

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-  
11vens 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-  
25vens 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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