116th Congress
1st Session

S.

To improve the management of driftnet fishing.

IN THE SENATE OF THE UNITED STATES

Mrs. Feinstein (for herself and Mrs. Capito) introduced the following bill; which was read twice and referred to the Committee on

A BILL

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,

3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the “Driftnet Modernization
5 and Bycatch Reduction Act”.

6 SEC. 2. DEFINITION.

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

SEC. 3. FINDINGS AND POLICY.

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

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

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

(3) by adding at the end the following:

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

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

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

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

(3) by adding at the end the following—

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

SEC. 4. TRANSITION PROGRAM.

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

“(i) FISHING GEAR TRANSITION PROGRAM.—

“(1) IN GENERAL.—During the 5-year period beginning on the date of enactment of the Driftnet Modernization and Bycatch Reduction Act, the Secretary shall conduct a transition program to facilitate the phase-out of large-scale driftnet fishing and adoption of alternative fishing practices that minimize the incidental catch of living marine resources, and shall award grants to eligible permit holders who participate in the program.

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

“(A) any fee originally associated with a permit authorizing participation in a large-scale driftnet fishery, if such permit is surrendered for permanent revocation, and such permit holder relinquishes any claim associated with the permit;
“(B) a forfeiture of fishing gear associated
with a permit described in subparagraph (A); or
“(C) the purchase of alternative gear with
minimal incidental catch of living marine re-
resources, if the fishery participant is authorized
to continue fishing using such alternative gears.
“(3) CERTIFICATION.—The Secretary shall cer-
tify that, with respect to each participant in the pro-
gram under this subsection, any permit authorizing
participation in a large-scale driftnet fishery has
been permanently revoked and that no new permits
will be issued to authorize such fishing.”.

SEC. 5. EXCEPTION.

Section 307(1)(M) of the Magnuson-Stevens Fishery
Conservation and Management Act (16 U.S.C.
1857(1)(M)) is amended by inserting before the semicolon
the following: “, unless such large-scale driftnet fishing—
“(i) deploys, within the exclusive eco-

nomic zone, a net with a total length of
less than two and one-half kilometers and
a mesh size of 14 inches or greater; and
“(ii) is conducted within 5 years of
the date of enactment of the Driftnet Mod-
ernization and Bycatch Reduction Act”.”.