

NATIONAL MARINE FISHERIES SERVICE (NMFS) REPORT ON  
HIGHLY MIGRATORY SPECIES ACTIVITIES

**Update on Federal Congressional Action on the Drift Gillnet (DGN) Fishery**

[S.273 - Driftnet Modernization and Bycatch Reduction Act](#), which is sponsored by Senator Dianne Feinstein [D-CA], and co-sponsored by Senators Shelly Capito [R-WV], Christopher Coons [D-DE], and Alex Padilla [D-CA], was introduced in the Senate on February 8, 2021. By amending the Magnuson-Stevens Fishery Conservation and Management Act (MSA), the bill aims to sunset fishing with “a net with a total length of less than two and one-half kilometers and a mesh size of 14 inches or greater” within 5 years of enactment. The bill would also enable grants for forfeiture of this gear, or purchase of “alternative gear with minimal incidental catch,” or both. The bill passed the Senate by voice vote on September 14, 2021, after amendments pertaining to recreational fishing for Pacific halibut. The bill was sent to the House on September 17, 2021.

**Update on Deep-Set Buoy Gear (DSBG) Authorization**

The Sustainable Fisheries Division is working to address comments received on the Draft Environmental Impact Statement while coordinating with the Protected Resources Division to complete a consultation under Section 7 of the Endangered Species Act. NMFS is also preparing socio-economic analyses pursuant to the Regulatory Flexibility Act and Executive Order 12866 and MSA 303(6)(b) and preparing the necessary infrastructure for an ongoing permit program, data collection, and limited entry (LE) qualification process. NMFS plans to publish the proposed rule package, including a draft FMP amendment for public comment, in spring of 2022, and to publish final regulations shortly thereafter. NMFS anticipates that it will take one year to qualify applicants according to the tiered qualifying criteria adopted by the Council in March 2021, to allow adequate time for resolving appeals on permit decisions should they arise. Given this, NMFS is targeting issuance of the first 50 LE permits in summer of 2023.