

STAFF SUMMARY OF FEDERAL LEGISLATION IN THE 117TH U.S. CONGRESS

A summary of recent Federal legislation is provided below. Bill status is up to date as of August 18, 2021. The full text of these bills can be found at the Library of Congress website (<http://thomas.gov>) or at <http://govtrack.us>. Bills discussed in the [March](#), [April](#) and [June](#) Staff Summary of Federal Legislation that have not moved forward are not included in this report. See the [Council web page on current legislation](#) for a full list of bills the Council is tracking.

MSA Reauthorization Bill

- HR 4690: **Sustaining America’s Fisheries for the Future Act** (Jared Huffman, D-CA). Introduced July 26, 2021. This bill is very similar to the [discussion draft](#) discussed by the Council in March 2021. See Agenda Item E.3, Attachments 2, 3 and 4 for more information. Attachment 4 outlines the differences between this bill and the discussion draft.

Bipartisan Infrastructure Bill

H.R. 3684, the INVEST in America Act, which passed the Senate on August 10, includes many fishery-related provisions:

- Reauthorizes the Sport Fish Restoration and Boating Trust Fund, which is “the backbone of state-based aquatic resource conservation.”
- Includes funding for the following projects:
 - \$1 billion for the National Culvert Removal, Replacement and Restoration Program, which will benefit anadromous fish passage and recovery efforts
 - \$11.3 billion for the Abandoned Mine Land Reclamation Program, which restores mind lands that are potential sources of hazardous materials that can leak into water bodies
 - \$250 million for the U.S. Forest Service’s Legacy Road and Trail program, which funds fish passage restoration in streams at road and trail crossings
 - \$79 million for the Columbia River Basin Program
 - \$172 million for the Pacific Coast Salmon Recovery Fund
 - \$400 million for the WaterSMART program, with \$100 million set aside for natural infrastructure solutions to improve water quality
 - \$1.4 billion to the PROTECT Grant Program to reduce risks to vulnerable communities from significant weather events
 - \$492 million for the National Oceans and Coastal Security Fund to improve coastal resiliency
 - \$1.9 billion for the Aquatic Ecosystem Restoration Fund
 - \$300 million for the Emergency Watershed Protection Program
- Includes the REPLANT Act, which helps the U.S. Forest Service plant 1.2 billion trees on national forest lands
- Increases funding for the Clean Water State Revolving Fund Program, which supports estuary restoration and stormwater management projects

Bills introduced since June

The following bills have been introduced (or reintroduced) since the June briefing book deadline.

- HR 2773: **Recovering America's Wildlife Act of 2021**. (Debbie Dingell, D-MI). Introduced July 15, 2021. Amends the Pittman-Robertson Wildlife Restoration Act to make supplemental funds available for management of fish and wildlife species of greatest conservation need as determined by State fish and wildlife agencies.
- H.R. 3692: **Marine Mammal Climate Change Protection Act**. (Julia Brownley, D-CA). Introduced June 4, 2021. Amends the Marine Mammal Protection Act to direct the Secretary of Commerce to establish a climate impact management plan for the conservation of certain marine mammal species.
- HR 3748: **BLUE GLOBE Act** (Suzanne Bonamici, D-OR). Introduced June 8, 2021. Aims to improve data collection and monitoring of the Great Lakes, oceans, bays, estuaries, and coasts (reintroduction).
- HR 3817: **Regional Ocean Partnership Act of 2021** (Charlie Crist, D-FL). Introduced June 11, 2021. Aims to allow coastal states to participate in regional ocean partnerships with other states that share a common ocean or coastal area in order to conserve living resources, expand and protect valuable habitats, enhance coastal resilience, and address other issues.
- HR 3906: **Blue Carbon Protection Act** (Jared Huffman, D-CA). Introduced June 15, 2021. Establishes a Blue Carbon program to conserve and restore marine and coastal blue carbon ecosystems.
- HR 3952: **NOAA Chief Scientist Act** (Mikie Sherill, D-NJ). Introduced June 16. Strengthens the role of NOAA's Chief Scientist in order to promote scientific integrity and advance the Administration's research and development portfolio.
- HR 4057: **Albatross and Petrel Conservation Act** (Alan Lowenthal, D-CA). Introduced June 22. Implements the Agreement on the Conservation of Albatrosses and Petrels.
- HR 4092 and S 2194: **Coastal Habitat Conservation Act of 2021** (Jared Huffman, D-CA, and Benjamin Cardin, D-MD). Introduced June 22 & 23. Authorizes the Secretary of the Interior, through the Coastal Program of the United States Fish and Wildlife Service, to work with partners and provide support to efforts to assess, protect, restore, and enhance important coastal areas that provide fish and wildlife habitat on which Federal trust species depend.
- HR 4182: **Extinction Crisis Emergency Act of 2021** (Marie Newman, D-IL). Introduced June 25. Requires the President to declare the global wildlife extinction crisis a national emergency under the National Emergencies Act.
- HR 4235: **Living Shorelines Act** (Frank Pallone Jr., D-NJ). Introduced June 29. Requires NOAA to award grants to entities in order to carry out climate-resilient living shoreline projects that protect coastal communities.
- HR 4375: **Twenty-First Century Dams Act** (Ann Kuster, D-NH). Introduced July 9. Provides funding to rehabilitate, retrofit, and remove the Nation's dams to improve the health of the Nation's rivers, improve public safety, and increase clean energy production.
- HR 4458: **KELP Act** (Jared Huffman, D-CA). Introduced July 16. Establishes a grant program within NOAA to award grants to eligible entities for the purpose of carrying out projects on the conservation, restoration, or management of kelp forest ecosystems.
- HR 4712: **Desalination Development Act** (Mike Levin, D-CA). Introduced July 27. Promotes desalination project development and drought resilience.

- HR 4833: **Untitled; Amends the Migratory Bird Treaty Act** to affirm that the Migratory Bird Treaty Act’s prohibition on the unauthorized take or killing of migratory birds includes incidental take by commercial activities, and to direct the United States Fish and Wildlife Service to regulate such incidental take. (Alan Lowenthal, D-CA). Introduced July 29.
- S 192: **River Democracy Act of 2021** (Ron Wyden, D-OR). Introduced Feb 3. Amends the Wild and Scenic Rivers Act to designate certain river segments in the Oregon as components of the National Wild and Scenic Rivers System.
- S 2546: **Reef Safe Act of 2021** (Jeff Merkley, D-OR). Introduced July 29. Requires standards for “reef safe” and “ocean safe” labels for sunscreen.

The following suite of bills introduced in June and July aim to weaken or alter the National Environmental Policy Act and Endangered Species Act.

- HR 3813: **NEPA Legal Reform Act** (Liz Cheney, R-WY). Amends NEPA to provide for legal reform.
- HR 3814: **UNSHACKLE Act** (Liz Cheney, R-WY). Amends NEPA to impose time limits on the completion of certain required actions under the Act.
- HR 3973: **LIST Act of 2021** (Andy Biggs, R-AZ). Amends the ESA to provide for the improved precision in listing, delisting, and downlisting endangered species and potentially endangered species.
- HR 4335: **NEPA Accountability and Enforcement Act** (David Schweikert, R-AZ). Amends NEPA to impose time limits on the completion of certain actions under the Act.
- HR 4336: **NEPA State Assignment Expansion Act** (David Schweikert, R-AZ). Amends NEPA to provide for project delivery programs.
- HR 4370: **Listing Reform Act** (August Pfluger II, R-TX). Requires further consideration of economic cost in review of listing petitions under the ESA.
- HR 4671: **EMPOWERS Act** (Jason Smith, R-MO). Provides for greater county and state consultation with regard to ESA petitions.
- HR 4739: **Untitled; Amends NEPA** to require the submission of certain reports. (Paul Gosar, R-AZ).
- HR 4740: **Untitled; Amends NEPA** to reform agency process requirements. (Paul Gosar, R-AZ).

Bill movement since June

The following bills have moved forward since June:

- H.R. 3764: **Ocean-Based Climate Solutions Act**. (Raul Grijalva, D-AZ). Reported by committee on July 14, 2021.
- S 497: **American Fisheries Advisory Committee Act** (Dan Sullivan, R-AK). Included in the Huffman MSA reauthorization bill.
- S 1894: **Regional Ocean Partnership Act** (Roger Wicker, R-MS). Reported by committee on June 16.
- S 1995: **Sport Fish Restoration and Recreational Boating Safety Act** (Maria Cantwell, D-WA). Reported by committee June 16. The legislation would reauthorize the Sport Fish Restoration and Boating Trust Fund, which supports about \$650 million annually in fishery

restoration and conservation programs, boating access and infrastructure, as well as fish stocking programs important to recreational anglers.

PFMC
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