To improve the management of driftnet fishing.

IN THE SENATE OF THE UNITED STATES

Mrs. Feinstein 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 reduce the incidental catch of living marine resources to the maximum extent possible.”.

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) TRANSITION PROGRAM.—

“(1) IN GENERAL.—The Secretary shall conduct a transition program to facilitate the phase-out of large-scale driftnet fishing and adoption of alternative fishing practices that reduce the incidental catch of living marine resources.

“(2) PERMISSIBLE USES.—

“(A) IN GENERAL.—The transition program under paragraph (1) may include a program by which the Secretary provides fishery participants fair market compensation for—

“(i) any diminution of value arising from the forfeiture or taking of a permit relevant to large-scale driftnet fishing;

“(ii) the forfeiture of large-scale driftnet fishing gear; or
“(iii) the purchase of alternative gear with minimal incidental catch of living marine resources.

“(B) PAYMENT CONDITION.—The Secretary may not make a payment to a fishery participant under paragraph (2) unless the Secretary certifies that the fishery participant no longer engages in large-scale driftnet fishing and that the permit previously held by such fishery participant will not be reissued to another person.

“(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for purposes of carrying out this subsection, $500,000 for each of fiscal years 2018 through 2020.”

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 economic 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 prior to January 1, 2020."