

STAFF SUMMARY OF FEDERAL LEGISLATION IN THE 116TH U.S. CONGRESS

A summary of recent Federal legislation is provided below (see table below for full summary). Since March 2020, there has been very little activity in terms of fisheries legislation, in part due to COVID-19.

Bill status is up to date as of June 1, 2020. The Council has not received any new requests for comment. Bills that have not moved forward since March are listed in the table at the end of this report.

The full text of these bills can be found at the Library of Congress website (<http://thomas.gov>) or at <http://govtrack.us>. Percentages in parentheses refer to “chance of passage” as determined by Govtrack.us.

New Bills

Health and Economic Recovery Omnibus Emergency Solutions (HEROES) Act (H.R. 6800)

- Introduced by Nita Lowey (D-NY) on May 12, 2020.
- Passed by the House on May 21, 2020. (n/a)

This COVID-19 relief package contains an additional \$100 million for assistance to fishery participants. The Senate has not taken it up and has announced that they will be working on a separate relief package.

America’s Water Infrastructure Act (S 3591)

- Introduced by John Barrasso (R-WY) on May 4, 2020.
- Reported by committee March 11, 2020. (75%)

This Act would provide roughly \$17 billion in new federal authorizations to invest in our infrastructure for projects across the country. Among other things it sets a two-year goal for the U.S. Army Corps of Engineers to complete feasibility studies for potential projects; focuses on deepening nationally significant ports; “fixes” aging dams and irrigation systems; fights invasive species through financial and technical assistance, research, and partnerships; encourages water recycling; and increases water storage, primarily in inland states.

Reported by Committee

DESCEND Act (HR 5126)

- Introduced by Garret Graves (R-LA) on November 15, 2019.
- Reported by committee March 11, 2020. (4%)

Applies to Gulf states only, but possibly of interest to the Council. Requires individuals fishing for certain Gulf reef fish to use descending devices.

Desalination Development Act (HR 3723)

- Introduced by Mike Levin (D-CA) on July 11, 2019.
- Reported by committee March 11, 2020. (4%)

Promotes the development of seawater desalination projects.

Other business

On May 18, Rep. Jared Huffman (D-CA), chair of the Water, Oceans, and Wildlife Subcommittee, led a “roundtable” on how coronavirus has impacted fisheries around the country, titled “Coronavirus Impacts on American Fisheries and the Seafood Supply.”

Speakers included members of the Subcommittee on Water, Oceans, and Wildlife; Steve Vilnit (Capital Seaboard); Ashley Nichole Lewis (Bad Ash Fishing) and Ben Martens (Maine Coast Fishermen’s Association).

See a video of the roundtable here: <https://youtu.be/DJB8z8Vy5FQ>.

ALL TRACKED BILLS

Unless otherwise noted, these bills have not moved since the last legislative report (March 2020), and the chance of passage (according to GovTrack.org) is 3% or less as of June 1, 2020.

	HR 548	FISH Act	Calvert (R-CA)	Introduced Jan. 15, 2019.	Amends the ESA so that Interior manages anadromous fish.
	HR 1218/S 494	American Fisheries Advisory Committee Act	Young and Sullivan (R-AK)	Both bills reported by committee in 2019.	Establishes the American Fisheries Advisory Committee to assist in the awarding of fisheries research and development grants.
	S 2166	Regional Ocean Partnership Act	Wicker (R-MS)	Reported by committee 7/24/19.	Redesignates NOAA's Regional Ocean Partnerships.
	HR 3140	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).
Admin	S 92	Regulations from the Executive in Need of Scrutiny Act	Paul (R-KY)	Introduced 1/10/19.	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.
	S 395	Providing Accountability Through Transparency Act	Lankford (R-OK)	Passed Senate June 11, 2019.	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.
	HR 4829	Remote Seafood Employee Meals Tax Parity Act	DeBene (D-WA)	Introduced 10/23/19.	Amends the Internal Revenue Code of 1986 to provide that the 50 percent limitation on the deduction for meal expenses does not apply to meals provided on certain fishing boats or at certain fish processing facilities.
Algal blooms	HR 414	Protecting Local Communities from Harmful Algal Blooms Act	Rooney (R-FL)	Introduced 1/9/19.	Includes algal bloom in the definition of a "major disaster."

Aquaculture	S 2467	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.
	HR 2658	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.
	HR 629	Maritime Lien Reform Act	Young (R-AK)	Introduced 1/16/19.	Prohibits liens on fishing permits and vessels.
Business	S 1291	Fishing Equipment Tax Relief Act	Rubio (R-FL)	Introduced 5/2/19.	Provides a reduced tax rate for portable, electronically aerated bait containers.
	HR 3319	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.
	HR 330	Climate Solutions Act	Lieu (D-CA)	Introduced 2/13/19.	Creates a national renewable energy standard and a national energy efficiency standard.
Climate change/ocean acidification	HR 988	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.
	HR 1317	Coastal Communities Adaptation Act	Rouda (D-CA)	Introduced 2/22/19.	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.
	HR 1716/S 778	Coastal Communities Ocean Acidification Act	Murkowski (R-AK)/Chellie Pingree (D-ME)	HR 1716 passed House 6/5/19.	Directs Commerce (NOAA) to conduct coastal community vulnerability assessments related to ocean acidification.

	HR 1921	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.
	HR 2349	Climate Change Education Act	Dingell (D-MI)	Introduced 4/22/19.	Authorizes NOAA to establish a Climate Change Education Program.
	HR 2448	Ocean Acidification Research Partnerships Act	Carbajal (D-CA)	Introduced 5/1/19.	Supports collaborate research on ocean acidification.
	HR 2748/S 1482	Safeguarding America's Future and Environment Act	Whitehouse (D-RI)/ Cartwright (D-PA)	Introduced 5/5/19. HR 2748 reported by committee January 29, 2020.	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.
Climate change/ocean acidification	HR 3115/S 1730	Living Shorelines Act	Pallone (D-NJ)/Harris (D-CA)	Both introduced 6/5/19. HR 3115 reported by committee 9/25/19.	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.
	HR 1237	COAST Research Act	Bonamici (D-OR)	Passed House 6/5/19.	Amends the Federal Ocean Acidification Research and Monitoring Act of 2009 to establish an Ocean Acidification Advisory Board, to expand and improve the research on Ocean Acidification and Coastal Acidification, to establish and maintain a data archive system for Ocean Acidification data and Coastal Acidification data.
	HR 3541	Coastal State Climate Preparedness Act	Carbajal (D-CA)	Introduced 6/27/19. Reported by committee 9/25/19.	Amends the Coastal Zone Management Act to require the Secretary of Commerce to establish a coastal climate change adaptation preparedness and response program.

	HR 4679	Climate-Ready Fisheries Act	Cunningham (D-SC)	Introduced 10/15/19. Reported by committee 1/29/20.	Requires the U.S. Comptroller General to submit a report to Congress examining efforts by the Regional Fishery Management Councils, the Atlantic States Marine Fisheries Commission, and NMFS to prepare and adapt United States fishery management for the impacts of climate change.
Coast Guard	HR 3409	Coast Guard Authorization Act	deFazio (D-OR)	Introduced 6/19/19. Passed House 7/24/19.	This bipartisan legislation authorizes appropriations for the Coast Guard for FY 2020-2021. See the November 2019 staff summary for details.
Communities	HR 3596	Keep America's Waterfronts Working Act	Pingree (D-ME)	Introduced 6/28/19. Reported by committee 9/25/19.	Amends the Coastal Zone Management Act to establish a Working Waterfront Task Force and a working waterfront grant program.
Desalination	HR 3723	Desalination Development Act	Levin (D-CA)	Introduced 7/11/19. <i>Reported by committee 3/11/20.</i>	Promotes desalination project development.
Disaster relief	S 1984/HR 3514	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).
	HR 279	California Clean Coast Act	Carbajal (D-CA)	Introduced 1/8/19.	Permanently prohibits oil and gas leasing off the coast of the State of California.
	HR 309	Stop Arctic Ocean Drilling Act of 2019	Huffman (D-CA)	Introduced 1/8/19.	Prohibits drilling in the Arctic Ocean.
Energy	HR 310/S 1318	West Coast Ocean Protection Act	Huffman, Feinstein (D-CA)	Introduced 1/8/19, 5/2/19.	Prohibits offshore drilling off the west coast.
	HR 992	Southwestern Oregon Watershed and Salmon Protection Act	deFazio (D-OR)	Introduced 2/6/19.	Withdraws certain land located in Curry County and Josephine County from mining and geothermal leasing activity.

	HR 2352	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.
	HR 3203/S 1821	Marine Energy Research and Development Act	Deutsch (D-FL)/Wyden (D-OR)	Introduced June 2019. S 1821 reported by committee on 9/25/19.	To provide research, development, and deployment of marine energy, and for other purposes.
	HR 1146	Arctic Cultural and Coastal Plain Protection Act	Huffman (D-CA)	Introduced 2/11/19. Passed House 9/12/19.	Repeals the Arctic National Wildlife Refuge oil and gas program.
Energy	HR 1941	Coastal and Marine Economies Protection Act	Cunningham (D-SC)	Introduced 3/28/19; passed House 9/11/19.	Amends the Outer Continental Shelf Lands Act to prohibit the Secretary of the Interior including in any leasing program certain planning areas.
	HR 30	Saving America's Endangered Species Act (SAVES Act)	Gohmert (R-TX)	Introduced 1/3/19.	Amends the ESA to provide that nonnative species are not treated as threatened or endangered species under the Act.
	S 502	State, Tribal, and Local Species Transparency and Recovery Act	Enzi (R-WY)	Introduced 2/14/19.	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.
ESA	S 496/HR 1240	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. (16%)
	HR 548	FISH Act	Calvert (R-CA)	Introduced 1/15/19.	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.

Forage fish	HR 2236	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.
	S 282	Genetically Engineered Salmon Labeling Act	Murkowski (R-AK), Young (R-AK)	Introduced 1/30/19.	Amends the market name of genetically altered salmon in the U.S.
GMO salmon	HR 1104	Untitled	Young (R-AK)	Introduced 2/9/19.	Amends the Federal Food, Drug, and Cosmetic Act to require labeling of GMO fish.
	HR 1105	Prevention of Escapement of Genetically Altered Salmon in the United States Act	Young (R-AK)	Introduced 2/7/19.	To prevent the escapement of GMO salmon.
	HR 1747/S 754	National Fish Habitat Conservation through Partnerships Act	Wittman (R-VA)/Crapo (R-ID)	Both bills introduced in March 2019. HR 1747 reported by committee Sept. 25, 2019.	Encourages partnerships among public agencies and other interested persons to promote fish conservation.
Habitat	S 261	North American Wetlands Conservation Extension Act	Heinrich (D-NM)	Introduced 1/29/19.	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.
	S 827	Northern Rockies Ecosystem Protection Act	Whitehouse (D-RI)	Introduced 3/14/19.	Designates certain National Forest System and state land as wilderness, and establishes wild and scenic rivers, wildland recovery areas, and biological connecting corridors.
	HR 1225	Restore Our Parks and Public Lands Act	Bishop (R-UT)	Introduced 2/14/19. Reported by committee 6/26. 319 bipartisan cosponsors.	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.

	HR 4723	Fish Act	Huffman (D-CA)	Introduced 10/17/19.	Requires the identification of salmon conservation areas, and for other purposes.
	HR 1132	San Francisco Bay Restoration Act	Speier (D-CA)	Introduced 2/8/19; reported by committee 9/19/19. Passed House Feb. 5, 2020.	Amends the Federal Water Pollution Control Act to establish a grant program to help revive the Bay Area's wetlands, improve water quality, and protect coastal communities from the damaging effects of sea level rise.
	HR 2247	Promoting United Government Efforts to Save our Sound (PUGETSS) Act	Heck (D-WA)	Introduced 4/10/19; reported by committee 9/19/19. Passed House Feb. 5, 2020.	Amends the Federal Water Pollution Control Act to provide assistance for programs and activities to protect the water quality of Puget Sound.
IUU fisheries	HR 864	Wildlife Conservation and Anti-Trafficking Act	Garamendi (D-CA)	Introduced 1/30/19.	Fines from IUU fisheries enforcement must be used for fisheries enforcement.
MSA Reauthorization	HR 3697	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)
National monuments	HR 1664	National Monument Creation and Protection Act	Bishop (R-UT)	Introduced 3/11/19.	Limits size and location of national monuments.
NEPA	HR 363	REBUILD Act	Calvert (R-CA)	Introduced 1/9/19.	Amends NEPA to allow states to take over Federal environmental review responsibilities.
Recreational fishing	HR 4828	Sport Fish Restoration and Recreational Boating Safety Act	Cunningham (D-SC)	Introduced 10/23/19.	Amends the Dingell-Johnson Sport Fish Restoration Act with respect to sport fish restoration and recreational boating safety. (5%)
Reefs/corals	S 1375	Reef Safe Act	Merkley (D-OR)	Introduced 5/8/19.	Requires the Commissioner of Food and Drugs to develop standards for a "reef safe" label for sunscreen.

	HR 1834	Defending Our National Marine Sanctuaries from Damaging Chemicals Act	Rooney (R-FL)	Introduced 3/18/19.	Directs Commerce to issue regulations prohibiting the use of sunscreen containing oxybenzone or octinoxate in a National Marine Sanctuary in which coral is present.
Refuges	S 1899/HR 3370	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.
Science	HR 1709/S 775	Scientific Integrity Act	Tonko (D-NY)/Schatz (D-HI)	Introduced 10/13/19. HR 1709 reported by committee 10/17/19.	Amends the America COMPETES Act to establish scientific integrity policies for Federal agencies that fund, conduct, or oversee scientific research.
	HR 2405/S 910	National Sea Grant College Program Amendments Act	Huffman (D-CA)/Wicker (R-MS)	Both bills introduced in spring 2019 and both reported by committee.	Reauthorizes and amends the National Sea Grant College Program Act.
Science	S 933	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.
	HR 1314	Integrated Coastal and Ocean Observation System Amendments Act	Young (R-AK)	Introduced 3/19/19; reported by committee 9/18/19.	Reauthorizes the Integrated Coastal and Ocean Observation System Act.
Seabirds	HR 1305	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.
	HR 614	Shark Sales Elimination Act	Lieu (D-CA)	Introduced 1/16/19.	Prohibits the sale of any shark part, possibly including Pacific dogfish.
Sharks	S 1008/HR 788	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.

Water rights HR 579 Water Rights Protection Act Tipton (R-CO) Introduced 1/15/19. 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.

SIGNED INTO LAW

IUU fisheries	S 1269	Maritime Security and Fisheries Enforcement Act	Wicker (R-MS)	Signed into law December 20, 2019 as part of National Defense Authorization Act.	Combats IUU fisheries (see details in text).
Salmon habitat, public lands	S 47	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)
	S 82/ HR 993/ HR 1056	Frank and Jeanne Moore Wild Steelhead Special Management Area Designation Act	Wyden (D-OR)	Signed into law as part of S 47.	
	S 268/ HR 872	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.
Tribes	S 50/HR 91	Columbia River In-Lieu and Treaty Fishing Access Sites Improvement Act	Merkley/ Blumenauer (D-OR)	Signed into law December 20, 2019.	Begins the process of improving tribal in-lieu fishing sites in the Columbia Basin (see details in text).

PFMC
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