

AMENDMENT TO RULES COMM. PRINT 119-33

OFFERED BY M__. _____

At the end of subtitle B of title XVII, add the following:

1 **SEC. 17 . SANCTIONS.**

2 (a) SANCTIONS WITH RESPECT TO FOREIGN PER-
3 SONS.—The President shall impose the sanctions de-
4 scribed in subsection (e) with respect to any foreign person
5 that knowingly—

6 (1) owns any vessel that engages in IUU fish-
7 ing;

8 (2) works as a captain or senior crew member
9 on such a vessel;

10 (3) operates as an entity primarily engaged in
11 IUU fishing; or

12 (4) serves as an officer or senior manager in an
13 entity primarily engaged in IUU fishing.

14 (b) SANCTIONS WITH RESPECT TO FOREIGN VES-
15 SELS.—The President shall impose the sanctions de-
16 scribed in subsection (e) with respect to any foreign vessel
17 that engages in IUU fishing.

18 (c) REPORT.—Not later than 180 days after the date
19 of enactment of this Act, and annually thereafter for five

1 years, the President shall submit to the appropriate com-
2 mittees a report that—

3 (1) describes all efforts to carry out the require-
4 ments of subsections (a) and (b); and

5 (2) lists all foreign persons and foreign vessels
6 sanctioned thereunder.

7 (d) SANCTIONS PROGRAM REQUIRED.—In carrying
8 out subsection (a) and subsection (b), the President shall
9 direct the creation of an IUU fishing sanctions program.

10 (e) SANCTIONS DESCRIBED.—The sanctions de-
11 scribed in this subsection are the following:

12 (1) ASSET BLOCKING.—Notwithstanding the re-
13 quirements of section 202 of the International
14 Emergency Economic Powers Act (50 U.S.C. 1701),
15 the President may exercise of all powers granted to
16 the President by that Act to the extent necessary to
17 block and prohibit all transactions in all property
18 and interests in property of the foreign person or
19 foreign vessel if such property and interests in prop-
20 erty are in the United States, come within the
21 United States, or are or come within the possession
22 or control of a United States person.

23 (2) VISAS, ADMISSION, OR PAROLE.—

24 (A) IN GENERAL.—An alien who the Sec-
25 retary of State or the Secretary of Homeland

1 Security (or a designee of one of such Secre-
2 taries) knows, or has reason to believe, is de-
3 scribed in subsection (a) is—

4 (i) inadmissible to the United States;

5 (ii) ineligible for a visa or other docu-
6 mentation to enter the United States; and

7 (iii) otherwise ineligible to be admitted
8 or paroled into the United States or to re-
9 ceive any other benefit under the Immigra-
10 tion and Nationality Act (8 U.S.C. 1101 et
11 seq.).

12 (B) CURRENT VISAS REVOKED.—

13 (i) IN GENERAL.—The issuing con-
14 sular officer, the Secretary of State, or the
15 Secretary of Homeland Security (or a des-
16 ignee of one of such Secretaries) shall, in
17 accordance with section 221(i) of the Im-
18 migration and Nationality Act (8 U.S.C.
19 1201(i)), revoke any visa or other entry
20 documentation issued to an alien described
21 in subparagraph (A) regardless of when
22 the visa or other entry documentation is
23 issued.

24 (ii) EFFECT OF REVOCATION.—A rev-
25 ocation under clause (i)—

1 (I) shall take effect immediately;

2 and

3 (II) shall automatically cancel

4 any other valid visa or entry docu-

5 mentation that is in the alien's pos-

6 session.

7 (f) EXCEPTIONS.—

8 (1) EXCEPTION TO COMPLY WITH INTER-
9 NATIONAL OBLIGATIONS.—Sanctions under sub-
10 section (e)(2) shall not apply with respect to the ad-
11 mission of an alien if admitting or paroling the alien
12 into the United States is necessary to permit the
13 United States to comply with the Agreement regard-
14 ing the Headquarters of the United Nations, signed
15 at Lake Success June 26, 1947, and entered into
16 force November 21, 1947, between the United Na-
17 tions and the United States, or other applicable
18 international obligations.

19 (2) EXCEPTION RELATING TO THE PROVISION
20 OF HUMANITARIAN ASSISTANCE.—Sanctions under
21 this section may not be imposed with respect to
22 transactions or the facilitation of transactions for—

23 (A) the sale of agricultural commodities,
24 food, medicine, or medical devices;

1 (B) the provision of humanitarian assist-
2 ance;

3 (C) financial transactions relating to hu-
4 manitarian assistance; or

5 (D) transporting goods or services that are
6 necessary to carry out operations relating to
7 humanitarian assistance.

8 (3) EXCEPTION FOR INTELLIGENCE, LAW EN-
9 FORCEMENT, AND NATIONAL SECURITY ACTIVI-
10 TIES.—Sanctions under this section shall not apply
11 to any authorized intelligence, law enforcement, or
12 national security activities of the United States.

13 (4) EXCEPTION FOR SAFETY OF VESSELS AND
14 CREW.—Sanctions under this section shall not apply
15 with respect to a person providing provisions to a
16 vessel otherwise subject to sanctions under this sec-
17 tion if such provisions are intended for the safety
18 and care of the crew aboard the vessel, the protec-
19 tion of human life aboard the vessel, or the mainte-
20 nance of the vessel to avoid any environmental or
21 other significant damage.

22 (g) IMPLEMENTATION; PENALTIES.—

23 (1) IMPLEMENTATION.—The President may ex-
24 ercise all authorities provided to the President under
25 sections 203 and 205 of the International Emer-

1 agency Economic Powers Act (50 U.S.C. 1702 and
2 1704) to carry out this section.

3 (2) PENALTIES.—The penalties provided for in
4 subsections (b) and (c) of section 206 of the Inter-
5 national Emergency Economic Powers Act (50
6 U.S.C. 1705) shall apply to a person that violates,
7 attempts to violate, conspires to violate, or causes a
8 violation of regulations promulgated to carry out
9 this section to the same extent that such penalties
10 apply to a person who commits an unlawful act de-
11 scribed in section 206(a) of that Act.

12 (h) WAIVER.—The President may waive the applica-
13 tion of sanctions imposed with respect to a foreign person
14 or foreign vessel under this section if the President cer-
15 tifies to the appropriate congressional committees, not
16 later than 15 days before such waiver is to take effect,
17 that the waiver is important to the national security inter-
18 ests of the United States.

19 (i) DEFINITIONS.—In this section:

20 (1) APPROPRIATE CONGRESSIONAL COMMIT-
21 TEES.—The term “appropriate congressional com-
22 mittees” means the Committee on Foreign Affairs of
23 the House of Representatives and the Committee on
24 Foreign Relations of the Senate.

1 (2) FOREIGN PERSON.—The term “foreign per-
2 son” means an individual or entity that is not a
3 United States person.

4 (3) FOREIGN VESSEL.—The term “foreign ves-
5 sel” means a vessel of foreign registry or operated
6 under the authority of a foreign country.

7 (4) IUU FISHING.—The term “IUU fishing”
8 has the meaning given the term in section 3532 of
9 the Maritime SAFE Act (16 U.S.C. 8001).

10 (5) UNITED STATES PERSON.—The term
11 “United States person” means—

12 (A) a United States citizen;

13 (B) a permanent resident alien of the
14 United States;

15 (C) an entity organized under the laws of
16 the United States or of any jurisdiction within
17 the United States, including a foreign branch of
18 such an entity; or

19 (D) a person in the United States.

