



CONGRESSIONAL LEGISLATIVE ROUNDUP

WHAT HAPPENED AT THE END OF 2020?

National Sea Grant Law Center
Informational Webinar
January 13, 2021



THE UNIVERSITY of
MISSISSIPPI
SCHOOL OF LAW

Webinar Overview



Quick takes
summaries of ocean,
coastal, and Great
Lakes legislation
passed by Congress
at the end of
December 2020.

Who We Are

- One of 34 Sea Grant Programs
- Based at the University of Mississippi School of Law
- Established to provide non-advocacy legal research, outreach, and education services to Sea Grant network.
- Don't forget to follow us on Twitter and Facebook!



The screenshot shows the homepage of The National Sea Grant Law Center. The header features the Sea Grant Law Center logo, the center's name, and the University of Mississippi School of Law logo. Below the header is a navigation bar with links: Home, About Us, Our Work, Advisory, Publications, Projects, Funding, Legal Network, Blog, News, and a Search bar. The main content area has a large image of seaweed in a bowl. Below the image is a section titled "Best Practices for Regulating Seaweed as Human Food" with a subtitle "Enhancing coordination and cooperation among states to build policy consensus". A "Learn about our project" link is also present. Below this is a "Subscribe to the SandBar!" section with a "SUBSCRIBE FOR FREE" button. The footer contains three columns: "Legal Research" (with a scales icon), "Education" (with a graduation cap icon), and "Outreach" (with a hands icon).

Sea Grant Law Center The National Sea Grant Law Center Providing Legal Research, Education, and Outreach Since 2002

Home About Us Our Work Advisory Publications Projects Funding Legal Network Blog News Search

Learn about our project

Best Practices for Regulating Seaweed as Human Food

Enhancing coordination and cooperation among states to build policy consensus

Photo: Kattebelletje Media

Subscribe to the SandBar!

SandBar is our free online quarterly publication that brings awareness to coastal problems and issues.

SUBSCRIBE FOR FREE

Legal Research

Law Center attorneys contribute to the field of ocean and coastal law and policy through the analysis of current issues and the publication of their research results.

Education

Center attorneys participate in continuing education programs, conferences, and symposia which serve to educate policy makers, practitioners and laypersons on issues of marine resources policy issues. Attorneys also train law students in the field

Outreach

The staff of the National Sea Grant Law Center respond to research requests from the legal community, Sea Grant College Programs, and state and federal agencies located across the country.

<http://nsglc.olemiss.edu>

Current Congresses

Examples: hr5, sres9, "health care"



MORE OPTIONS

Most-Viewed Bills | [Top 10](#)

[H.R.127](#) [117th] To provide for the licensing of firearm and ammunition possession and the registration of firearms, and to prohibit the possession of certain ammunition.

[H.R.133](#) [116th] Consolidated Appropriations Act, 2021

[H.R.6395](#) [116th] National Defense Authorization Act for Fiscal Year 2021

Bill Searches and Lists

By Sponsor: [House](#) | [Senate](#)

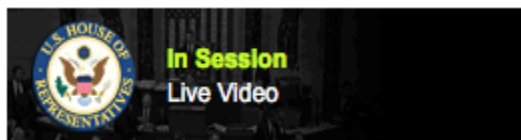
[Introduced](#) | [Public Laws](#) | [U.S. Code](#)

[Appropriations](#)

Current Legislative Activities

117th Congress(2021-2022)

House of Representatives



Today: Jan. 12, 2021

The House convened at 9:00 AM EST

On the Floor Today

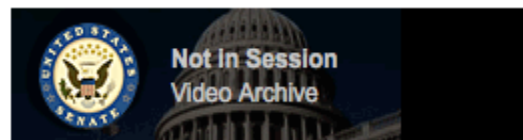
- [H.Res.36](#)
- [H.Res.35](#)

Previous Meeting: [Jan. 11, 2021](#)

House Links

[House Floor Activities](#)

Senate



Next Meeting: Jan. 15, 2021 at 10:00 AM EST

Previous Meeting: [Jan. 12, 2021](#)

Senate Links

[On the Senate Floor](#)
[Communications to the Senate](#)
[Nominations](#)
[Treaty Documents](#)

Recent

[Yesterday in Congress](#)

[Bill Texts](#)

[Committee Schedule](#)

[Floor Calendars](#)

[Committee Reports](#)

[Roll Call Votes](#)

[Presented to President](#)

The Congressional Record

[Daily Digest](#) of latest legislative activity.

[Browse by Date](#)

Contact Your Member

Find your member by address:

Find address or place



Contact by email and telephone.

[Representatives](#) >>

[Senators](#) >>

News from the Law Library



NATIONAL SEA GRANT COLLEGE PROGRAM AMENDMENTS ACT OF 2020 (S. 910)



- Signed into law December 18, 2020.
- Reauthorizes appropriations through 2025. Key amendments:
 - Sets “Placement Priorities” for Knauss legislative fellowships.
 - Authorizes Sec. of Commerce to accept donations for Program.
 - Reduces frequency of SG Advisory Board Report from 2 to 4 years.
 - Add Congressional notification of new SG college/institute designation. Congress may block with joint resolution.
 - Provides federal agencies with “direct hire” authority for Knauss fellows within two years of their fellowship.

NOAA Commissioned Officer Corps Amendments Act of 2020 (S. 2981)

- Signed into law on December 23, 2020.
- Section 504. Improvements related to Sexual Harassment and Assault Prevention at NOAA
 - Requires the Sec. of Commerce to ensure that each allegation is “investigated thoroughly and promptly.” (within 48 hours)
 - If evidence that a crime may have happened is found, Secretary shall refer to appropriate law enforcement authorities.

Save our Seas Act 2.0 (S. 1982)



- Signed into law December 18, 2020.
- Creates the Marine Debris Foundation and Genius Prize for Save our Seas Innovations.
- Encourages and requires research on range of topics, including microfibers, microplastics, plastic waste, circular polymers, and derelict fishing gear and vessels.
- Directs Sec. of State to lead efforts to increase global engagement and cooperation on plastic waste and marine debris.
- Authorizes new EPA grant program for states to improve post-consumer materials management and infrastructure.

The National
Academies of

SCIENCES
ENGINEERING
MEDICINE

Mary Donohue, Hawaii
Sea Grant

[About Us](#)

[Events](#)

[Our Work](#)

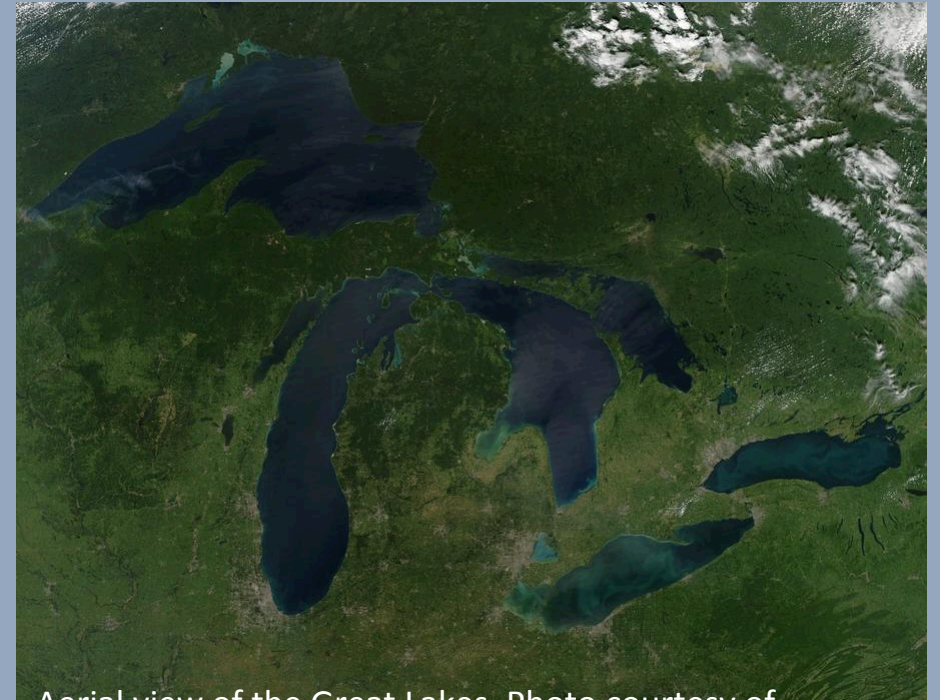
United States Contributions to Global Ocean Plastic Waste

Coordinated Ocean Observation and Research Act (S. 914)

- Signed into law on December 30, 2020.
- Reauthorizes Integrated Coastal and Ocean Observation System (IOOS).
- Directs NOAA to seek public input before Named Storm Event Model takes effect.
- Authorizes NOAA to deploy sensors to areas at highest risk of indeterminate losses caused by geophysical events.
- Provides statutory authority for NOAA's National Water Center.
- Directs NWS to develop operational water resource prediction products and collaborate with state and federal agencies to develop capabilities for total water predictive capacity.
- Includes provisions to help NOAA and FEMA implement the COASTAL Act of 2012.

Great Lakes Environmental Sensitivity Index Act of 2020 (S. 1342)

- Signed into law on December 31, 2020.
- Requires NOAA to update its Environmental Sensitivity Index (ESI) maps for each coastal area of the Great Lakes at least once every seven years.
 - ESI maps are used to respond to emergencies and protect habitat, species and structures that are most likely to be impacted by a potential oil spill or other major disaster.
- No appropriations authorized.



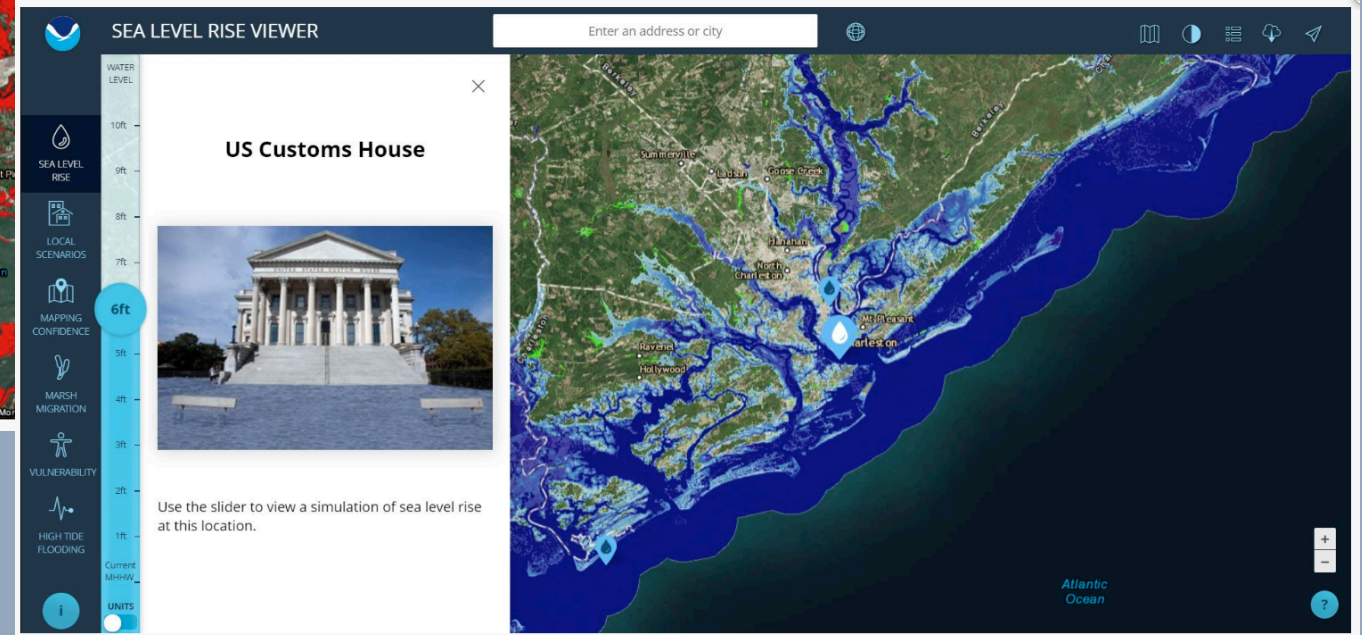
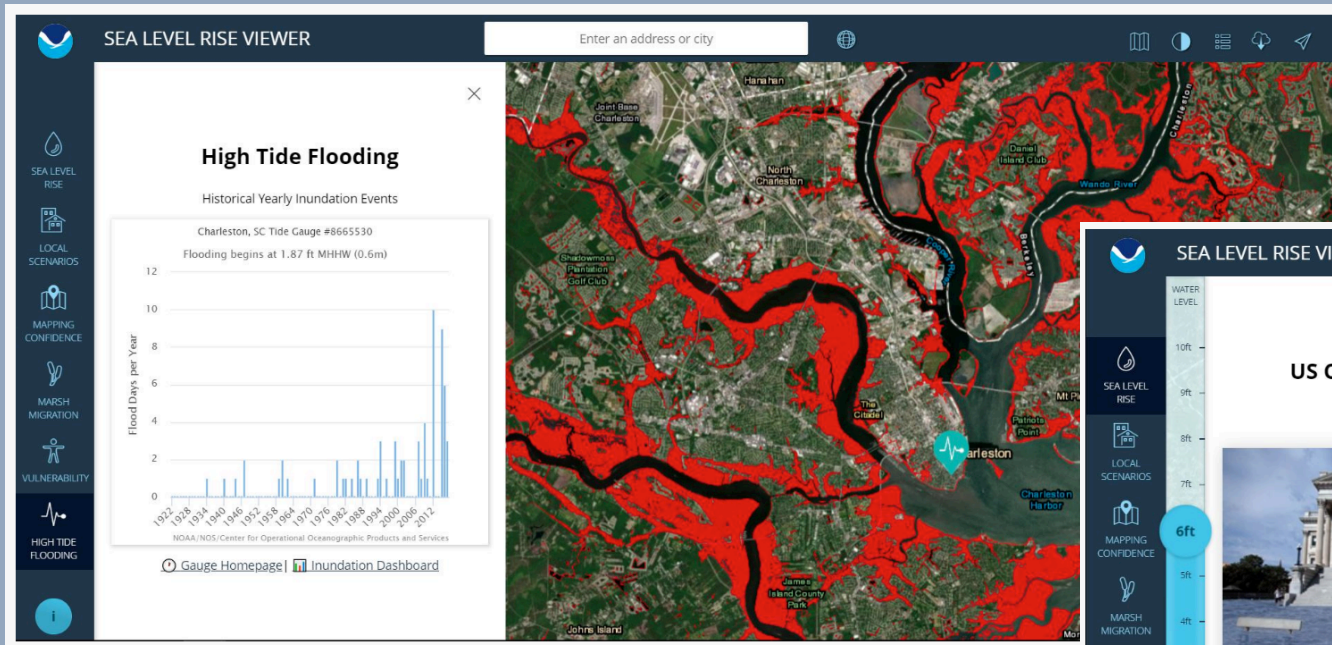
Aerial view of the Great Lakes. Photo courtesy of [pixy.org](https://www.pixy.org).

Young Fishermen's Development Act (H.R. 1240).

- Signed into law January 5, 2021.
- Authorizes funding for grant programs to train young fishermen in sustainable fishing and business practices.
 - Administered through National Sea Grant Office
 - Sea Grant programs, Universities, Tribal Organizations, and Fishing Associations are eligible to apply for grant funding
 - All young fishermen are eligible to participate in grant funded activities.
- \$2,000,000 authorized for each FY between 2022-2026.

Digital Coast Act (S. 1069)

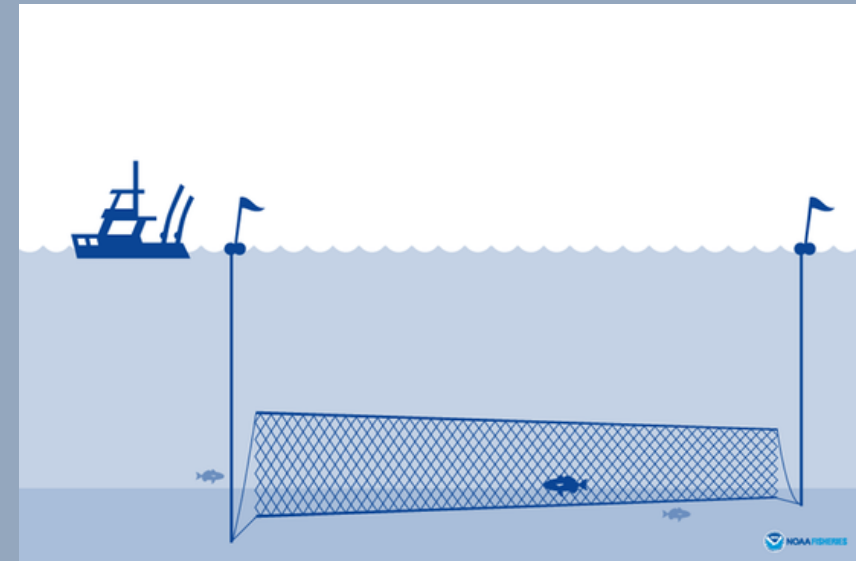
- Signed into law December 18, 2020.
- Establishes the Digital Coast project as a NOAA program.



<https://coast.noaa.gov/digitalcoast/>

Driftnet Modernization and Bycatch Reduction Act (S. 906)

- Vetoed by President Trump on January 1, 2021.
- Key Provisions:
 - 5-year phase-out of large-scale driftnet fishing in federal waters
 - Does not apply to nets shorter than 2.5km with mesh greater than 14in within EEZ.
 - Authorizes NOAA to implement a transition program for permit holders to purchase alternative gear.



Consolidated Appropriations Act, 2021 (H.R. 133)

- Signed into law December 27, 2020.
- \$2.3 trillion spending bill. Includes:
 - \$900 billion economic stimulus for COVID-19 relief.
 - Regular appropriations for a variety of federal agencies.
 - Number of other pieces of legislation that were rolled in.
- Over 5,593 pages! - longest bill ever passed by Congress (according to Wikipedia)



Amendments to CARES Act Unemployment Provisions

Pandemic Emergency Unemployment Compensation (PEUC)

- Provides additional weeks of UI if regular benefits exhausted.
- Extended to week ending March 14, 2021.

Pandemic Unemployment Assistance (PUA)

- Provides benefits if PEUC benefits exhausted or sole-proprietors and independent contractors
- Extended to week ending March 14, 2021
- New documentation requirements.



Photo courtesy of Bytemarks.

Amendments to CARES Act

Unemployment Provisions, cont.

Federal Pandemic Unemployment Compensation (FPUC)

- Provides additional funds for individuals receiving regular unemployment benefits, PUA, or PEUC.
- Provides a \$300 supplement for weeks of unemployment ending on or before March 14, 2021.

New Unemployment Provisions

- Mixed Earner Unemployment Compensation (MEUC)
 - UI supplement if W-2 job and self-employed.
 - Provides an extra \$100 per week to those who made at least \$5,000 as their own employer in 2020.
- New Return to Work Reporting Requirement
 - States must provide a reporting method for employers.
 - States must notify the individuals who are reported.



Photo courtesy of www.quotecatalog.com

Amendments to Relief for Fishery Participants (Division M, Title 1)



Photo courtesy of NOAA.

- Appropriates additional \$300 million for “Relief for Fishery Participants.” (Continuation of CARES Act § 12005). Designates:
 - \$30 million for Tribal fishery participants.
 - \$15 million for Great Lakes.
 - Eligibility limited to non-tribal commercial, aquaculture, processor, and charter fishery participants.
- Distribution of funds tied to state or territory’s total annual average revenue from commercial fishing operations, aquaculture firms, the seafood supply chain, and charter fishing businesses.

SBA Update

PPP: Loan is:

- Through an approved lender
- Forgivable if expenses meet requirements
- 2.5 times payroll costs
- Loan terms:
 - 1% interest
 - 2 years if disbursed before June 5, 5 years after

EIDL: Loan is:

- Through the SBA
- Loan terms:
 - 3.75% for businesses (fixed)
 - 2.75% for nonprofits (fixed)
 - 30 years



Paycheck Protection Program

This loan program provides loan forgiveness for retaining employees by temporarily expanding the traditional SBA 7(a) loan program.



EIDL

This loan will provide economic relief to small businesses and non-profit organizations that are currently experiencing a temporary loss of revenue. >

PPP and EIDL Receive More Funding

PPP reauthorized with changes

- SBA has issued guidance
- First Draw Loans
- Second Draw Loans - limited eligibility
- Applications accepted through March 31, 2021

EIDL receives more funding

- Waiting for SBA guidance
- Applications accepted through Dec. 31, 2021



PPP Changes

More forgivable expenses:

- Worker protection costs related to COVID-19.
- Uninsured property damage costs caused by looting/vandalism in 2020.
- Certain supplier costs and expenses for operations.

Expenses are tax-deductible

Provisions for hotels, restaurants, etc.

- Accommodation and food services operations (those with North American Industry Classification System (NAICS) codes starting with 72) with < 500 employees per physical location are eligible and can receive up to **3.5 times their average monthly payroll costs on second-draw loans.**



Ensuring Increased Access to Loans

PPP

- Guidance on Accessing Capital for Minority, Underserved, Veteran and Women-Owned Business Concerns
 - At least first 2 days of application window open exclusively to applications from community financial institutions that serve minority- and women-owned businesses.
 - 1st draw- Jan. 11; 2nd draw- Jan. 13
- Set asides for: businesses with <10 employees; and loans <\$250,000 to eligible borrowers in low- or moderate-income communities.

EIDL

- Targeted EIDL Advance: grant to businesses in low-income communities with economic loss > 30% and < 300 employees.
 - Entitled to full \$10,000 advance



Clean up the Code Act

- Repealed 18 U.S.C. 46.
 - Code section prohibited interstate transportation, delivery, receipt or sales of alligator grass (*alternanthera philoxeroides*), or water chestnut plants (*trapa natans*) or water hyacinth plants (*eichhornia crassipes*) or the seeds of such grass or plants).
- Activities may still be prohibited by some state invasive species laws.

WRDA 2020

- Authorizes 46 water resources projects, 27 feasibility studies, and six comprehensive river basin studies.
- Requires USACE to update agency's guidance on assessing SLR and inland flooding to reflect the best available peer-reviewed science.
- Reaffirms commitment to greater use of natural and nature-based projects by ensuring natural alternatives are fully evaluated and provided the same cost-share as structural alternatives.
- Authorizes \$25 million demonstration program related to HABs associated with Corps projects in eight regions.
- Authorizes USACE provide technical assistance for resiliency planning, with priority given to economically disadvantaged communities and communities with repetitive flooding.

Questions?

Please type your question into the Chat window.

Contact Us

sshowalt@olemiss.edu

