

116TH CONGRESS
2D SESSION

S. 906

AN ACT

To improve the management of driftnet fishing.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Driftnet Modernization
3 and Bycatch Reduction Act”.

4 **SEC. 2. DEFINITION.**

5 Section 3(25) of the Magnuson-Stevens Fishery Con-
6 servation and Management Act (16 U.S.C. 1802(25)) is
7 amended by inserting “, or with a mesh size of 14 inches
8 or greater,” after “more”.

9 **SEC. 3. FINDINGS AND POLICY.**

10 (a) FINDINGS.—Section 206(b) of the Magnuson-Ste-
11 vens Fishery Conservation and Management Act (16
12 U.S.C. 1826(b)) is amended—

13 (1) in paragraph (6), by striking “and” at the
14 end;

15 (2) in paragraph (7), by striking the period and
16 inserting “; and”; and

17 (3) by adding at the end the following:

18 “(8) within the exclusive economic zone, large-
19 scale driftnet fishing that deploys nets with large
20 mesh sizes causes significant entanglement and mor-
21 tality of living marine resources, including myriad
22 protected species, despite limitations on the lengths
23 of such nets.”.

24 (b) POLICY.—Section 206(c) of the Magnuson-Ste-
25 vens Fishery Conservation and Management Act (16
26 U.S.C. 1826(c)) is amended—

1 (1) in paragraph (2), by striking “and” at the
2 end;

3 (2) in paragraph (3), by striking the period and
4 inserting “; and”; and

5 (3) by adding at the end the following—

6 “(4) prioritize the phase out of large-scale
7 driftnet fishing in the exclusive economic zone and
8 promote the development and adoption of alternative
9 fishing methods and gear types that minimize the in-
10 cidental catch of living marine resources.”.

11 **SEC. 4. TRANSITION PROGRAM.**

12 Section 206 of the Magnuson-Stevens Fishery Con-
13 servation and Management Act (16 U.S.C. 1826) is
14 amended by adding at the end the following—

15 “(i) FISHING GEAR TRANSITION PROGRAM.—

16 “(1) IN GENERAL.—During the 5-year period
17 beginning on the date of enactment of the Driftnet
18 Modernization and Bycatch Reduction Act, the Sec-
19 retary shall conduct a transition program to facili-
20 tate the phase-out of large-scale driftnet fishing and
21 adoption of alternative fishing practices that mini-
22 mize the incidental catch of living marine resources,
23 and shall award grants to eligible permit holders
24 who participate in the program.

1 “(2) PERMISSIBLE USES.—Any permit holder
2 receiving a grant under paragraph (1) may use such
3 funds only for the purpose of covering—

4 “(A) any fee originally associated with a
5 permit authorizing participation in a large-scale
6 driftnet fishery, if such permit is surrendered
7 for permanent revocation, and such permit
8 holder relinquishes any claim associated with
9 the permit;

10 “(B) a forfeiture of fishing gear associated
11 with a permit described in subparagraph (A); or

12 “(C) the purchase of alternative gear with
13 minimal incidental catch of living marine re-
14 sources, if the fishery participant is authorized
15 to continue fishing using such alternative gears.

16 “(3) CERTIFICATION.—The Secretary shall cer-
17 tify that, with respect to each participant in the pro-
18 gram under this subsection, any permit authorizing
19 participation in a large-scale driftnet fishery has
20 been permanently revoked and that no new permits
21 will be issued to authorize such fishing.”.

22 **SEC. 5. EXCEPTION.**

23 Section 307(1)(M) of the Magnuson-Stevens Fishery
24 Conservation and Management Act (16 U.S.C.

1 1857(1)(M)) is amended by inserting before the semicolon
2 the following: “, unless such large-scale driftnet fishing—

3 “(i) deploys, within the exclusive eco-
4 nomic zone, a net with a total length of
5 less than two and one-half kilometers and
6 a mesh size of 14 inches or greater; and

7 “(ii) is conducted within 5 years of
8 the date of enactment of the Driftnet Mod-
9 ernization and Bycatch Reduction Act”.

10 **SEC. 6. FEES.**

11 (a) IN GENERAL.—The North Pacific Fishery Man-
12 agement Council may recommend, and the Secretary of
13 Commerce may approve, regulations necessary for the col-
14 lection of fees from charter vessel operators who guide rec-
15 reational anglers who harvest Pacific halibut in Inter-
16 national Pacific Halibut Commission regulatory areas 2C
17 and 3A as those terms are defined in part 300 of title
18 50, Code of Federal Regulations (or any successor regula-
19 tions).

20 (b) USE OF FEES.—Any fees collected under this sec-
21 tion shall be available, without appropriation or fiscal year
22 limitation, for the purposes of—

23 (1) financing administrative costs of the Rec-
24 reational Quota Entity program;

- 1 (2) the purchase of halibut quota shares in
2 International Pacific Halibut Commission regulatory
3 areas 2C and 3A by the recreational quota entity
4 authorized in part 679 of title 50, Code of Federal
5 Regulations (or any successor regulations);
- 6 (3) halibut conservation and research; and
- 7 (4) promotion of the halibut resource by the
8 recreational quota entity authorized in part 679 of
9 title 50, Code of Federal Regulations (or any suc-
10 cessor regulations).

Passed the Senate July 22, 2020.

Attest:

Secretary.

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