

AMENDMENT
TO RULES COMMITTEE PRINT 116-19
OFFERED BY MR. KEATING OF MASSACHUSETTS

At the end of title XXXV, insert the following:

1 **Subtitle C—Maritime Security And**
2 **Fisheries Enforcement**

3 **SEC. 3521. SHORT TITLE.**

4 This subtitle may be cited as the “Maritime Security
5 And Fisheries Enforcement Act” or the “Maritime SAFE
6 Act”.

7 **SEC. 3522. DEFINITIONS.**

8 In this subtitle:

9 (1) AIS.—The term “AIS” means Automatic
10 Identification System (as defined in section 164.46
11 of title 33, Code of Federal Regulations, or a similar
12 successor regulation).

13 (2) COMBINED MARITIME FORCES.—The term
14 “Combined Maritime Forces” means the 33-nation
15 naval partnership, originally established in February
16 2002, which promotes security, stability, and pros-
17 perity across approximately 3,200,000 square miles
18 of international waters.

19 (3) EXCLUSIVE ECONOMIC ZONE.—

1 (A) IN GENERAL.—Unless otherwise speci-
2 fied by the President as being in the public in-
3 terest in a writing published in the Federal
4 Register, the term “exclusive economic zone”
5 means—

6 (i) the area within a zone established
7 by a maritime boundary that has been es-
8 tablished by a treaty in force or a treaty
9 that is being provisionally applied by the
10 United States; or

11 (ii) in the absence of a treaty de-
12 scribed in clause (i)—

13 (I) a zone, the outer boundary of
14 which is 200 nautical miles from the
15 baseline from which the breadth of
16 the territorial sea is measured; or

17 (II) if the distance between the
18 United States and another country is
19 less than 400 nautical miles, a zone,
20 the outer boundary of which is rep-
21 resented by a line equidistant between
22 the United States and the other coun-
23 try.

24 (B) INNER BOUNDARY.—Without affecting
25 any Presidential Proclamation with regard to

1 the establishment of the United States terri-
2 torial sea or exclusive economic zone, the inner
3 boundary of the exclusive economic zone is—

4 (i) in the case of coastal States, a line
5 coterminous with the seaward boundary of
6 each such State (as described in section 4
7 of the Submerged Lands Act (43 U.S.C.
8 1312));

9 (ii) in the case of the Commonwealth
10 of Puerto Rico, a line that is 3 marine
11 leagues from the coastline of the Common-
12 wealth of Puerto Rico;

13 (iii) in the case of American Samoa,
14 the United States Virgin Islands, and
15 Guam, a line that is 3 geographic miles
16 from the coastlines of American Samoa,
17 the United States Virgin Islands, or Guam,
18 respectively;

19 (iv) in the case of the Commonwealth
20 of the Northern Mariana Islands—

21 (I) the coastline of the Common-
22 wealth of the Northern Mariana Is-
23 lands, until the Commonwealth of the
24 Northern Mariana Islands is granted
25 authority by the United States to reg-

1 ulate all fishing to a line seaward of
2 its coastline; and

3 (II) upon the United States
4 grant of the authority described in
5 subclause (I), the line established by
6 such grant of authority; or

7 (v) for any possession of the United
8 States not referred to in clause (ii), (iii), or
9 (iv), the coastline of such possession.

10 (C) RULE OF CONSTRUCTION.—Nothing in
11 this paragraph may be construed to diminish
12 the authority of the Department of Defense, the
13 Department of the Interior, or any other Fed-
14 eral department or agency.

15 (4) FOOD SECURITY.—The term “food secu-
16 rity” means access to, and availability, utilization,
17 and stability of, sufficient food to meet caloric and
18 nutritional needs for an active and healthy life.

19 (5) GLOBAL RECORD OF FISHING VESSELS, RE-
20 FRIGERATED TRANSPORT VESSELS, AND SUPPLY
21 VESSELS.—The term “global record of fishing ves-
22 sels, refrigerated transport vessels, and supply ves-
23 sels” means the Food and Agriculture Organization
24 of the United Nations’ initiative to rapidly make

1 available certified data from state authorities about
2 vessels and vessel related activities.

3 (6) IUU FISHING.—The term “IUU fishing”
4 means illegal fishing, unreported fishing, or unregu-
5 lated fishing (as such terms are defined in para-
6 graph 3 of the International Plan of Action to Pre-
7 vent, Deter, and Eliminate Illegal, Unreported and
8 Unregulated Fishing, adopted at the 24th Session of
9 the Committee on Fisheries in Rome on March 2,
10 2001).

11 (7) PORT STATE MEASURES AGREEMENT.—The
12 term “Port State Measures Agreement” means the
13 Agreement on Port State Measures to Prevent,
14 Deter, and Eliminate Illegal, Unreported, and Un-
15 regulated Fishing set forth by the Food and Agri-
16 culture Organization of the United Nations, done at
17 Rome, Italy November 22, 2009, and entered into
18 force June 5, 2016, which offers standards for re-
19 porting and inspecting fishing activities of foreign-
20 flagged fishing vessels at port.

21 (8) PRIORITY FLAG STATE.—The term “priority
22 flag state” means a country selected in accordance
23 with section 202(b)(3)—

1 (A) whereby the flagged vessels of which
2 actively engage in, knowingly profit from, or are
3 complicit in IUU fishing; and

4 (B) that is willing, but lacks the capacity,
5 to monitor or take effective enforcement action
6 against its fleet.

7 (9) PRIORITY REGION.—The term “priority re-
8 gion” means a region selected in accordance with
9 section 202(b)(2)—

10 (A) that is at high risk for IUU fishing ac-
11 tivity or the entry of illegally caught seafood
12 into the markets of countries in the region; and

13 (B) in which countries lack the capacity to
14 fully address the illegal activity described in
15 subparagraph (A).

16 (10) REGIONAL FISHERIES MANAGEMENT OR-
17 GANIZATION.—The term “Regional Fisheries Man-
18 agement Organization” means an intergovernmental
19 fisheries organization or arrangement, as appro-
20 priate, that has the competence to establish con-
21 servation and management measures.

22 (11) SEAFOOD.—The term “seafood”—

23 (A) means marine finfish, mollusks, crus-
24 taceans, and all other forms of marine animal
25 and plant life, including those grown, produced,

1 or reared through marine aquaculture oper-
2 ations or techniques; and

3 (B) does not include marine mammals or
4 birds.

5 (12) SEAFOOD FRAUD.—The term “seafood
6 fraud” means the knowing mislabeling or misrepre-
7 sentation of information regarding seafood or sea-
8 food products with the intent to deceive or defraud.

9 (13) SEAFOOD TRACEABILITY PROGRAM.—The
10 term “seafood traceability program” means any pro-
11 gram implemented by the National Oceanic and At-
12 mospheric Administration (such as the Seafood Im-
13 port Monitoring Program) that requires, with re-
14 spect to seafood and seafood products imported into
15 the United States—

16 (A) permitting, data reporting, and record-
17 keeping to prevent illegal, unreported, unregu-
18 lated, or misrepresented seafood from entering
19 United States commerce; and

20 (B) verifying the chain of custody of such
21 seafood, from harvest to point of entry into the
22 United States.

23 (14) TRANSNATIONAL ORGANIZED ILLEGAL AC-
24 TIVITY.—The term “transnational organized illegal
25 activity” means criminal activity conducted by self-

1 perpetuating associations of individuals who operate
2 transnationally for the purpose of obtaining power,
3 influence, or monetary or commercial gains, wholly
4 or in part by illegal means, while protecting their ac-
5 tivities through a pattern of corruption or violence
6 or through a transnational organizational structure
7 and the exploitation of transnational commerce or
8 communication mechanisms.

9 (15) TRANSSHIPMENT.—The term “trans-
10 shipment” means the use of refrigerated vessels
11 that—

12 (A) collect catch from multiple fishing
13 boats;

14 (B) carry the accumulated catches back to
15 port; and

16 (C) deliver supplies to fishing boats, which
17 allows fishing vessels to remain at sea for ex-
18 tended periods without coming into port.

19 **SEC. 3523. FINDINGS.**

20 Congress makes the following findings:

21 (1) In a report titled, “Global Implications of
22 Illegal, Unreported, and Unregulated (IUU) Fish-
23 ing”, the Office of the Director of National Intel-
24 ligence identified IUU fishing as—

1 (A) a threat to the national security of the
2 United States; and

3 (B) a challenge to peace and stability in
4 regions of importance to the United States.

5 (2) Executive Order 13773 (82 Fed. Reg.
6 10691), issued on February 9, 2017, calls for a
7 comprehensive approach by the Federal Government
8 to combat crime syndicates, including transnational
9 organized illegal activities that may be associated
10 with IUU fishing.

11 (3) It is estimated that the value of IUU fish-
12 ing may exceed \$1,000,000,000 annually in unlawful
13 or undocumented revenue and may sometimes be
14 linked to transnational organized illegal activities,
15 including weapons, drug, and human trafficking.

16 (4) IUU fishing—

17 (A) undermines the business of legitimate
18 workers in the seafood industry; and

19 (B) can create inaccurate population esti-
20 mates for fish and other seafood species.

21 (5) Marine fisheries employ millions of people
22 worldwide, the livelihoods of whom can be negatively
23 impacted by IUU fishing and associated
24 transnational organized illegal activities.

1 (6) IUU fishing vessels play a significant role
2 in other forms of trafficking, particularly drug traf-
3 ficking. The Department of Justice has documented
4 numerous cases of illicit fishing ships involved in
5 trafficking cocaine, heroin, and cannabis from South
6 America to the United States.

7 (7) By introducing cheaper, illegal products
8 into the global market, IUU fishing undercuts the
9 business and economic livelihoods of legitimate fish-
10 ermen in the United States and around the world.

11 (8) In the United States and around the world,
12 seafood fraud undermines the economic viability of
13 fisheries and deceives consumers about their pur-
14 chasing choices.

15 (9) Competition over seafood resources can lead
16 to heightened tensions, conflict, and geostrategic in-
17 stability in regions of importance to the United
18 States.

19 **SEC. 3524. PURPOSES.**

20 The purposes of this subtitle are—

21 (1) to support a whole-of-government approach
22 across the Federal Government to counter IUU fish-
23 ing and related threats to maritime security;

1 (2) to improve data sharing that enhances sur-
2 veillance, enforcement, and prosecution against IUU
3 fishing and related activities at a global level;

4 (3) to support coordination and collaboration to
5 counter IUU fishing and seafood fraud within pri-
6 ority regions;

7 (4) to increase and improve global transparency
8 and traceability across the seafood supply chain as—

9 (A) a deterrent to IUU fishing and seafood
10 fraud;

11 (B) a tool for strengthening fisheries man-
12 agement and food security; and

13 (C) an approach to enhancing the imple-
14 mentation of United States seafood traceability
15 programs;

16 (5) to improve global enforcement operations
17 against IUU fishing through a whole-of-government
18 approach by the United States; and

19 (6) to prevent the use of IUU fishing as a fi-
20 nancing source for transnational organized groups
21 that undermine United States and global security in-
22 terests.

23 **SEC. 3525. STATEMENT OF POLICY.**

24 It is the policy of the United States—

1 (1) to take action to curtail the global trade in
2 seafood and seafood products derived from IUU
3 fishing, including its links to forced labor and
4 transnational organized illegal activity;

5 (2) to develop holistic diplomatic, military, law
6 enforcement, economic, and capacity-building tools
7 to counter IUU fishing;

8 (3) to provide technical and other forms of as-
9 sistance to countries in priority regions and priority
10 flag states to combat IUU fishing and seafood fraud,
11 including assistance—

12 (A) to increase local, national, and regional
13 level capacities to counter IUU fishing through
14 the engagement of law enforcement and secu-
15 rity forces;

16 (B) to enhance port capacity and security,
17 including through support to implement the
18 Port State Measures Agreement;

19 (C) to combat corruption and increase
20 transparency and traceability in fisheries man-
21 agement and trade;

22 (D) to enhance information sharing within
23 and across governments and multilateral orga-
24 nizations through the development and use of
25 agreed standards for information sharing; and

1 (E) to support effective, science-based fish-
2 eries management regimes that promote legal
3 and safe fisheries and act as a deterrent to
4 IUU fishing;

5 (4) to promote global maritime security through
6 improved capacity and technological assistance to
7 support improved maritime domain awareness;

8 (5) to engage with priority flag states to en-
9 courage the use of high quality vessel tracking tech-
10 nologies;

11 (6) to engage with multilateral organizations
12 working on fisheries issues, including Regional Fish-
13 eries Management Organizations and the Food and
14 Agriculture Organization of the United Nations, to
15 combat and deter IUU fishing;

16 (7) to advance information sharing across gov-
17 ernments and multilateral organizations in areas
18 that cross multiple jurisdictions, through the devel-
19 opment and use of an agreed standard for informa-
20 tion sharing;

21 (8) to continue to use existing and future trade
22 agreements to combat IUU fishing and seafood
23 fraud;

24 (9) to employ appropriate assets and resources
25 of the United States Government in a coordinated

1 manner to disrupt the illicit networks involved in
2 IUU fishing;

3 (10) to continue to declassify and make avail-
4 able, as appropriate and practicable, technologies de-
5 veloped by the United States Government that can
6 be used to help counter IUU fishing;

7 (11) to recognize the ties of IUU fishing to
8 transnational organized illegal activity, including
9 human trafficking and illegal trade in narcotics and
10 arms, and as applicable, to focus on illicit activity in
11 a coordinated, cross-cutting manner;

12 (12) to recognize and respond to poor working
13 conditions, labor abuses, and other violent crimes in
14 the fishing industry;

15 (13) to increase and improve global trans-
16 parency and traceability along the seafood supply
17 chain as—

18 (A) a deterrent to IUU fishing and seafood
19 fraud; and

20 (B) an approach for strengthening fish-
21 eries management and food security; and

22 (14) to promote technological investment and
23 innovation to combat IUU fishing and seafood
24 fraud.

1 **PART 1—PROGRAMS TO COMBAT IUU FISHING**
2 **AND INCREASE MARITIME SECURITY**
3 **SEC. 3531. COORDINATION WITH INTERNATIONAL ORGANI-**
4 **ZATIONS.**

5 The Secretary of State, in conjunction with the Sec-
6 retary of Commerce, shall coordinate with Regional Fish-
7 eries Management Organizations and the Food and Agri-
8 culture Organization of the United Nations, and may co-
9 ordinate with other relevant international governmental or
10 nongovernmental organizations, or the private sector, as
11 appropriate, to enhance regional responses to IUU fishing
12 and related transnational organized illegal activities.

13 **SEC. 3532. ENGAGEMENT OF DIPLOMATIC MISSIONS OF**
14 **THE UNITED STATES.**

15 Not later than 1 year after the date of the enactment
16 of this Act, each chief of mission (as defined in section
17 102 of the Foreign Service Act of 1980 (22 U.S.C. 3902))
18 to a relevant country in a priority region or to a priority
19 flag state may, if the Secretary of State determines such
20 action is appropriate—

21 (1) convene a working group, led by Depart-
22 ment of State officials, to examine IUU fishing,
23 which may include stakeholders such as—

24 (A) United States officials from relevant
25 agencies participating in the interagency work-
26 ing group identified in section 201, foreign offi-

1 cials, nongovernmental organizations, the pri-
2 vate sector, and representatives of local fisher-
3 men in the region; and

4 (B) experts on IUU fishing, law enforce-
5 ment, criminal justice, transnational organized
6 illegal activity, defense, intelligence, vessel
7 movement monitoring, and international devel-
8 opment operating in or with knowledge of the
9 region; and

10 (2) designate a counter-IUU Fishing Coordi-
11 nator from among existing personnel at the mission
12 if the chief of mission determines such action is ap-
13 propriate.

14 **SEC. 3533. ASSISTANCE BY FEDERAL AGENCIES TO IM-**
15 **PROVE LAW ENFORCEMENT WITHIN PRI-**
16 **ORITY REGIONS AND PRIORITY FLAG STATES.**

17 (a) IN GENERAL.—The Secretary of State, in collabo-
18 ration with the Secretary of Commerce and the Secretary
19 of the department in which the Coast Guard is operating,
20 shall provide assistance, as appropriate, in accordance
21 with this section.

22 (b) LAW ENFORCEMENT TRAINING AND COORDINA-
23 TION ACTIVITIES.—The officials referred to in subsection
24 (a) shall evaluate opportunities to provide assistance, as
25 appropriate, to countries in priority regions and priority

1 flag states to improve the effectiveness of IUU fishing en-
2 forcement, with clear and measurable targets and indica-
3 tors of success, including—

4 (1) by assessing and using existing resources,
5 enforcement tools, and legal authorities to coordi-
6 nate efforts to combat IUU fishing with efforts to
7 combat other illegal trade, including weapons, drugs,
8 and human trafficking;

9 (2) by expanding existing IUU fishing enforce-
10 ment training;

11 (3) by providing targeted, country- and region-
12 specific training on combating IUU fishing;

13 (4) by supporting increased effectiveness and
14 transparency of the fisheries enforcement sectors of
15 the governments of such countries; and

16 (5) by supporting increased outreach to stake-
17 holders in the affected communities as key partners
18 in combating and prosecuting IUU fishing.

19 (c) PORT SECURITY ASSISTANCE.—The officials re-
20 ferred to in subsection (a) shall evaluate opportunities to
21 provide assistance, as appropriate, to countries in priority
22 regions and priority flag states to help those states imple-
23 ment programs related to port security and capacity for
24 the purposes of preventing IUU fishing products from en-

1 tering the global seafood market, including support for im-
2 plementing the Port State Measures Agreement.

3 (d) CAPACITY BUILDING FOR INVESTIGATIONS AND
4 PROSECUTIONS.—The officials referred to in subsection
5 (a), in collaboration with the governments of countries in
6 priority regions and of priority flag states, shall evaluate
7 opportunities to assist those countries in designing and
8 implementing programs in such countries, as appropriate,
9 to increase the capacity of IUU fishing enforcement and
10 customs and border security officers to improve their abil-
11 ity—

12 (1) to conduct effective investigations, including
13 using law enforcement techniques such as under-
14 cover investigations and the development of informer
15 networks and actionable intelligence;

16 (2) to conduct vessel boardings and inspections
17 at sea and associated enforcement actions;

18 (3) to exercise existing shiprider agreements
19 and to enter into and implement new shiprider
20 agreements, as appropriate;

21 (4) to conduct vessel inspections at port and as-
22 sociated enforcement actions;

23 (5) to assess technology needs and promote the
24 use of technology to improve monitoring, enforce-
25 ment, and prosecution of IUU fishing;

1 (6) to conduct DNA-based and forensic identi-
2 fication of seafood used in trade;

3 (7) to conduct training on techniques, such as
4 collecting electronic evidence and using computer
5 forensics, for law enforcement personnel involved in
6 complex investigations related to international mat-
7 ters, financial issues, and government corruption
8 that include IUU fishing;

9 (8) to assess financial flows and the use of fi-
10 nancial institutions to launder profits related to IUU
11 fishing;

12 (9) to conduct training on the legal mechanisms
13 that can be used to prosecute those identified in the
14 investigations as alleged perpetrators of IUU fishing
15 and other associated crimes such as trafficking and
16 forced labor; and

17 (10) to conduct training to raise awareness of
18 the use of whistleblower information and ways to
19 incentivize whistleblowers to come forward with
20 original information related to IUU fishing.

21 (e) CAPACITY BUILDING FOR INFORMATION SHAR-
22 ING.—The officials referred to in subsection (a) shall
23 evaluate opportunities to provide assistance, as appro-
24 priate, to key countries in priority regions and priority flag
25 states in the form of training, equipment, and systems de-

1 velopment to build capacity for information sharing re-
2 lated to maritime enforcement and port security.

3 (f) COORDINATION WITH OTHER RELEVANT AGEN-
4 CIES.—The Secretary of State, in collaboration with the
5 Secretary of the department in which the Coast Guard is
6 operating and the Secretary of Commerce, shall coordinate
7 with other relevant agencies, as appropriate, in accordance
8 with this section.

9 **SEC. 3534. EXPANSION OF EXISTING MECHANISMS TO COM-**
10 **BAT IUU FISHING.**

11 (a) IN GENERAL.—The Secretary of State, the Ad-
12 ministrator of the United States Agency for International
13 Development, the Secretary of the Department in which
14 the Coast Guard is operating, the Secretary of Defense,
15 the Secretary of Commerce, the Attorney General, and the
16 heads of other appropriate Federal agencies shall assess
17 opportunities to combat IUU fishing by expanding, as ap-
18 propriate, the use of the following mechanisms:

19 (1) Including counter-IUU fishing in existing
20 shiprider agreements in which the United States is
21 a party.

22 (2) Entering into shiprider agreements that in-
23 clude counter-IUU fishing with priority flag states
24 and countries in priority regions with which the

1 United States does not already have such an agree-
2 ment.

3 (3) Including counter-IUU fishing as part of
4 the mission of the Combined Maritime Forces.

5 (4) Including counter-IUU fishing exercises in
6 the annual at-sea exercises conducted by the Depart-
7 ment of Defense, in coordination with the United
8 States Coast Guard.

9 (5) Creating partnerships similar to the Oce-
10 ania Maritime Security Initiative and the Africa
11 Maritime Law Enforcement Partnership in other
12 priority regions.

13 (6) Creating incentives for informants.

14 (b) EXPANSION OF SEAFOOD IMPORT MONITORING
15 PROGRAM.—The National Oceanic and Atmospheric Ad-
16 ministration shall, within 3 years, expand the Seafood Im-
17 port Program to apply to all seafood imports to the United
18 States.

19 (c) INCENTIVES FOR INFORMANTS.—

20 (1) IN GENERAL.—Any person who reports a
21 violation of an IUU fishing law, rule, or regulation
22 may apply to the Department of Justice for a re-
23 ward.

24 (2) APPLICABLE PROCEDURES.—

1 (A) IN GENERAL.—Except as provided in
2 subparagraph (B), the procedures set forth in
3 section 7623(b) of the Internal Revenue Code
4 of 1986 (except for paragraph (5)) shall apply
5 to any application under paragraph (1).

6 (B) EXCEPTIONS.—

7 (i) JUDICIAL REVIEW.—An informant
8 who applies for a reward under paragraph
9 (1) may seek judicial review of a decision
10 by the Department of Justice in the appro-
11 priate United States District Court.

12 (ii) AMOUNT OF REWARD.—Proceeds
13 payable to an informant under this sub-
14 section shall include any civil, criminal, or
15 administrative monetary sanction paid to
16 the Federal Government in any IUU fish-
17 ing case or related action.

18 (iii) PAYMENT DEADLINE.—Not later
19 than 90 days after the payment of the pro-
20 ceeds described in clause (ii), the Attorney
21 General shall pay the informant who is eli-
22 gible for a reward under this subsection.

1 **SEC. 3535. IMPROVEMENT OF TRANSPARENCY AND**
2 **TRACEABILITY PROGRAMS.**

3 The Secretary of State, the Administrator of the
4 United States Agency for International Development, the
5 Secretary of the Department in which the Coast Guard
6 is operating, the Secretary of Commerce, and the heads
7 of other Federal agencies, if merited, shall work, as appro-
8 priate, with priority flag states and key countries in pri-
9 ority regions—

10 (1) to increase knowledge within such countries
11 about the United States transparency and
12 traceability standards for imports of seafood and
13 seafood products;

14 (2) to improve the capacity of seafood indus-
15 tries within such countries through information
16 sharing and training to meet the requirements of
17 Seafood Import Monitoring Program or similar
18 transparency and traceability standards for seafood
19 and seafood product imports, including catch docu-
20 mentation and trade tracking programs adopted by
21 relevant regional fisheries management organiza-
22 tions;

23 (3) to improve the capacities of government, in-
24 dustry, and civil society groups to develop and imple-
25 ment comprehensive traceability systems that—

26 (A) deter IUU fishing;

1 (B) strengthen fisheries management; and

2 (C) enhance maritime domain awareness;

3 (4) to support the implementation of seafood
4 traceability standards in such countries to prevent
5 IUU fishing products from entering the global sea-
6 food market and assess capacity and training needs
7 in those countries;

8 (5) to utilize harvest, landing, vessel tracking,
9 and other relevant data that may be collected in re-
10 sponse to requirements of seafood traceability pro-
11 grams—

12 (A) to improve fisheries dependent data
13 systems; and

14 (B) to achieve sound management and con-
15 servation of fisheries resources; and

16 (6) to address, as appropriate, broader under-
17 lying causes of IUU fishing, including weak policies
18 and systems, domestic resourcing, and corruption.

19 **SEC. 3536. TECHNOLOGY PROGRAMS.**

20 The Secretary of State, the Administrator of the
21 United States Agency for International Development, the
22 Secretary of the Department in which the Coast Guard
23 is operating, the Secretary of Defense, the Secretary of
24 Commerce, and the heads of other Federal agencies, as
25 appropriate, shall pursue programs to expand the role of

1 technology for combating IUU fishing and seafood fraud,
2 including by—

3 (1) promoting the use of technology to combat
4 IUU fishing and seafood fraud;

5 (2) assessing the technology needs, including
6 vessel tracking technologies and data sharing, in pri-
7 ority regions and priority flag states;

8 (3) engaging with priority flag states to encour-
9 age the mandated use of vessel tracking tech-
10 nologies, including vessel monitoring systems, AIS,
11 or other vessel movement monitoring technologies on
12 fishing vessels and transshipment vessels at all
13 times, as appropriate, while at sea as a means to
14 identify IUU fishing activities and the shipment of
15 illegally caught fish products; and

16 (4) building partnerships with the private sec-
17 tor, including universities, nonprofit research organi-
18 zations, the seafood industry, and the technology,
19 transportation and logistics sectors, to leverage new
20 and existing technologies and data analytics to ad-
21 dress IUU fishing and seafood fraud.

22 **SEC. 3537. INFORMATION SHARING.**

23 The Director of National Intelligence, in conjunction
24 with other agencies, as appropriate, shall develop an enter-
25 prise approach to appropriately share information and

1 data within the United States Government or with other
2 countries or nongovernmental organizations, or the private
3 sector, as appropriate, on IUU fishing and other con-
4 nected transnational organized illegal activity occurring in
5 priority regions and elsewhere, including big data analytics
6 and machine learning.

7 **PART 2—ESTABLISHMENT OF INTERAGENCY**
8 **WORKING GROUP ON IUU FISHING AND SEA-**
9 **FOOD FRAUD**

10 **SEC. 3541. INTERAGENCY WORKING GROUP ON IUU FISH-**
11 **ING AND SEAFOOD FRAUD.**

12 (a) IN GENERAL.—There is established a collabo-
13 rative interagency working group on maritime security,
14 IUU fishing, and seafood fraud (referred to in this part
15 as the “Working Group”).

16 (b) MEMBERS.—The members of the Working Group
17 shall be composed of—

18 (1) 1 chair, who shall be appointed by the Com-
19 mandant of the United States Coast Guard;

20 (2) 2 deputy chairs, who shall be appointed by
21 their respective agency heads, from—

22 (A) the Department of State; and

23 (B) the National Oceanic and Atmospheric
24 Administration;

1 (3) 12 members, who shall be appointed by
2 their respective agency heads, from—

3 (A) the Department of Defense;

4 (B) the United States Navy;

5 (C) the United States Agency for Inter-
6 national Development;

7 (D) the United States Fish and Wildlife
8 Service;

9 (E) the Department of Justice;

10 (F) the Department of the Treasury;

11 (G) U.S. Customs and Border Protection;

12 (H) U.S. Immigration and Customs En-
13 forcement;

14 (I) the Federal Trade Commission;

15 (J) the National Institute of Food and Ag-
16 riculture;

17 (K) the Food and Drug Administration;

18 and

19 (L) the Department of Labor;

20 (4) 1 or more members from the intelligence
21 community, who shall be appointed by the Director
22 of National Intelligence; and

23 (5) 5 members, who shall be appointed by the
24 President, from—

25 (A) the National Security Council;

1 (B) the Council on Environmental Quality;
2 (C) the Office of Management and Budget;
3 (D) the Office of Science and Technology
4 Policy; and
5 (E) the Office of the United States Trade
6 Representative.

7 (c) RESPONSIBILITIES.—The Working Group shall
8 ensure an integrated, Federal Government-wide response
9 to IUU fishing and seafood fraud globally, including by—

10 (1) improving the coordination of Federal agen-
11 cies to identify, interdict, investigate, prosecute, and
12 dismantle IUU fishing operations and organizations
13 perpetrating and knowingly benefitting from IUU
14 fishing and seafood fraud in the United States and
15 abroad;

16 (2) assessing areas for increased interagency in-
17 formation sharing on matters related to IUU fishing
18 and related crimes;

19 (3) establishing standards for information shar-
20 ing related to maritime enforcement;

21 (4) developing a strategy to determine how mili-
22 tary assets and intelligence can contribute to en-
23 forcement strategies to combat IUU fishing;

24 (5) increasing maritime domain awareness re-
25 lating to IUU fishing and related crimes and devel-

1 oping a strategy to leverage awareness for enhanced
2 enforcement and prosecution actions against IUU
3 fishing;

4 (6) supporting the implementation of the Port
5 State Measures Agreement in relevant countries and
6 assessing the capacity and training needs in such
7 countries;

8 (7) outlining a strategy to coordinate, increase,
9 and use shiprider agreements between the Depart-
10 ment of Defense or the Coast Guard and relevant
11 countries;

12 (8) enhancing cooperation with partner govern-
13 ments to combat IUU fishing and seafood fraud;

14 (9) identifying opportunities for increased infor-
15 mation sharing between Federal agencies and part-
16 ner governments working to combat IUU fishing and
17 seafood fraud;

18 (10) consulting and coordinating with the sea-
19 food industry and nongovernmental stakeholders
20 that work to combat IUU fishing and seafood fraud;

21 (11) supporting the work of collaborative inter-
22 national initiatives to make available certified data
23 from State authorities about vessel and vessel-re-
24 lated activities related to IUU fishing;

1 (12) supporting the identification and certifi-
2 cation procedures to address IUU fishing in accord-
3 ance with the High Seas Driftnet Fishing Morato-
4 rium Protection Act (16 U.S.C. 1826d et seq.); and
5 (13) developing a strategy for raising domestic
6 awareness of the issues relating to IUU fishing and
7 seafood fraud, including publishing annual reports
8 summarizing nonsensitive information about the
9 Working Group's efforts to investigate, enforce, and
10 prosecute groups and individuals engaging in IUU
11 fishing and seafood fraud.

12 **SEC. 3542. STRATEGIC PLAN.**

13 (a) STRATEGIC PLAN.—Not later than 2 years after
14 the date of the enactment of this Act, the Working Group
15 shall submit to Congress a 5-year integrated strategic plan
16 on combating IUU fishing and enhancing maritime secu-
17 rity, including specific strategies with monitoring bench-
18 marks for addressing IUU fishing in priority regions.

19 (b) IDENTIFICATION OF PRIORITY REGIONS AND
20 PRIORITY FLAG STATES.—

21 (1) IN GENERAL.—The strategic plan submitted
22 under subsection (a) shall identify priority regions
23 and priority flag states to be the focus of assistance
24 coordinated by the Working Group under section
25 201.

1 (2) PRIORITY REGION SELECTION CRITERIA.—

2 In selecting priority regions under paragraph (1),
3 the Working Group shall select regions that—

4 (A) are at high risk for IUU fishing activ-
5 ity or the entry of illegally caught seafood into
6 their markets; and

7 (B) lack the capacity to fully address the
8 issues described in subparagraph (A).

9 (3) PRIORITY FLAG STATES SELECTION CRI-
10 TERIA.—In selecting priority flag states under para-
11 graph (1), the Working Group shall select coun-
12 tries—

13 (A) the flagged vessels of which actively
14 engage in, knowingly profit from, or are
15 complicit in IUU fishing; and

16 (B) that are willing, but lack the capacity,
17 to police their fleet.

18 **SEC. 3543. REPORTS.**

19 Not later than 5 years after the submission of the
20 5-year integrated strategic plan under section 202, and
21 every 5 years thereafter, the Working Group shall submit
22 a report to the Committee on Commerce, Science, and
23 Transportation of the Senate, the Committee on Foreign
24 Relations of the Senate, the Committee on Appropriations
25 of the Senate, the Committee on Natural Resources of the

1 House of Representatives, the Committee on Foreign Af-
2 fairs of the House of Representatives, and the Committee
3 on Appropriations of the House of Representatives that
4 contains—

5 (1) a summary of global and regional trends in
6 IUU fishing and seafood fraud;

7 (2) an assessment of the extent of the conver-
8 gence between transnational organized illegal activ-
9 ity, including human trafficking and forced labor,
10 and IUU fishing;

11 (3) an assessment of the topics, data sources,
12 and strategies that would benefit from increased in-
13 formation sharing and recommendations regarding
14 harmonization of data collection and sharing;

15 (4) an assessment of assets, including military
16 assets and intelligence, which can be used for either
17 enforcement operations or strategies to combat IUU
18 fishing;

19 (5) summaries of the situational threats with
20 respect to IUU fishing in priority regions and an as-
21 sessment of the capacity of countries within such re-
22 gions to respond to those threats;

23 (6) an assessment of the progress of countries
24 in priority regions in responding to those threats as
25 a result of assistance by the United States pursuant

1 to the strategic plan developed under section 202,
2 including—

3 (A) the identification of—

4 (i) relevant supply routes, ports of
5 call, methods of landing and entering ille-
6 gally caught product into legal supply
7 chains, and financial institutions used in
8 each country by participants engaging in
9 IUU fishing; and

10 (ii) indicators of IUU fishing that are
11 related to money laundering;

12 (B) an assessment of the adherence of
13 countries in priority regions to international
14 treaties related to IUU fishing, including the
15 Port State Measures Agreement;

16 (C) an assessment of the implementation
17 by countries in priority regions of seafood
18 traceability or capacity to apply traceability to
19 verify the legality of catch and strengthen fish-
20 eries management;

21 (D) an assessment of the capacity of coun-
22 tries in priority regions to implement shiprider
23 agreements;

1 (E) an assessment of the capacity of coun-
2 tries in priority regions to increase maritime
3 domain awareness; and

4 (F) an assessment of the capacity of gov-
5 ernments of relevant countries in priority re-
6 gions to sustain the programs for which the
7 United States has provided assistance under
8 this subtitle;

9 (7) an assessment of the capacity of priority
10 flag states to track the movement of and police their
11 fleet, prevent their flagged vessels from engaging in
12 IUU fishing, and enforce applicable laws and regula-
13 tions; and

14 (8) an assessment of the extent of involvement
15 in IUU fishing of organizations designated as for-
16 eign terrorist organizations under section 219 of the
17 Immigration and Nationality Act (8 U.S.C. 1189).

18 **SEC. 3544. GULF OF MEXICO IUU FISHING SUBWORKING**
19 **GROUP.**

20 (a) IN GENERAL.—Not later than 90 days after the
21 date of the enactment of this Act, the Administrator of
22 the National Oceanic and Atmospheric Administration, in
23 coordination with the Coast Guard and the Department
24 of State, shall establish a subworking group to address

1 IUU fishing in the exclusive economic zone of the United
2 States in the Gulf of Mexico.

3 (b) FUNCTIONS.—The subworking group established
4 under subsection (a) shall identify—

5 (1) Federal actions taken and policies estab-
6 lished during the 5-year period immediately pre-
7 ceding the date of the enactment of this Act with re-
8 spect to IUU fishing in the exclusive economic zone
9 of the United States in the Gulf of Mexico, including
10 such actions and policies related to—

11 (A) the surveillance, interdiction, and pros-
12 ecution of any foreign nationals engaged in
13 such fishing; and

14 (B) the application of the provisions of the
15 High Seas Driftnet Fishing Moratorium Protec-
16 tion Act (16 U.S.C. 1826d et seq.) to any rel-
17 evant nation, including the status of any past
18 or ongoing consultations and certification proce-
19 dures;

20 (2) actions and policies, in addition to the ac-
21 tions and policies described in paragraph (1), each
22 of the Federal agencies described in subsection (a)
23 can take, using existing resources, to combat IUU
24 fishing in the exclusive economic zone of the United
25 States in the Gulf of Mexico; and

1 (3) any additional authorities that could assist
2 each such agency in more effectively addressing such
3 IUU fishing.

4 (c) REPORT.—Not later than 1 year after the IUU
5 Fishing Subworking Group is established under subsection
6 (a), the group shall submit a report to the Committee on
7 Commerce, Science, and Transportation of the Senate and
8 the Committee on Natural Resources of the House of Rep-
9 resentatives that contains—

10 (1) the findings identified pursuant to sub-
11 section (b); and

12 (2) a timeline for each of the Federal agencies
13 described in subsection (a) to implement each action
14 or policy identified pursuant to subsection (b)(2).

15 **PART 3—COMBATING HUMAN TRAFFICKING IN**
16 **CONNECTION WITH THE CATCHING AND**
17 **PROCESSING OF SEAFOOD PRODUCTS**

18 **SEC. 3551. FINDING.**

19 Congress finds that human trafficking is a pervasive
20 problem in the catching and processing of certain seafood
21 products imported into the United States, particularly sea-
22 food products obtained through illegal, unreported, and
23 unregulated fishing.

1 **SEC. 3552. ADDING THE SECRETARY OF COMMERCE TO THE**
2 **INTERAGENCY TASK FORCE TO MONITOR**
3 **AND COMBAT TRAFFICKING.**

4 Section 105(b) of the Victims of Trafficking and Vio-
5 lence Protection Act of 2000 (22 U.S.C. 7103(b)) is
6 amended by inserting “the Secretary of Commerce,” after
7 “the Secretary of Education,”.

8 **SEC. 3553. HUMAN TRAFFICKING IN THE SEAFOOD SUPPLY**
9 **CHAIN REPORT.**

10 (a) IN GENERAL.—Not later than 1 year after the
11 date of the enactment of this Act, the Administrator of
12 the National Oceanic and Atmospheric Administration
13 and the Commissioner of the Food and Drug Administra-
14 tion shall jointly submit a report to Congress that de-
15 scribes the existence of human trafficking in the supply
16 chains of seafood products imported into the United
17 States.

18 (b) REPORT ELEMENTS.—The report required under
19 subsection (a) shall include—

20 (1) a list of the countries at risk for human
21 trafficking in their seafood catching and processing
22 industries, and an assessment of such risk for each
23 listed country;

24 (2) a description of the quantity and economic
25 value of seafood products imported into the United

1 States from the countries on the list compiled pursu-
2 ant to paragraph (1);

3 (3) a description and assessment of the meth-
4 ods, if any, in the countries on the list compiled pur-
5 suant to paragraph (1) to trace and account for the
6 manner in which seafood is caught;

7 (4) a description of domestic and international
8 enforcement mechanisms to deter illegal practices in
9 the catching of seafood in the countries on the list
10 compiled pursuant to paragraph (1); and

11 (5) such recommendations as the Administrator
12 and the Commissioner jointly consider appropriate
13 for legislative or administrative action to enhance
14 and improve actions against human trafficking in
15 the catching and processing of seafood products out-
16 side of United States waters.

17 **PART 4—AUTHORIZATION OF APPROPRIATIONS**

18 **SEC. 3561. AUTHORIZATION OF APPROPRIATIONS.**

19 There are authorized to be appropriated such sums
20 as may be necessary to carry out the activities required
21 under this subtitle.

