

119TH CONGRESS
2^D SESSION

S. _____

To reduce trawl gear impacts on bycatch and seafloor habitat in the Bering Sea, Aleutian Islands, and Gulf of Alaska, to establish gear performance standards, seafloor contact detection, and salmon excluder requirements, to improve Council transparency and participation, to prioritize ecosystem analyses, to modernize electronic monitoring, to prohibit unsustainable foreign seafood imports, and to establish a Bycatch Mitigation and Habitat Protection Assistance Fund.

IN THE SENATE OF THE UNITED STATES

Mr. SULLIVAN introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To reduce trawl gear impacts on bycatch and seafloor habitat in the Bering Sea, Aleutian Islands, and Gulf of Alaska, to establish gear performance standards, seafloor contact detection, and salmon excluder requirements, to improve Council transparency and participation, to prioritize ecosystem analyses, to modernize electronic monitoring, to prohibit unsustainable foreign seafood imports, and to establish a Bycatch Mitigation and Habitat Protection Assistance Fund.

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 “Bycatch Reduction
3 Act”.

4 **SEC. 2. ENSURING MID-WATER NETS DO NOT OPERATE**
5 **LIKE BOTTOM TRAWL GEAR.**

6 (a) IN GENERAL.—The North Pacific Fishery Man-
7 agement Council shall—

8 (1) establish a pelagic trawl gear performance
9 standard for vessels using pelagic trawl gear in fish-
10 eries managed under the Bering Sea and Aleutian
11 Islands Groundfish Fishery Management Plan and
12 Gulf of Alaska Groundfish Fishery Management
13 Plan (referred to in this section as “applicable ves-
14 sels”); and

15 (2) implement enforceable regulations to man-
16 age gear impacts from such applicable vessels on
17 benthic habitat and reduce unobserved mortality on
18 important subsistence, commercial, or recreational
19 species during fishing operations.

20 (b) ESTABLISH A PELAGIC TRAWL GEAR BASE-
21 LINE.—

22 (1) IN GENERAL.—Not later than 1 year after
23 the date of enactment of this Act, the North Pacific
24 Fishery Management Council shall use methods,
25 such as gear design standards, model and field test-
26 ing verification, sensors, or technology, to identify

1 the current baseline of the effects of pelagic trawl
2 gear on marine benthic habitat in areas managed
3 under the Bering Sea and Aleutian Islands Ground-
4 fish Fishery Management Plan and Gulf of Alaska
5 Groundfish Fishery Management Plan.

6 (2) INDEPENDENT REVIEW.—The North Pacific
7 Fishery Management Council shall enter into an
8 agreement with the National Academies of Sciences,
9 Engineering, and Medicine to review the method-
10 ology, data, and findings used to identify the base-
11 line under paragraph (1). The results of the review
12 shall be made publicly available.

13 (c) REGULATIONS.—Following the identification of
14 the pelagic trawl gear baseline under subsection (b), the
15 Administrator of the National Oceanic and Atmospheric
16 Administration (referred to in this Act as the “Adminis-
17 trator”), in consultation with the North Pacific Fishery
18 Management Council, shall promulgate regulations to re-
19 duce impacts relative to such baseline from pelagic trawl
20 gear, including through—

21 (1) requiring gear modifications to pelagic trawl
22 gear, including requiring applicable vessels to be
23 equipped with a commercially available seafloor con-
24 tact detection system capable of monitoring and

1 verifying the net position and clearance of pelagic
2 trawl gear in relation to the seafloor;

3 (2) reductions in the amount of fishing effort
4 that results in pelagic trawl gear making contact
5 with the marine benthic habitat in areas that are
6 closed to nonpelagic trawl gear;

7 (3) prohibitions on fishing by pelagic trawl gear
8 in areas closed to nonpelagic trawl gear; or

9 (4) prohibitions in fishing by pelagic trawl gear
10 if there are any areas identified in section 6(e)(4)
11 that support juvenile recruitment of important sub-
12 sistence, commercial, or recreational species.

13 (d) MONITORING; DATA RETENTION AND ACCESS.—
14 In providing consultation to the Administrator for the pro-
15 mulgation of regulations under subsection (c)(1), the
16 North Pacific Fishery Management Council shall con-
17 sider—

18 (1) establishing protocols for the collection,
19 storage, and submission of data related to the use
20 of pelagic trawl gear;

21 (2) requiring real-time or near-real-time moni-
22 toring of such data, with transmission of such data
23 each week to support compliance monitoring and en-
24 forcement;

1 (3) ensuring seafloor contact detection systems
2 are compatible with existing electronic monitoring or
3 observer programs implemented by the National Ma-
4 rine Fisheries Service; and

5 (4) establishing requirements for the retention,
6 submission, and confidentiality of data collected
7 under this section consistent with section 402 of the
8 Magnuson-Stevens Fishery Conservation and Man-
9 agement Act (16 U.S.C. 1881a).

10 (e) ENFORCEMENT.—An applicable vessel that fails
11 to comply with the regulations promulgated under this sec-
12 tion shall be deemed to have violated the Magnuson-Ste-
13 vens Fishery Conservation and Management Act (16
14 U.S.C. 1801 et seq.) and shall be subject to the penalties
15 and sanctions, including civil penalties, permit sanctions,
16 or other enforcement actions, provided under such Act.

17 (f) CONSULTATION.—In implementing this section,
18 the Administrator and the North Pacific Fishery Manage-
19 ment Council shall consult with affected subsistence, com-
20 mercial, and recreational participants, including har-
21 vesters, processors, communities, and community develop-
22 ment quota groups.

1 **SEC. 3. GETTING TRAWL NETS OFF THE SEAFLOOR TO RE-**
2 **DUCE UNOBSERVED FISHING MORTALITY**
3 **AND HABITAT IMPACTS.**

4 (a) IN GENERAL.—

5 (1) GEAR PERFORMANCE STANDARDS.—The
6 North Pacific Fishery Management Council shall es-
7 tablish a gear performance standard system for ap-
8 plicable vessels using nonpelagic trawl gear in fish-
9 eries managed under the Bering Sea and Aleutian
10 Islands Groundfish Fishery Management Plan and
11 Gulf of Alaska Groundfish Fishery Management
12 Plan to manage gear impacts on benthic habitat and
13 reduce unobserved mortality on important subsist-
14 ence, commercial, or recreational species during fish-
15 ing operations.

16 (2) APPLICABLE VESSEL.—In this section, the
17 term “applicable vessel” means a trawl catcher/proc-
18 essor vessel that is not eligible to harvest pollock
19 under section 208 of the American Fisheries Act (16
20 U.S.C. 1851 note).

21 (b) PERFORMANCE REVIEW AND STANDARDS.—Not
22 later than 1 year after the date of enactment of this Act,
23 the Administrator shall—

24 (1) deliver a report to the North Pacific Fish-
25 ery Management Council that—

1 (A) identifies, using methods such as gear
2 design standards, model and field testing
3 verification, sensors, or technology, the current
4 baseline of the effects of nonpelagic trawl gear
5 on marine benthic habitat in areas managed
6 under the Bering Sea and Aleutian Islands
7 Groundfish Fishery Management Plan and Gulf
8 of Alaska Groundfish Fishery Management
9 Plan; and

10 (B) describes nonpelagic trawl gear regula-
11 tions for applicable vessels and analyzes the po-
12 tential impacts to marine benthic habitat and
13 bycatch from modifying nonpelagic trawl gear;
14 and

15 (2) establish a 1-year phase in period that re-
16 quires each applicable vessel to be equipped with a
17 modified footrope and modified trawl sweeps, as ap-
18 plicable, to reduce seafloor contact and maximize
19 seafloor clearance relative to such baseline from ap-
20 plicable vessels using nonpelagic trawl gear.

21 (c) INDEPENDENT REVIEW.—The Administrator
22 shall enter into an agreement with the National Academies
23 of Sciences, Engineering, and Medicine to review the
24 methodology, data, and findings used to identify the base-

1 line under subsection (b)(1)(A). The results of the review
2 shall be made publicly available.

3 (d) FULL COMPLIANCE.—The Administrator shall re-
4 quire full compliance with the requirements of this section
5 not later than 2 years after the date of enactment of this
6 Act.

7 (e) ENFORCEMENT.—An applicable vessel that fails
8 to comply with the requirements of this section or regula-
9 tions issued under this section shall be deemed to have
10 violated the Magnuson-Stevens Fishery Conservation and
11 Management Act (16 U.S.C. 1801 et seq.) and shall be
12 subject to the penalties and sanctions, including civil pen-
13 alties, permit sanctions, or other enforcement actions, pro-
14 vided under such Act.

15 (f) CONSULTATION.—In implementing this section,
16 the Administrator and the North Pacific Fishery Manage-
17 ment Council shall consult with affected subsistence, com-
18 mercial, and recreational participants, including har-
19 vesters, processors, communities, and community develop-
20 ment quota groups.

1 **SEC. 4. IMPROVING PUBLIC TRANSPARENCY AND INCREAS-**
2 **ING PARTICIPATION IN THE NORTH PACIFIC**
3 **FISHERY MANAGEMENT COUNCIL PROCESS.**

4 (a) REGIONAL FISHERY MANAGEMENT COUNCILS.—

5 Section 302 of the Magnuson-Stevens Fishery Conserva-
6 tion and Management Act (16 U.S.C. 1852) is amended—

7 (1) in subsection (e), by striking paragraph (5)
8 and inserting the following:

9 “(5) Each Council shall hold a recorded vote on
10 all non-procedural matters before the Council. The
11 official minutes and other appropriate records of any
12 Council meeting shall identify all roll call votes held,
13 the name of each voting member present during
14 each roll call vote, and how each member voted on
15 each roll call vote.”;

16 (2) in subsection (i)(2), by adding at the end
17 the following:

18 “(G) Each Council shall make available on the
19 internet website of the Council—

20 “(i) to the extent practicable, a webcast,
21 an audio recording, or a live broadcast of each
22 meeting of the Council, and of the Council co-
23 ordination committee established under sub-
24 section (l), that is not closed in accordance with
25 paragraph (3); and

1 (B) in paragraph (2)(C), by inserting
2 “contractor,” after “partner,”; and

3 (C) in paragraph (5)(B), by striking “on
4 the Internet” and inserting “on the internet
5 website of National Oceanic and Atmospheric
6 Administration, on the internet website of the
7 applicable Council.”.

8 (b) NORTH PACIFIC FISHERY MANAGEMENT COUN-
9 CIL WRITTEN PUBLIC COMMENT PROCEDURE.—Not later
10 than 180 days after the date of enactment of this Act,
11 the North Pacific Fishery Management Council shall up-
12 date its Public Comment Policy and provide a minimum
13 comment period of 4 weeks before the start of the Council
14 meeting.

15 (c) NATIONAL OCEANIC AND ATMOSPHERIC ADMIN-
16 ISTRATION RECUSAL REVIEW PROCESS.—

17 (1) IN GENERAL.—Not later than 1 year after
18 the date of enactment of this Act, the Administrator
19 shall conduct a comprehensive review of the financial
20 interest and recusal procedures under section 302(j)
21 of the Magnuson-Stevens Fishery Conservation and
22 Management Act (16 U.S.C. 1852(j)) and the regu-
23 lations promulgated to carry out such section, in-
24 cluding section 600.235 of title 50, Code of Federal
25 Regulations (or successor regulations).

1 (2) COMPLIANCE.—The review under paragraph
2 (1) shall evaluate whether there has been compliance
3 with regulatory requirements promulgated to carry
4 out section 302(j) of the Magnuson-Stevens Fishery
5 Conservation and Management Act (16 U.S.C.
6 1852(j)), including timely submission of disclosures
7 and the effectiveness and consistency of recusal de-
8 terminations.

9 (3) IDENTIFICATION OF GAPS AND WEAK-
10 NESSES.—The Administrator shall include, as part
11 of the annual report to be submitted in 2027, in ac-
12 cordance with section 302(j)(9) of the Magnuson-
13 Stevens Fishery Conservation and Management Act
14 (16 U.S.C. 1852(j)(9)), a section identifying any
15 gaps or weaknesses in the current disclosure and
16 recusal process and providing recommendations on
17 defining or clarifying the recusal standards.

18 **SEC. 5. REQUIRING SALMON EXCLUDERS IN THE NORTH**
19 **PACIFIC.**

20 (a) IN GENERAL.—The North Pacific Fishery Man-
21 agement Council shall require all vessels using pelagic
22 trawl gear in fisheries managed under the Bering Sea and
23 Aleutian Islands Groundfish Fishery Management Plan
24 and Gulf of Alaska Groundfish Fishery Management Plan

1 (referred to in this section as “applicable vessels”) to be
2 equipped with a salmon excluder device.

3 (b) GEAR REQUIREMENTS.—Not later than 1 year
4 after the date of enactment of this Act, the North Pacific
5 Fishery Management Council shall require each applicable
6 vessel to be equipped with a salmon excluder device that
7 is operational and has been field tested, scientifically re-
8 viewed, and verified to reduce salmon bycatch effectively.

9 (c) SALMON EXCLUDER DEVICES.—The Adminis-
10 trator shall—

11 (1) support field testing and scientific review of
12 salmon excluder devices; and

13 (2) implement an outreach strategy to ensure
14 industry adoption.

15 (d) TECHNICAL ASSISTANCE AND GUIDANCE.—The
16 Administrator shall provide technical assistance and guid-
17 ance to applicable vessel operators to facilitate installation
18 and use of approved salmon excluder devices.

19 (e) FULL COMPLIANCE.—The Administrator shall re-
20 quire full compliance with the requirements of this section
21 not later than 1 year after the date of enactment of this
22 Act.

23 (f) ENFORCEMENT.—An applicable vessel that fails
24 to comply with the requirements of this section or regula-
25 tions issued under this section shall be deemed to have

1 violated the Magnuson-Stevens Fishery Conservation and
2 Management Act (16 U.S.C. 1801 et seq.) and shall be
3 subject to the penalties and sanctions, including civil pen-
4 alties, permit sanctions, or other enforcement actions, pro-
5 vided under such Act.

6 (g) CONSULTATION.—In developing regulations to
7 implement this section, the Administrator and the North
8 Pacific Fishery Management Council shall consult with af-
9 fected fishing industry participants, including harvesters,
10 processors, communities, and community development
11 quota groups.

12 **SEC. 6. PRIORITIZING FOUNDATIONAL INVESTIGATIONS**
13 **AND ECOSYSTEM ANALYSES TO REDUCE BY-**
14 **CATCH AND SEAFLOOR IMPACTS.**

15 (a) RECONSTITUTION OF THE ALASKA SALMON RE-
16 SEARCH TASK FORCE.—

17 (1) IN GENERAL.—The Administrator shall re-
18 constitute the membership of the Alaska Salmon Re-
19 search Task Force, as described in the Alaska Salm-
20 on Research Task Force Act (Public Law 117–328;
21 136 Stat. 5271).

22 (2) BYCATCH REDUCTION TASK FORCE.—The
23 reconstituted membership described in paragraph
24 (1) shall be referred to as the “Bycatch Reduction
25 Task Force”.

1 (3) MEMBERS.—The Secretary of Commerce
2 shall appoint an additional 7 representatives to the
3 Bycatch Reduction Task Force as follows:

4 (A) 3 members who are academic experts,
5 of which 1 member shall be an expert in salmon
6 ecology, 1 member shall be an expert in ground-
7 fish ecology, and 1 member shall be an expert
8 in invertebrate ecology.

9 (B) 1 member who is a resident of the
10 Bering Sea or Aleutian Islands region and 1
11 member who is a resident of the Gulf of Alaska
12 region.

13 (C) 2 members who are subject matter ex-
14 perts with trawl fishing gear technology and its
15 operations.

16 (4) DUTIES.—The Bycatch Reduction Task
17 Force shall—

18 (A) review all research conducted and re-
19 ports published under this section; and

20 (B) in consultation with the Administrator,
21 provide priority recommendations for future
22 work as described in subsection (d)(2).

23 (5) INAPPLICABILITY OF FEDERAL ADVISORY
24 COMMITTEE ACT.—Chapter 10 of title 5, United
25 States Code (commonly known as the “Federal Advi-

1 sory Committee Act”), shall not apply to the By-
2 catch Reduction Task Force. Notwithstanding the
3 inapplicability of chapter 10 of title 5, United States
4 Code, the Administrator shall, to the maximum ex-
5 tent practicable and consistent with protection of
6 confidential and proprietary information, make pub-
7 licly available on an internet website—

8 (A) the membership of the Bycatch Reduc-
9 tion Task Force;

10 (B) meeting dates and agendas of the By-
11 catch Reduction Task Force;

12 (C) non-proprietary materials provided to
13 or produced by the Bycatch Reduction Task
14 Force; and

15 (D) a mechanism for the public to submit
16 written statements for consideration by the By-
17 catch Reduction Task Force.

18 (b) SALMON LIFE HISTORY RESEARCH.—

19 (1) SALMON TAGGING.—

20 (A) IN GENERAL.—The Administrator
21 shall enter into public-private partnerships with
22 State agencies, nonprofit organizations, institu-
23 tions of higher education (as defined in section
24 101(a) of the Higher Education Act of 1965
25 (20 U.S.C. 1001(a))), Indian Tribes or Tribal

1 organizations (as defined in section 4 of the In-
2 dian Self-Determination and Education Assist-
3 ance Act (25 U.S.C. 5304)), and research insti-
4 tutions to research the marine life history of
5 Alaska origin salmon species in the Bering Sea,
6 Aleutian Islands, and Gulf of Alaska.

7 (B) PARTNERSHIPS.—In entering into
8 partnerships described in subparagraph (A), the
9 Administrator—

10 (i) shall involve a diverse group of
11 Alaska salmon experts, including Alaska
12 Natives, fishing industry representatives,
13 commercial fishermen, and individuals who
14 possess personal knowledge of, and direct
15 experience with, subsistence uses in Alas-
16 ka; and

17 (ii) may include cooperative research
18 efforts with privately owned commercial or
19 charter fishing vessel owners.

20 (C) RESEARCH.—

21 (i) IN GENERAL.—At a minimum, the
22 research required under subparagraph (A)
23 shall include satellite tagging or other in-
24 telligent tagging methodologies to better
25 understand migration and distributions of

1 Alaska origin salmon during their marine
2 life history in the Bering Sea, Aleutian Is-
3 lands, or Gulf of Alaska.

4 (ii) SATELLITE TAGGING STUDIES.—
5 The satellite tagging or other intelligent
6 tagging described in clause (i) shall aim to
7 conduct—

8 (I) genetic determination of
9 stock-of-origin on all tagged salmon;

10 (II) an analysis of movement, be-
11 havior, and habitat use for different
12 genetic stocks;

13 (III) systematic sampling across
14 different ages, sizes, run timings, and
15 cohorts rather than opportunistic tag-
16 ging; and

17 (IV) research on depth occupancy
18 patterns, vertical migration behavior,
19 and 3-dimensional habitat associa-
20 tions.

21 (iii) DATA STEWARDSHIP AND ANAL-
22 YSES.—

23 (I) IN GENERAL.—The Adminis-
24 trator shall ensure the results and
25 analyses under this subsection are

1 publicly accessible, usable, and di-
2 rectly applicable to better under-
3 standing Alaska origin salmon migra-
4 tions and distributions, and to reduce
5 bycatch in the Bering Sea, Aleutian
6 Islands, and Gulf of Alaska.

7 (II) METHODS.—In carrying out
8 all analyses under this subsection, the
9 Administrator, in consultation with
10 the Bycatch Reduction Task Force
11 and applicable public-private partner-
12 ships described under subparagraph
13 (A), shall use modern analytical meth-
14 ods that may include machine learn-
15 ing or artificial intelligence for pre-
16 dictive modeling, to the extent prac-
17 ticable.

18 (III) PUBLIC AVAILABILITY.—
19 All—

20 (aa) methods and models
21 used to carry out this subsection
22 shall be publicly available and ac-
23 cessible for use in peer-reviewed
24 venues or technical reports and

1 shall include all algorithms and
2 analytical code; and

3 (bb) developed or produced
4 tools, guides, visualizations, or
5 decision-support products used to
6 carry out this subsection shall be
7 made publicly available and usa-
8 ble.

9 (IV) OPEN STANDARDS.—All sat-
10 ellite tagging data collected under this
11 subsection shall abide by open data
12 standards and be deposited in publicly
13 accessible repositories (such as the
14 Ocean Tracking Network or the Ani-
15 mal Telemetry Network) using stand-
16 ardized formats.

17 (D) INAPPLICABILITY OF FEDERAL ADVI-
18 SORY COMMITTEE ACT.—Chapter 10 of title 5,
19 United States Code (commonly known as the
20 “Federal Advisory Committee Act”), shall not
21 apply to the partnerships described in subpara-
22 graph (A).

23 (2) GENETIC SAMPLING GRANT PROGRAM.—The
24 Administrator shall conduct a competitive grant pro-
25 gram to support improving the turnaround time of

1 genetic analyses of biological samples collected at-sea
2 or shoreside to provide real-time or near-real-time,
3 in-season genetic stock identification, and age com-
4 position estimates of Alaska origin salmon caught
5 incidentally in commercial fisheries conducted in the
6 exclusive economic zone (as defined in section 3 of
7 the Magnuson-Stevens Fishery Conservation and
8 Management Act (16 U.S.C. 1802) off Alaska).

9 (3) REPORTING.—Not later than 3 years after
10 the date of enactment of this Act, the Administrator
11 shall publish a report—

12 (A) on the findings of the salmon tagging
13 research conducted under paragraph (1) and
14 the findings of the genetic analyses grant pro-
15 gram conducted under paragraph (2) that de-
16 tails how the salmon tagging research and ge-
17 netic analyses can better inform Alaska origin
18 salmon stock status and distributions; and

19 (B) that includes potential uses of artificial
20 intelligence or machine learning technology to
21 perform predictive modeling to inform potential
22 Alaska salmon bycatch avoidance areas.

23 (c) ECOSYSTEM ANALYSES.—

24 (1) IN GENERAL.—The Administrator shall con-
25 duct—

1 (A) research, through studies and models
2 that incorporate existing data, literature, and
3 ongoing research, including relevant inter-
4 national data and research from comparable
5 marine ecosystems, of how contact from non-
6 pelagic trawl and pelagic trawl gear impact
7 shallow shelves or other marine benthic habitats
8 in the Bering Sea, Aleutian Islands, and Gulf
9 of Alaska;

10 (B) a review of existing data, literature,
11 and ongoing research efforts on fluctuations in
12 Bering Sea, Aleutian Islands, and Gulf of Alas-
13 ka marine ecosystems that may affect the sur-
14 vivability or energetic condition of commercially
15 or culturally important wild marine and anad-
16 romous species, including examining—

- 17 (i) harmful algal blooms;
- 18 (ii) marine heatwaves;
- 19 (iii) in-river temperatures;
- 20 (iv) sea ice extent and thickness;
- 21 (v) ocean acidification;
- 22 (vi) diseases;
- 23 (vii) nutrient or prey availability;
- 24 (viii) density dependence;
- 25 (ix) shifting stock distributions;

1 (x) carrying capacity;

2 (xi) impacts from hatchery released
3 species, with particular attention to foreign
4 hatchery releases; and

5 (xii) predator-prey interactions; and

6 (C) new research, using the review of data,
7 literature, and ongoing research efforts under
8 subparagraph (B), to prioritize data collection
9 that support conservation of commercially or
10 culturally important wild marine and anad-
11 romous species.

12 (2) DIVERSE GROUP INVOLVEMENT.—In con-
13 ducting research under paragraph (1), the Adminis-
14 trator shall—

15 (A) enter into public-private partnerships
16 with relevant entities, such as State agencies,
17 nonprofit organizations, institutions of higher
18 education (as defined in section 101(a) of the
19 Higher Education Act of 1965 (20 U.S.C.
20 1001(a)), and Indian Tribes or Tribal organiza-
21 tions (as defined in section 4 of the Indian Self-
22 Determination and Education Assistance Act
23 (25 U.S.C. 5304)); and

24 (B) involve a diverse group of experts in
25 commercially or culturally important wild ma-

1 rine and anadromous species, including Alaska
2 Natives, fishing industry representatives, com-
3 mercial fishermen, and individuals who possess
4 personal knowledge of, and direct experience
5 with, subsistence uses in Alaska.

6 (3) DATA STEWARDSHIP AND ANALYSES.—

7 (A) IN GENERAL.—The Administrator
8 shall ensure the results and literature review
9 analyses under this subsection are publicly ac-
10 cessible, usable, and directly applicable to the
11 research conducted under this subsection.

12 (B) METHODS.—In carrying out all anal-
13 yses under this subsection, the Administrator,
14 in consultation with the Bycatch Reduction
15 Task Force and applicable public-private part-
16 nerships described under subparagraph (2)
17 shall use modern analytical methods that may
18 include machine learning or artificial intel-
19 ligence for predictive modeling, to the extent
20 practicable.

21 (C) PUBLIC AVAILABILITY.—All—

22 (i) methods and models used to carry
23 out this subsection shall be publicly avail-
24 able and accessible for use in peer-reviewed
25 venues or technical reports and shall in-

1 clude all algorithms and analytical code;
2 and

3 (ii) developed or produced tools,
4 guides, visualizations, or decision-support
5 products used to carry out this subsection
6 shall be made publicly available and usable.

7 (D) OPEN STANDARDS.—All newly pro-
8 duced ecosystem data collected under this sub-
9 section shall abide by open data standards and
10 be deposited in publicly accessible repositories
11 using standardized formats.

12 (4) JUVENILE RECRUITMENT OF SPECIES.—As
13 part of the essential fish habitat (EFH) review, the
14 North Pacific Fishery Management Council shall
15 analyze areas closed to 1 or more commercial fishing
16 gear types that overlap with habitats that support
17 juvenile recruitment of important commercial, sub-
18 sistence, or recreational species. The review shall in-
19 clude an evaluation of the potential benefits associ-
20 ated with such closures, and whether these habitat
21 closure areas should be expanded to other commer-
22 cial fishing gear types.

23 (d) REPORTS.—

24 (1) IN GENERAL.—The Administrator shall
25 publish interim annual reports and a final report

1 (not later than 3 years after the date of enactment
2 of this Act)—

3 (A) on findings and results of the research
4 and literature review analyses conducted under
5 subsection (c)(1) and the status of milestones
6 reached for all research initiatives under this
7 section;

8 (B) on the results from the salmon tagging
9 and genetic sampling research under subsection
10 (b), including modeled Alaska origin salmon mi-
11 gration routes and potential applications to in-
12 form how best to minimize Alaska salmon by-
13 catch; and

14 (C) that includes results from the eco-
15 system analyses under subsection (c).

16 (2) RECOMMENDATIONS; FINDINGS.—The re-
17 ports described under paragraph (1) shall include—

18 (A) descriptions of explicit mechanisms to
19 connect research outputs to management proc-
20 esses through research products that document
21 specific examples of how research findings are
22 being incorporated into management decisions,
23 fishery regulations, or industry practices;

24 (B) recommendations to the North Pacific
25 Fishery Management Council on creating feed-

1 back loops that ensure collaboration through es-
2 tablishing regular workshops or working groups
3 that bring together researchers, managers, in-
4 dustry representatives, and fishermen to coordi-
5 nate research efforts and share findings related
6 to bycatch reduction;

7 (C) recommendations for applying the re-
8 sults from the ecosystem analyses review to
9 model potential impacts on commercially or cul-
10 turally important wild marine and anadromous
11 species in the Bering Sea, Aleutian Islands, and
12 Gulf of Alaska to support informed manage-
13 ment actions; and

14 (D) other findings and recommendations
15 for future work under this section.

16 **SEC. 7. PROHIBITING UNSUSTAINABLE FOREIGN SEAFOOD**
17 **IMPORTS.**

18 (a) DEFINITIONS.—In this section:

19 (1) BENEFICIAL OWNER.—The term “beneficial
20 owner” means, with respect to a vessel, a person
21 that directly or indirectly, through any contract, ar-
22 rangement, understanding, relationship, or other-
23 wise—

24 (A) exercises substantial control over the
25 vessel; or

1 (B) owns not less than 50 percent of the
2 ownership interests of the vessel.

3 (2) FOREIGN VESSEL.—The term “foreign ves-
4 sel” has the meaning given the term in section 110
5 of title 46, United States Code.

6 (3) SEAFOOD.—The term “seafood” means
7 fish, shellfish, or other aquatic animal life intended
8 for human consumption, whether fresh, frozen,
9 canned, smoked, prepared, or otherwise processed.

10 (b) PROHIBITION.—It is prohibited for any person in
11 the United States to enter into or facilitate, directly or
12 indirectly, any transaction related to the importation, pro-
13 curement, or selling of seafood from a foreign vessel or
14 beneficial owner of a foreign vessel unless the Secretary
15 of Commerce determines that the fishery from which the
16 seafood originates harvests fish in a way that is com-
17 parable to the national standards for fishery conservation
18 and management under the Magnuson-Stevens Fishery
19 Conservation and Management Act (16 U.S.C. 1801 et
20 seq.).

21 (c) SEIZURE.—Any seafood in the possession of a
22 person that violates the prohibition described in subsection
23 (b) shall be seized by the Secretary of Commerce.

1 (d) DISPOSAL OF SEAFOOD.—The Secretary of Com-
2 merce shall determine how to dispose of any seafood seized
3 under subsection (c).

4 **SEC. 8. BUILDING INFRASTRUCTURE TO SUPPORT CLEAN-**
5 **ER FISHING GEAR AND INNOVATIVE TECH-**
6 **NOLOGY.**

7 (a) IN GENERAL.—The Administrator shall enter
8 into a public-private partnership to build a flume tank for
9 the National Oceanic and Atmospheric Administration,
10 the fishing industry, and other researchers to test tech-
11 nology and improved fishing gear aimed at reducing by-
12 catch and contact with Bering Sea, Aleutian Islands, and
13 Gulf of Alaska marine benthic habitats.

14 (b) FLUME TANK ASSISTANCE FUND.—The Admin-
15 istrator shall establish a Flume Tank Assistance Fund to
16 provide grants or other financial assistance to support en-
17 tities that wish to test their innovative technology, includ-
18 ing approaches that support prototype development and
19 associated devices, instruments, sensors, or fishing gear
20 designs aimed at reducing bycatch in fisheries and contact
21 with Bering Sea, Aleutian Islands, and Gulf of Alaska ma-
22 rine benthic habitat from mobile or fixed fishing gear, in-
23 cluding workforce and training programs on such tech-
24 nology or gear.

1 **SEC. 9. MODERNIZING FISHERIES MONITORING AND IM-**
2 **PROVING OBSERVER PROGRAM TRANS-**
3 **PARENCY.**

4 (a) **ELECTRONIC MONITORING AND REPORTING.—**

5 The Administrator shall—

6 (1) create a timeline and process for reviewing
7 and approving exempted fishing permits in Federally
8 managed North Pacific fisheries to support innova-
9 tive fishing gear types and technology for reducing
10 bycatch, unobserved fishing mortality, and reducing
11 marine habitat disturbances, including streamlining
12 exempted fishing permits for fishermen and owners
13 and operators of commercial fishing vessels who pur-
14 chase or modify fishing gear, equipment, or tech-
15 nology with financial assistance provided under the
16 Bycatch Mitigation and Habitat Protection Assist-
17 ance Fund, established under section 322 of the
18 Magnuson-Stevens Fishery Conservation and Man-
19 agement Act, if approving such permits does not
20 interfere with fishery conservation objectives;

21 (2) streamline the approval process for experi-
22 mental or exempted fishing permits used in Feder-
23 ally managed North Pacific fisheries for electronic
24 monitoring pilot projects, including owners and oper-
25 ators of commercial fishing vessels who purchase or
26 utilize low-cost commercially available electronic

1 monitoring solutions, if approving such permits does
2 not interfere with fishery conservation objectives;

3 (3) facilitate cooperative research programs and
4 regional pilot frameworks;

5 (4) conduct a public stakeholder consultation
6 process not less often than once every 3 years, which
7 shall include public notice, listening sessions, a writ-
8 ten comment period of not less than 60 days, and
9 solicit input from stakeholders, including service pro-
10 viders, regional fishery management councils, fishery
11 industry participants, and data scientists, on—

12 (A) revisions to electronic monitoring and
13 electronic reporting technical standards or oper-
14 ational guidance;

15 (B) improvements to cost-effectiveness or
16 usability; and

17 (C) barriers to electronic monitoring adop-
18 tion, particularly among small-scale fleets; and

19 (5) provide a data integration strategy that—

20 (A) incorporates electronic monitoring data
21 directly into regional science center workflows
22 and stock assessment models;

23 (B) reduces latency between data collection
24 and management application; and

1 (C) supports the development of interoper-
2 able databases that facilitate real-time or near-
3 real-time analysis and decision-making.

4 (b) TRANSPARENCY.—The Administrator shall—

5 (1) require the regional offices of the National
6 Marine Fisheries Service to publish, online and in
7 layman’s terms, up-to-date observer coverage cat-
8 egory requirements for Federal trawl fisheries speci-
9 fying the Federal fishery under their jurisdiction, in-
10 cluding prohibited species catch (bycatch) for each
11 observer program category; and

12 (2) ensure that the National Marine Fisheries
13 Service develops and disseminates, in print and for
14 online distribution, public communications materials
15 that clearly explain bycatch in Federal fisheries
16 under its jurisdiction, using accessible, layman’s ter-
17 minology and graphics.

18 (c) REPORTING.—

19 (1) IN GENERAL.—Not later than 3 years after
20 the date of enactment of this Act, the Administrator
21 shall publish a report on how the National Oceanic
22 and Atmospheric Administration and Regional Fish-
23 ery Management Councils can improve and integrate
24 the use of observer and electronic monitoring data to
25 better inform spatio-temporal fishing activity and

1 impacts to harvested and incidentally harvested pop-
2 ulations, while ensuring the protection of confiden-
3 tial information.

4 (2) REPORT TO CONGRESS.—The Administrator
5 shall submit a report to Congress and publish the
6 report on the National Oceanic and Atmospheric Ad-
7 ministration’s website that includes the data integra-
8 tion strategy for increasing data review efficiency
9 and uniformity described in subsection (a)(5). The
10 report shall include a summary of the feedback re-
11 ceived during public stakeholder consultation de-
12 scribed in subsection (a)(4).

13 (3) RECOMMENDATIONS.—The reports required
14 under paragraphs (1) and (2) shall include rec-
15 ommendations—

16 (A) for the use of any technologies identi-
17 fied as effective for sharing real-time, or near-
18 real-time, catch information to identify bycatch
19 hotspots and bycatch avoidance areas; and

20 (B) to minimize bycatch and unobserved
21 fishing mortality of commercially or culturally
22 important wild marine and anadromous species
23 in the Bering Sea, Aleutian Islands, and Gulf
24 of Alaska, such as Pacific halibut, Alaska crab
25 species, and Alaska-origin salmon.

1 **SEC. 10. INVESTING IN CLEANER FISHING GEAR AND**
2 **HEALTHY SEAFLOOR HABITATS.**

3 (a) REAUTHORIZATION OF THE NOAA NATIONAL
4 MARINE FISHERIES SERVICE BYCATCH REDUCTION EN-
5 GINEERING PROGRAM.—Section 316 of the Magnuson-
6 Stevens Fishery Conservation and Management Act (16
7 U.S.C. 1865) is amended—

8 (1) by redesignating subsections (a), (b), (c),
9 and (d), as subsections (b), (c), (d), and (e), respec-
10 tively;

11 (2) by inserting before subsection (b), as so re-
12 designated, the following:

13 “(a) PURPOSE.—The purpose of the bycatch reduc-
14 tion program established under subsection (b) is to de-
15 velop technological devices and other conservation engi-
16 neering changes to improve fishing practices and minimize
17 bycatch, seabird interactions, bycatch mortality,
18 unobserved fishing mortality, and post-release mortality in
19 Federally managed fisheries.”; and

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

21 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
22 is authorized to be appropriated to the Secretary to carry
23 out this section \$10,000,000 for each of fiscal years 2027
24 through 2031.”.

25 (b) BYCATCH MITIGATION AND HABITAT PROTEC-
26 TION ASSISTANCE FUND.—Title III of the Magnuson-Ste-

1 vens Fishery Conservation and Management Act (16
2 U.S.C. 1851 et seq.) is amended by adding at the end
3 the following:

4 **“SEC. 322. BYCATCH MITIGATION AND HABITAT PROTEC-**
5 **TION ASSISTANCE FUND.**

6 “(a) IN GENERAL.—There is established in the gen-
7 eral fund of the Treasury of the United States an account
8 to be known as the ‘Bycatch Mitigation and Habitat Pro-
9 tection Assistance Fund’, which shall—

10 “(1) be administered by the Foundation; and

11 “(2) consist of donations of amounts accepted
12 pursuant to subsection (c).

13 “(b) USE.—The Foundation shall use the amounts
14 in the Fund to reduce or mitigate bycatch, and reduce ma-
15 rine benthic habitat contact from mobile or fixed fishing
16 gear, including by providing financial assistance to fishing
17 industry organizations, associations, fishermen and own-
18 ers and operators of commercial fishing vessels to pur-
19 chase or modify fishing gear, equipment, and technology,
20 including innovative technology, prototypes, instruments,
21 or sensors.

22 “(c) DONATIONS.—The Foundation may solicit and
23 accept donations of amounts for deposit into the Fund.

24 “(d) CONSULTATION.—In administering the Fund,
25 the Foundation shall consult with the Secretary, acting

1 through the Administrator of the National Oceanic and
2 Atmospheric Administration, each Council, and each of
3 the regional offices and science centers of the National
4 Marine Fisheries Service to ensure that, to the maximum
5 extent practicable, amounts in the Fund are used in an
6 efficient and cost-effective manner.

7 “(e) REPORT.—Not later than 3 years after the date
8 of enactment of this section, and biennially thereafter, the
9 Foundation shall publish and post online in a manner
10 available to the public information regarding the use of
11 the Fund during—

12 “(1) with respect to the first publication of in-
13 formation, the preceding 3 years; and

14 “(2) with respect to each subsequent publica-
15 tion of information, the preceding 2 years.

16 “(f) DEFINITIONS.—In this section:

17 “(1) FOUNDATION.—The term ‘Foundation’
18 means the National Fish and Wildlife Foundation.

19 “(2) FUND.—The term ‘Fund’ means the By-
20 catch Mitigation and Habitat Protection Assistance
21 Fund established under subsection (a).”.