Act	<b>HR 3697</b>	Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act	Young (R-AK)	Introduced 7/11/19.	To amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen (same as HR 200)
Ocean acidification	<b>S 778/HR 1716</b>	Coastal Communities Ocean Acidification Act	Murkowski (R-AK), Pingree (D-ME)	Introduced 3/13/19. HR 1716 reported by committee 5/1, passed House 6/5/19.	Directs Commerce, acting through NOAA, to conduct coastal community vulnerability assessments related to ocean acidification. (22%)
	<b>HR 988</b>	National Estuaries and Acidification Research Act of 2019	Posey (R-FL)	Introduced 2/6/19. Reported by committee 5/1, passed House 6/6/19.	Directs the Ocean Studies Board to examine impacts of ocean acidification and other stressors in marine environments. (27%)
	<b>HR 1921</b>	Ocean Acidification Innovation Act	Kilmer (D-WA)	Introduced 3/27/19. Passed House 6/5/19.	Establishes prize competitions for innovation or adaptation management development relating to ocean acidification. (3%)
	<b>HR 2448</b>	Ocean Acidification Research Partnerships Act	Carbajal (D-CA)	Introduced 5/1/19	Supports collaborate research on ocean acidification.
Oil and gas	<b>HR 1146</b>	Arctic Cultural and Coastal Plain Protection Act	Huffman (D-CA)	Introduced 2/11/19. Reported by committee 5/1.	Amends the Tax Cuts and Jobs Act to repeal the Arctic National Wildlife Refuge oil and gas program. (24%)
	<b>HR 2352</b>	Marine Oil Spill Prevention Act	Wasserman Schultz (D-FL)	Introduced 4/22/19.	Aims to improve the ability of NOAA, the Coast Guard, and coastal states to sustain healthy ocean and coastal ecosystems by maintaining and sustaining their capabilities relating to oil spill preparedness, prevention, and response. (3%)
	<b>HR 1941</b>	Coastal and Marine Economies Protection Act	Cunningham (D-SC)	Introduced 3/28/19. Reported by committee 6/19/19.	Amends the Outer Continental Shelf Lands Act to prohibit the Secretary of the Interior including in any leasing program certain planning areas. (3%)
Other	<b>S 1291</b>	Fishing Equipment Tax Relief Act	Rubio (R-FL)	Introduced 5/2/19.	Provides a reduced tax rate for portable, electronically-aerated bait containers.

	<b>HR 3140</b>	Commercial Fishing Industry Vessel Clarification Act	Pappas (D-NH)	Introduced 6/5/19.	Recodifies a portion of U.S. code for commercial fishing vessels, to simplify the code and make compliance easier. Included as an amendment in the Coast Guard Authorization Act of 2019 (HR 3409).
Processing	<b>HR 2658</b>	Commercial Fishing and Seafood Business Act	Wittman (R-VA)	Introduced 5/9/19	Amends the Department of Defense Appropriations Act to provide for the inclusion of certain workers in the exemption from numerical limitations on H-2B workers.
	<b>HR 3319</b>	Paperwork Reduction for Farmers and H-2A Modernization Act	Kelley (R-MS)	Introduced 6/18/19	To streamline the application process for H-2A employers.
Public lands	<b>HR 1225</b>	Restore Our Parks and Public Lands Act	Bishop (R-UT)	Introduced 2/14/19. Reported by committee 6/26.	Establishes a National Park Service and Public Lands Legacy Restoration Fund to address the maintenance backlog of the National Park Service, Fish and Wildlife Service, BLM, and Bureau of Indian Education. (9%)
	<b>HR 2250</b>	Northwest California Wilderness, Recreation, and Working Forests Act	Huffman (D-CA)	Introduced 4/10/19. Hearing held 7/10/19.	Provides for restoration, economic development, recreation, and conservation on Federal lands in Northern California. (3%)
Regulations, jurisdiction	<b>S 395</b>	Providing Accountability Through Transparency Act	Lankford (R-OK)	Introduced 2/7/19. Reported by committee 2/13 and 3/25. Passed Senate 6/11/19.	Requires each agency, in providing notice of a rule making, to include a link to a 100 word plain language summary of the proposed rule. (25%)
Saltonstall-Kennedy	<b>S 494</b>	American Fisheries Advisory Committee Act	Sullivan (R-AK)	Introduced 2/14/19. Reported by committee 4/3.	Establishes the American Fisheries Advisory Committee to assist in the awarding of fisheries research and development grants. (56%)
Science	<b>S 914</b>	Coordinated Ocean Observations and Research Act	Wicker (R-MS)	Introduced 3/27/19. Reported by committee 4/3.	Reauthorizes the Integrated Coastal and Ocean Observation System Act to clarify NOAA's authority with respect to post-storm assessments, and to require the establishment of a National Water Center. (59%)
	<b>S 933</b>	BLUE GLOBE Act (monitoring)	Whitehouse (D-RI)	Introduced 3/28/19.	Aims to improve data collection and monitoring of the Great Lakes, oceans, bays, estuaries, and coasts. (39%)

Science	<b>S 1069/ HR 2189</b>	Digital Coast Act	Baldwin (D-WI), Ruppersberger (D-MD)	Introduced 4/9/19.	Requires Commerce (NOAA) to establish a constituent-driven program to provide a digital information platform capable of efficiently integrating coastal data with decision-support tools, training, and best practices and to support collection of priority coastal geospatial data to inform and improve local, State, regional, and Federal capacities to manage the coastal region. (7%)
	<b>HR 1237</b>	COAST Research Act	Bonamici (D-OR)	Introduced 2/14/19. Reported by committee 5/1/19. Passed House 6/5/19.	Establishes an Ocean Acidification Advisory Board, expands research on ocean acidification, establishes a data archive system for ocean acidification data. (17%)
	<b>HR 1314</b>	Integrated Coastal and Ocean Observation System Act Amendments of 2019	Young (R-AK)	Introduced 3/19/19.	Reauthorizes the Integrated Coastal and Ocean Observation System Act. (5%)
Sea Grant	<b>S 910/HR 2405</b>	National Sea Grant College Program Amendments Act	Wicker (R-MS)/Huffman (D-CA)	Introduced 3/27/19. Reported by committee 4/3. HR 2405 introduced 4/30/19, hearing held 5/8/19.	Reauthorizes and amends the National Sea Grant College Program Act. (15%)
Seabirds	<b>HR 1305</b>	Albatross and Petrel Conservation Act	Lowenthal (D-CA)	Introduced 2/15/19. Hearing held 3/26/19, reported by committee 6/19/19.	Implements the Agreement on the Conservation of Albatrosses and Petrels. (3%)
Sharks	<b>S 877/ HR 737</b>	Shark Fin Sales Elimination Act	Booker (D-NJ), Sablan (D-CNMI)	Hearing held 3/26/19; reported by committee 4/3.	Prohibits sales of shark fins. Dogfish exempted. (73%)
	<b>S 1008/ HR 788</b>	Sustainable Shark Fisheries and Trade Act	Rubio (R-FL), Webster (R-FL)	S 1008 reported by committee.	Amends the High Seas Driftnet Fishing Moratorium Protection Act to improve the conservation of sharks, prohibit importation of shark parts.
Training	<b>S 496/ HR 1240</b>	Young Fishermen's Development Act	Sullivan (R-AK), Young (R-AK)	Introduced 2/14/19. S 496 reported by committee 7/24/19.	Aims to preserve fishing heritage through a national program dedicated to training and assisting the next generation of commercial fishermen.



Tribes	<b>S 50/ HR 91</b>	Columbia River In-Lieu and Treaty Fishing Access Sites Improvement Act	Merkley (D-OR), Blumenauer (D-OR)	HR 91 passed House 4/29/19. HR 50 passed Senate on 6/27/19.	Authorizes Interior to assess and improve sanitation and safety conditions at BIA facilities that were constructed to provide Columbia River Treaty tribes access to traditional fishing grounds.
Wildlife refuges	<b>S 1899/HR 3370</b>	Refuge System Protection Act	Cardin (D-MD)/Thompson (D-CA)	Introduced 6/19/19.	Authorizes USFWS to seek compensation for injuries to trust resources and to use funds received as that compensation to restore, replace, or acquire equivalent resources.

**SIGNED INTO LAW**

Salmon habitat, public lands	<b>S 47</b>	John D. Dingell, Jr. Conservation, Management, and Recreation Act	Murkowski (R-AK)	Signed into law.	Relates to a variety of specific land conveyances and exchanges, public land and National Forest management, wilderness designations and withdrawals, and other matters. (Signed into law)
	<b>S 82/ HR 993/ HR 1056</b>	Frank and Jeanne Moore Wild Steelhead Special Management Area Designation Act	Wyden (D-OR)	Signed into law as part of S 47.	
	<b>S 268/ HR 872</b>	WILD Act	Barrasso (R-WY), Lowenthal (D-CA)	Signed into law as part of S 47.	Reauthorizes the Partners for Fish and Wildlife Program and other funds, establishes prize competitions relating to the prevention of wildlife poaching and trafficking, management of invasive species, etc; amends the Marine Turtle Conservation Act to modify the protections provided by that Act.

## INACTIVE BILLS

Algal blooms	<b>HR 414</b>	Protecting Local Communities from Harmful Algal Blooms Act	Rooney (R-FL)	Introduced 1/9/19. Not moving.	Includes algal bloom in the definition of a “major disaster.”
Climate change	<b>HR 330</b>	Climate Solutions Act	Lieu (D-CA)	Introduced 2/13/19. Not moving.	Creates a national renewable energy standard and a national energy efficiency standard.
	<b>HR 1317</b>	Coastal Communities Adaptation Act	Rouda (D-CA)	Introduced 2/22/19. Not moving.	Aims to improve the resilience of the built and natural environment to natural disasters and climate change using, among other measures, natural and nature-based features.
ESA	<b>HR 30</b>	Saving America’s Endangered Species Act (SAVES Act)	Gohmert (R-TX)	Introduced 1/3/19. Not moving.	Amends the ESA to provide that nonnative species are not treated as threatened or endangered species under the Act.
	<b>S 502</b>	State, Tribal, and Local Species Transparency and Recovery Act	Enzi (R-WY)	Introduced 2/14/19. Not moving.	Amends the ESA to require disclosure to states of the basis of determinations under such Act, to ensure use of information provided by State, Tribal, and county governments in decision-making under such Act. (5%)
Fishing businesses	<b>HR 629</b>	Maritime Lien Reform Act	Young (R-AK)	Introduced 1/16/19. Not moving.	Prohibits liens on fishing permits and vessels. (3%)
Habitat	<b>S 261</b>	North American Wetlands Conservation Extension Act	Heinrich (D-NM)	Introduced 1/29/19. Not moving.	Extends the authorization of appropriations for allocation to carry out approved wetlands conservation projects under the North American Wetlands Conservation Act through fiscal year 2024. (45%)
	<b>S 754/ HR 1747</b>	National Fish Habitat Conservation Through Partnerships Act	Crapo (R-ID), Wittman (R-VA)	Introduced 3/12/19. Not moving.	Encourages partnerships among public agencies and other interested persons to promote fish conservation. (5%)
	<b>HR 992</b>	Southwestern Oregon Watershed and Salmon Protection Act	deFazio (D-OR)	Introduced 2/6/19. Not moving.	Withdraws certain land located in Curry County and Josephine County from mining and geothermal leasing activity. (3%)

Marine mammals	<b>HR 864</b>	Wildlife Conservation and Anti-Trafficking Act	Garamendi (D-CA)	Introduced 1/30/19. Not moving.	Fines from IUU fisheries enforcement must be used for fisheries enforcement. (16%)
Monuments	<b>HR 1664</b>	National Monument Creation and Protection Act	Bishop (R-UT)	Introduced 3/11/19. Not moving.	Limits size and location of national monuments. (Govtrack give this a 98% chance of passage, but it seems unlikely that it would pass the House).
National Environmental Policy Act	<b>HR 363</b>	REBUILD Act	Calvert (R-CA)	Introduced 1/9/19. Not moving.	Amends NEPA to allow states to take over Federal environmental review responsibilities. (3%)
Oil and gas	<b>HR 279</b>	California Clean Coast Act	Carbajal (D-CA)	Introduced 1/8/19. Not moving.	Permanently prohibits oil and gas leasing off the coast of the State of California. (3%)
	<b>HR 309</b>	Stop Arctic Ocean Drilling Act of 2019	Huffman (D-CA)	Introduced 1/8/19. Not moving.	Prohibits drilling in the Arctic Ocean. (3%)
	<b>HR 310/S 1318</b>	West Coast Ocean Protection Act	Huffman, Feinstein (D-CA)	Introduced 1/8/19, 5/2/19. Not moving.	Prohibits offshore drilling off the west coast. (3%)
Public lands	<b>S 827</b>	Northern Rockies Ecosystem Protection Act	Whitehouse (D-RI)	Introduced 3/14/19. Not moving.	Designates certain National Forest System and state land as wilderness, and establishes wild and scenic rivers, wildland recovery areas, and biological connecting corridors. (5%)
Regulations, Jurisdiction	<b>S 92</b>	Regulations from the Executive in Need of Scrutiny Act	Paul (R-KY)	Introduced 1/10/19. Not moving.	Amends U.S. code to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law. (34%)
	<b>HR 548</b>	FISH Act	Calvert (R-CA)	Introduced 1/15/19. Not moving.	Amends the ESA to vest in the Secretary of the Interior certain functions with respect to anadromous fish. The Council commented on this in the past. (Govtrack give this an 83% chance of passage, but it seems unlikely that it would pass the House).
Salmon (GMO)	<b>S 282/ HR 1103</b>	Genetically Engineered Salmon Labeling Act	Murkowski (R-AK), Young (R-AK)	Introduced 1/30/19. Not moving.	Amends the market name of genetically altered salmon in the U.S. (5%)
	<b>HR 1104</b>	Untitled	Young (R-AK)	Introduced 2/9/19. Not moving.	Amends the Federal Food, Drug, and Cosmetic Act to require labeling of GMO fish. (5%)

Salmon (GMO)	<b>HR 1105</b>	Prevention of Escapement of Genetically Altered Salmon in the United States Act	Young (R-AK)	Introduced 2/7/19. Not moving.	To prevent the escapement of GMO salmon. (5%)
Science	<b>S 775/ HR 1709</b>	Scientific Integrity Act	Schatz (D-HI), Tonko (D-NY)	Introduced 3/13/19. Not moving.	Amends the America COMPETES Act to require certain agencies to develop scientific integrity policies. (32%)
Sharks	<b>HR 614</b>	Shark Sales Elimination Act	Lieu (D-CA)	Introduced 1/16/19. Not moving.	Prohibits the sale of any shark part, possibly including Pacific dogfish. (1%)
Tribes	<b>HR 729</b>	Tribal Coastal Resiliency Act	Kilmer (D-WA)	Introduced 1/23/19. Not moving.	Amends the Coastal Zone Management Act to authorize grants to Tribes for use in achieving Tribal coastal zone objectives.
Water permitting	<b>HR 579</b>	Water Rights Protection Act	Tipton (R-CO)	Introduced 1/15/19. Not moving.	Prohibits the conditioning of any permit, lease, or other use agreement on the transfer of any water right to the United States by the Secretaries of the Interior and Agriculture.

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