

Driftnet Impact Monitoring, Assessment, and Control Act of 1987

Agencies: U.S. Departments of Commerce, State, and the Interior

Citation: [16 U.S.C. §§ 1822 note et seq.](#)

Enacted as: the "Driftnet Impact Monitoring, Assessment, and Control Act of 1987", on December 29, 1987, as Title IV of Public Law 100-220.

Summary:

The [Driftnet Impact Monitoring, Assessment, and Control Act of 1987 \(the Act\)](#) requires the Secretary of Commerce, through the Secretary of State and in consultation with the Secretary of the Interior, to enter into agreements with foreign governments to establish statistically reliable assessments of the number of U.S. marine resources killed and retrieved, discarded, or lost by the foreign government's driftnet fishing vessels. In particular, the Secretary of Commerce must initiate and negotiate with each foreign government that conducts, or authorizes its nationals to conduct, driftnet fishing that results in the taking of U.S. marine resources in the North Pacific Ocean outside the Exclusive Economic Zone and territorial sea of any nation.

The Secretary of Commerce is required to submit to Congress, within a year of enactment of the Act and at such other times thereafter as the Secretary of Commerce deems appropriate, a report identifying the nature, extent, and effects of driftnet fishing on U.S. marine resources. The Secretary also shall initiate, through the Secretary of State and in consultation with the Secretary of the department in which the Coast Guard is operating, negotiations with each foreign government that conducts or authorizes driftnet fishing that results in the taking of U.S. marine resources in waters of the North Pacific Ocean for the purpose of entering into enforcement agreements.

In addition, the Secretary of Commerce must evaluate the feasibility of and develop recommendations for: (a) a driftnet marking, registry and identification system for determining the origin of lost, discarded or abandoned driftnets; (b) alternative materials in driftnets for the purpose of increasing the rate of decomposition of driftnets that are discarded at sea; and (c) a cooperative driftnet fishing vessel tracking system to facilitate efforts to monitor the location of driftnet fishing vessels. If the Secretary of Commerce determines that such driftnet fishing "diminishes the effectiveness" of an international fishery conservation program, or if the Secretary of Commerce or the Interior determines that such driftnet fishing results in a taking which "diminishes the effectiveness" of any international program for endangered or threatened species, the Secretary making such finding shall certify such fact to the President pursuant to the Pelly Amendment (22 U.S.C. § 1978).

Source: [16 U.S.C. §§ 1822 note et seq.](#)

Information last updated: September 20, 2012