

118TH CONGRESS
1ST SESSION

S. 1227

To combat illegal, unreported, and unregulated fishing at its sources globally.

IN THE SENATE OF THE UNITED STATES

APRIL 20, 2023

Mr. SULLIVAN (for himself, Mr. WHITEHOUSE, Ms. MURKOWSKI, Mr. WICKER, and Mr. SCHATZ) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To combat illegal, unreported, and unregulated fishing at its sources globally.

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 “Fighting Foreign Ille-
5 gal Seafood Harvests Act of 2023” or the “FISH Act of
6 2023”.

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

9 (1) ADMINISTRATOR.—Unless otherwise pro-
10 vided, the term “Administrator” means the Adminis-

1 trator of the National Oceanic and Atmospheric Ad-
2 ministration.

3 (2) IUU FISHING.—The term “IUU fishing”
4 means activities described as illegal fishing, unre-
5 ported fishing, and unregulated fishing in paragraph
6 3 of the International Plan of Action to Prevent,
7 Deter, and Eliminate Illegal, Unreported and Un-
8 regulated Fishing, adopted at the 24th Session of
9 the Committee on Fisheries in Rome on March 2,
10 2001.

11 (3) REGIONAL FISHERIES MANAGEMENT ORGA-
12 NIZATION.—The terms “regional fisheries manage-
13 ment organization” and “RFMO” have the meaning
14 given the terms in section 303 of the Port State
15 Measures Agreement Act of 2015 (16 U.S.C. 7402).

16 **SEC. 3. STATEMENT OF POLICY.**

17 It is the policy of the United States to partner, con-
18 sult, and coordinate with foreign governments (at the na-
19 tional and subnational levels), civil society, international
20 organizations, international financial institutions, sub-
21 national coastal communities, commercial and recreational
22 fishing industry leaders, communities that engage in
23 artisanal or subsistence fishing, fishers, and the private
24 sector, in a concerted effort—

1 (1) to continue the broad effort across the Fed-
2 eral Government to counter IUU fishing, including
3 any potential links to forced labor, and related
4 threats to maritime security, as outlined in sections
5 3533 and 3534 of the Maritime SAFE Act (16
6 U.S.C. 8002 and 8003); and

7 (2) to, additionally—

8 (A) prioritize efforts to prevent IUU fish-
9 ing at its sources; and

10 (B) support continued implementation of
11 the Central Arctic Ocean Fisheries agreement,
12 as well as joint research and follow-on actions
13 that ensure sustainability of fish stocks in Arc-
14 tic international waters.

15 **SEC. 4. IUU VESSEL LIST OR BLACK LIST.**

16 (a) IN GENERAL.—

17 (1) ESTABLISHMENT.—The Administrator, in
18 coordination with the Secretary of State and the
19 Commissioner of U.S. Customs and Border Protec-
20 tion, shall establish, publish, and put vessels on a
21 United States IUU vessel list (referred to in this Act
22 as the “black list”) that denies benefits such as port
23 privileges, certain travel through, delivery or receipt
24 of supplies or services, or transshipment in waters
25 within the jurisdiction of the United States, in ac-

1 cordance with customary international law, for ves-
2 sels that have conducted IUU fishing and vessels
3 that have the same owner as a vessel on the black
4 list.

5 (2) COORDINATION.—In carrying out this sec-
6 tion, the Administrator shall coordinate with the
7 Secretary of Commerce to ensure actions taken
8 under this section add to and do not duplicate ac-
9 tions taken pursuant to the High Seas Driftnet
10 Fishing Moratorium Protection Act (16 U.S.C.
11 1826d et seq.) or the Port State Measures Agree-
12 ment Act of 2015 (16 U.S.C. 7401 et seq.)

13 (b) REGULATIONS AND PROCESS.—Not later than 6
14 months after the date of enactment of this Act, the Ad-
15 ministrator shall issue regulations to set a process for es-
16 tablishing, maintaining, implementing, and publishing the
17 black list. The Administrator may add or remove a vessel
18 to or from the black list on the date the vessel becomes
19 eligible for such addition or removal.

20 (c) BASIS TO BE PUT ON BLACK LIST.—The Admin-
21 istrator shall put a vessel on the black list expeditiously
22 if the Administrator demonstrates that there is a reason-
23 able basis to believe that a vessel is any of the following
24 (even if the Administrator has only partial information re-
25 garding the vessel):

1 (1) A vessel listed on an IUU vessel list of an
2 RFMO.

3 (2) A vessel taking part in fishing that under-
4 mines the effectiveness of RFMO management
5 measures on the high seas, including a foreign vessel
6 (defined in section 110 of title 46, United States
7 Code)—

8 (A) exceeding applicable RFMO catch lim-
9 its; or

10 (B) that is operating inconsistent with rel-
11 evant catch allocation arrangements of the
12 RFMO even if operating under the authority of
13 a foreign country that is not a member of the
14 RFMO.

15 (3) A vessel, either on the high seas or in the
16 exclusive economic zone of another country, identi-
17 fied and reported by United States authorities to an
18 RFMO to be conducting IUU fishing when the
19 United States has reason to believe the foreign coun-
20 try to which the vessel is registered or documented
21 is not addressing the allegation.

22 (4) A vessel on the high seas identified and re-
23 ported by United States authorities to be conducting
24 fishing that involves the use of forced labor.

1 (5) A vessel that provides services (excluding
2 emergency or enforcement services) to a vessel that
3 is on the black list, including transshipment, resup-
4 ply, refueling, or pilotage.

5 (6) A foreign vessel (defined in section 110 of
6 title 46, United States Code) that is a fishing vessel
7 engaged in commercial fishing without a permit
8 issued under title II of the Magnuson-Stevens Fish-
9 ery Conservation and Management Act (16 U.S.C.
10 1821 et seq.).

11 (7) A vessel found by U.S. Customs and Border
12 Protection to have had a withhold release order
13 issued pursuant to section 307 of the Tariff Act of
14 1930 (19 U.S.C. 1307), provided that the withhold
15 release order has not been subsequently revoked.

16 (8) A vessel that has the same owner as a ves-
17 sel on the black list at the time of the infraction.

18 (9) A vessel subject to economic sanctions ad-
19 ministered by the Department of the Treasury Of-
20 fice of Foreign Assets Control for transnational
21 criminal activity associated with IUU fishing under
22 Executive Order 13581 (76 Fed. Reg. 44757, 84
23 Fed. Reg. 10255; relating to blocking property of
24 transnational criminal organizations), or any other
25 applicable economic sanctions program.

1 (10) A vessel listed under section 608(c) of the
2 High Seas Driftnet Fishing Moratorium Protection
3 Act (16 U.S.C. 1826i(c)).

4 (d) NOMINATIONS TO BE PUT ON BLACK LIST.—

5 (1) IN GENERAL.—The Administrator may ac-
6 cept nominations for putting a vessel on the black
7 list from—

8 (A) the head of an executive branch agency
9 that is a member of the Interagency Working
10 Group on IUU Fishing established under sec-
11 tion 3551 of the Maritime SAFE Act (16
12 U.S.C. 8031); or

13 (B) a country that is a member of the
14 Combined Maritime Forces.

15 (2) PROCEDURES FOR ADDITION.—The Admin-
16 istrator may put a vessel on the black list only after
17 notification to the vessel’s owner and a review of any
18 information that the owner provides within 90 days
19 of the notification.

20 (e) PUBLIC INFORMATION.—The Administrator shall
21 publish the black list in the Federal Register and on a
22 website and include the following information (as much
23 as is available and confirmed) for each vessel on the list:

24 (1) The name of the vessel.

1 (2) The International Maritime Organization
2 (IMO) number of the vessel.

3 (3) The call sign of the vessel.

4 (4) Each beneficial owner's address of the ves-
5 sel.

6 (5) The country where the vessel is registered
7 or documented, and where it was previously reg-
8 istered if known.

9 (6) The date of inclusion on the black list of the
10 vessel.

11 (7) The Food and Agriculture Organization's
12 global record of the vessel's unique vessel identifica-
13 tion, if applicable.

14 (8) Any other identifying information on the
15 vessel, as determined appropriate by the Adminis-
16 trator.

17 (f) CONSEQUENCES OF BEING BLACK LISTED.—

18 (1) IN GENERAL.—Except for the purposes of
19 inspection and enforcement or in case of force
20 majeure, a vessel on the black list is prohibited
21 from—

22 (A) accessing United States ports and
23 using port services;

24 (B) traveling through the United States
25 territorial sea unless it is conducting innocent

1 passage in accordance with customary inter-
2 national law; and

3 (C) delivering supplies, delivering services,
4 or transshipment within waters subject to the
5 jurisdiction of the United States, in accordance
6 with customary international law.

7 (2) SERVICING PROHIBITED.—No vessel of the
8 United States (defined in section 116 of title 46,
9 United States Code) may service a vessel that is on
10 the black list, except in an emergency involving life
11 and safety and for enforcement services.

12 (g) ENFORCEMENT OF BLACK LIST.—

13 (1) IN GENERAL.—Except as provided in para-
14 graph (2), a vessel subject to the jurisdiction of the
15 United States on the black list and the cargo of such
16 vessel shall be subject to seizure and forfeiture to
17 the United States in the same manner as merchan-
18 dise is forfeited for violation of the customs revenue
19 laws.

20 (2) EXCEPTION.—The cargo of seafood of a
21 vessel subject to the jurisdiction of the United States
22 on the black list shall not be subject to seizure and
23 forfeiture to the United States if the cargo of sea-
24 food is in the possession of an importer who has
25 paid for the cargo of seafood and did not know, or

1 did not have any reason to know, that the seafood
2 was the product of IUU fishing.

3 (h) PERMANENCY OF BLACK LIST.—

4 (1) IN GENERAL.—Except as provided in para-
5 graphs (2) through (4), a vessel that is put on the
6 black list shall remain on the black list.

7 (2) REVOCATION OF WRO.—The Administrator
8 shall remove a vessel from the black list if the vessel
9 was added to the black list because it was found by
10 U.S. Customs and Border Protection to have had a
11 withhold release order issued pursuant to section
12 307 of the Tariff Act of 1930 (19 U.S.C. 1307) and
13 the withhold release order was subsequently revoked.

14 (3) POTENTIAL REMOVAL.—

15 (A) IN GENERAL.—With the concurrence
16 of the Secretary of State and consultation with
17 U.S. Customs and Border Protection, the Ad-
18 ministrator may remove a vessel from the black
19 list if the owner of the vessel submits an appli-
20 cation for removal to the Administrator that
21 meets the standards that the Administrator has
22 set out for removal.

23 (B) STANDARDS.—The Administrator shall
24 include in the standards set out for removal a
25 determination that the vessel or vessel owner

1 has not engaged in IUU fishing or forced labor
2 during the 5-year period preceding the date of
3 the application for removal.

4 (C) CONSIDERATION OF RELEVANT INFOR-
5 MATION.—In considering an application for re-
6 moval, the Administrator shall consider relevant
7 information from all sources.

8 (4) REMOVAL DUE TO RFMO ACTION.—The Ad-
9 ministrator may remove a vessel from the black list
10 if the vessel was put on the black list because it was
11 a vessel listed on an IUU vessel list of an RFMO,
12 pursuant to subsection (c)(1), and the RFMO re-
13 moved the vessel from its IUU vessel list.

14 (i) AUTHORIZATION OF APPROPRIATIONS.—There
15 are authorized to be appropriated to the Department of
16 Commerce to carry out this section \$20,000,000 for each
17 of fiscal years 2023 through 2028.

18 **SEC. 5. IMPOSITION OF SANCTIONS WITH RESPECT TO BEN-**
19 **EFICIAL OWNERS OF VESSELS ON BLACK**
20 **LIST.**

21 (a) IN GENERAL.—The President shall impose the
22 sanctions described in subsection (b) with respect to each
23 foreign person that the President determines, on or after
24 the date of the enactment of this Act, is the beneficial

1 owner of a vessel identified on the black list under section
2 4.

3 (b) SANCTIONS DESCRIBED.—The sanctions to be
4 imposed under subsection (a) are the following:

5 (1) BLOCKING OF PROPERTY.—The exercise of
6 all powers granted to the President by the Inter-
7 national Emergency Economic Powers Act (50
8 U.S.C. 1701 et seq.) to the extent necessary to block
9 and prohibit all transactions in all property and in-
10 terests in property of a foreign person described in
11 subsection (a), including, to the extent appropriate,
12 the vessel of which the person is the beneficial
13 owner, if such property and interests in property are
14 in the United States, come within the United States,
15 or are or come within the possession or control of a
16 United States person.

17 (2) INELIGIBILITY FOR VISAS, ADMISSION, OR
18 PAROLE.—

19 (A) VISAS, ADMISSION, OR PAROLE.—A
20 foreign person described in subsection (a) is—

21 (i) inadmissible to the United States;

22 (ii) ineligible to receive a visa or other
23 documentation to enter the United States;

24 and

1 (iii) otherwise ineligible to be admitted
2 or paroled into the United States or to re-
3 ceive any other benefit under the Immigra-
4 tion and Nationality Act (8 U.S.C. 1101 et
5 seq.).

6 (B) CURRENT VISAS REVOKED.—

7 (i) IN GENERAL.—The visa or other
8 entry documentation of a foreign person
9 described in subsection (a) shall be re-
10 voked, regardless of when such visa or
11 other entry documentation is or was
12 issued.

13 (ii) IMMEDIATE EFFECT.—A revoca-
14 tion under clause (i) shall, in accordance
15 with section 221(i) of the Immigration and
16 Nationality Act (8 U.S.C. 1201(i))—

17 (I) take effect; and

18 (II) cancel any other valid visa or
19 entry documentation that is in the
20 person's possession.

21 (c) IMPLEMENTATION; PENALTIES.—

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

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

3 (2) PENALTIES.—A person that violates, at-
4 tempts to violate, conspires to violate, or causes a
5 violation of this section or any regulation, license, or
6 order issued to carry out this section shall be subject
7 to the penalties set forth in subsections (b) and (c)
8 of section 206 of the International Emergency Eco-
9 nomic Powers Act (50 U.S.C. 1705) to the same ex-
10 tent as a person that commits an unlawful act de-
11 scribed in subsection (a) of that section.

12 (d) NATIONAL INTEREST WAIVER.—The President
13 may waive the imposition of sanctions under this section
14 with respect to a person if the President—

15 (1) determines that such a waiver is in the na-
16 tional interests of the United States; and

17 (2) submits to Congress a notification on the
18 waiver and the reasons for the waiver.

19 (e) EXCEPTIONS.—

20 (1) EXCEPTIONS FOR AUTHORIZED INTEL-
21 LIGENCE AND LAW ENFORCEMENT ACTIVITIES.—

22 This section shall not apply with respect to activities
23 subject to the reporting requirements under title V
24 of the National Security Act of 1947 (50 U.S.C.
25 3091 et seq.) or any authorized intelligence, law en-

1 forcement, or national security activities of the
2 United States.

3 (2) EXCEPTION TO COMPLY WITH INTER-
4 NATIONAL AGREEMENTS.—Sanctions under sub-
5 section (b)(2) shall not apply with respect to the ad-
6 mission of an alien to the United States if such ad-
7 mission is necessary to comply with the obligations
8 of the United States under the Agreement regarding
9 the Headquarters of the United Nations, signed at
10 Lake Success June 26, 1947, and entered into force
11 November 21, 1947, between the United Nations
12 and the United States, or the Convention on Con-
13 sular Relations, done at Vienna April 24, 1963, and
14 entered into force March 19, 1967, or other inter-
15 national obligations.

16 (f) LIFTING OF SANCTIONS.—The President shall lift
17 the sanctions imposed under this section with respect to
18 a foreign person if the foreign person is no longer the ben-
19 eficial owner of a vessel identified on the black list under
20 section 4.

21 (g) DEFINITIONS.—In this section:

22 (1) ADMISSION; ADMITTED; ALIEN; LAWFULLY
23 ADMITTED FOR PERMANENT RESIDENCE.—The
24 terms “admission”, “admitted”, “alien”, and “law-
25 fully admitted for permanent residence” have the

1 meanings given those terms in section 101 of the
2 Immigration and Nationality Act (8 U.S.C. 1101).

3 (2) BENEFICIAL OWNER.—The term “beneficial
4 owner” means, with respect to a vessel, a person
5 that, directly or indirectly, through any contract, ar-
6 rangement, understanding, relationship, or other-
7 wise—

8 (A) exercises substantial control over the
9 vessel; or

10 (B) owns not less than 50 percent of the
11 ownership interests in the vessel.

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

15 (4) UNITED STATES PERSON.—The term
16 “United States person” means—

17 (A) a United States citizen or an alien law-
18 fully admitted for permanent residence to the
19 United States; or

20 (B) an entity organized under the laws of
21 the United States or any jurisdiction within the
22 United States, including a foreign branch of
23 such an entity.

1 **SEC. 6. AGREEMENTS.**

2 (a) **PRESIDENTIAL NEGOTIATION.**—In negotiating
3 any relevant agreement with a foreign nation or nations
4 after the date of enactment of this Act, the President is
5 encouraged to consider the impacts on or to IUU fishing
6 and strive to ensure that the agreement strengthens ef-
7 forts to combat IUU fishing.

8 (b) **SECRETARY OF STATE ENCOURAGEMENT.**—To-
9 gether with other government partners if appropriate, the
10 Secretary of State should encourage other nations to ratify
11 treaties and agreements that address IUU fishing to which
12 the United States is a party, including the UN Fish
13 Stocks Agreement, the Port State Measures Agreement,
14 and other applicable agreements, and pursue bilateral and
15 multilateral initiatives to raise international ambition to
16 combat IUU fishing, including in the G7 and G20, the
17 United Nations, the International Labor Organization
18 (ILO), and the International Maritime Organization
19 (IMO), and through voluntary multilateral efforts.

20 **SEC. 7. COAST GUARD PROVISIONS.**

21 (a) **INCREASE BOARDING OF VESSELS SUSPECTED**
22 **OF IUU FISHING.**—The Commandant of the Coast Guard
23 shall, in accordance with the UN Fish Stocks Agreement,
24 increase, from year to year, its observation of vessels on
25 the high seas that are suspected of IUU fishing and re-

1 lated harmful practices, and is encouraged to consider
2 boarding these vessels to the greatest extent practicable.

3 (b) FOLLOW UP.—The Commandant of the Coast
4 Guard shall, in consultation with the Secretary of State
5 and the Administrator, coordinate regularly with regional
6 fisheries management organizations to determine what
7 corrective measures each country has taken after vessels
8 that are registered or documented by the country have
9 been boarded for suspected IUU fishing.

10 (c) REPORT.—Not later than 1 year after the date
11 of the enactment of this Act and in accordance with infor-
12 mation management rules of the relevant regional fisheries
13 management organizations, the Commandant of the Coast
14 Guard shall submit a report to Congress on—

15 (1) the total number of bilateral agreements
16 utilized or enacted during Coast Guard counter-IUU
17 patrols and future patrol plans for operations with
18 partner nations where bilateral agreements are re-
19 quired to effectively execute the counter-IUU mis-
20 sion and any changes to IUU provisions in bilateral
21 agreements;

22 (2) incidents of IUU fishing observed while con-
23 ducting High Seas Boarding and Inspections
24 (HSBI), how the conduct is tracked after referral to
25 the respective country where the vessel is registered

1 or documented, and what actions are taken to docu-
2 ment or otherwise act on the enforcement, or lack
3 thereof, taken by the country;

4 (3) the country where the vessel is registered or
5 documented, the country where the vessel was pre-
6 viously registered and documented if known, and
7 status of a vessel interdicted or observed to be en-
8 gaged in IUU fishing on the high seas by the Coast
9 Guard;

10 (4) incident details on vessels observed to be en-
11 gaged in IUU fishing on the high seas, boarding re-
12 fusals, and what action was taken; and

13 (5) any other potential enforcement actions that
14 could decrease IUU fishing on the high seas.

15 **SEC. 8. IMPROVED MANAGEMENT AT THE REGIONAL FISH-**
16 **ERIES MANAGEMENT ORGANIZATIONS.**

17 (a) INTERAGENCY WORKING GROUP ON IUU FISH-
18 ING.—Section 3551(c) of the Maritime SAFE Act (16
19 U.S.C. 8031(c)) is amended—

20 (1) in paragraph (13), by striking “and” after
21 the semicolon;

22 (2) in paragraph (14), by striking the period at
23 the end and inserting a semicolon; and

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

1 “(15) developing a strategy for leveraging en-
2 forcement capacity against IUU fishing, particularly
3 focusing on nations identified under section 609(a)
4 of the High Seas Driftnet Fishing Moratorium Pro-
5 tection Act (16 U.S.C. 1826j(a)); and

6 “(16) developing a strategy for leveraging en-
7 forcement capacity against associated crimes, such
8 forced labor and other illegal labor practices, and in-
9 creasing enforcement and other actions across rel-
10 evant import control and assessment programs,
11 using as resources—

12 “(A) the List of Goods Produced by Child
13 Labor or Forced Labor produced pursuant to
14 section 105 of the Trafficking Victims Protec-
15 tion Reauthorization Act of 2005 (22 U.S.C.
16 7112);

17 “(B) the Trafficking in Persons Report re-
18 quired under section 110 of the Trafficking Vic-
19 tims Protection Act of 2000 (22 U.S.C. 7107);
20 and

21 “(C) United States Customs and Border
22 Protection’s Forced Labor Division and en-
23 forcement activities and regulations authorized
24 under section 307 of the Tariff Act of 1930 (19
25 U.S.C. 1307).”.

1 (b) SECRETARY OF STATE IDENTIFICATION.—The
 2 Secretary of State, in coordination with the Commandant
 3 of the Coast Guard and the Administrator, shall—

4 (1) identify regional fisheries management or-
 5 ganizations that the United States is party to that
 6 do not have a high seas boarding and inspection pro-
 7 gram; and

8 (2) identify obstacles, needed authorities, or ex-
 9 isting efforts to increase implementation of these
 10 programs, and take action as appropriate.

11 **SEC. 9. STRATEGIES TO OPTIMIZE DATA COLLECTION,**
 12 **SHARING AND ANALYSIS.**

13 Section 3552 of the Maritime SAFE Act (16 U.S.C.
 14 8032) is amended by adding at the end:

15 “(c) STRATEGIES TO OPTIMIZE DATA COLLECTION,
 16 SHARING, AND ANALYSIS.—Not later than 2 years after
 17 the publication of the strategic plan submitted under sub-
 18 section (a), the Working Group shall identify information
 19 and resources to prevent fish and fish products from IUU
 20 fishing from entering United States commerce without in-
 21 creasing burden or trade barriers on seafood not produced
 22 from IUU fishing. The report shall include the following:

23 “(1) Identification of relevant data streams col-
 24 lected by Working Group members.

1 “(2) Identification of legal, jurisdictional, or
2 other barriers to the sharing of such data.

3 “(3) In consultation with the Secretary of De-
4 fense, recommendations for joint enforcement proto-
5 cols, collaboration, and information sharing between
6 Federal agencies and States.

7 “(4) Recommendations for sharing and devel-
8 oping forensic resources between Federal agencies
9 and States.

10 “(5) Recommendations for enhancing capacity
11 for United States Customs and Border Protection
12 and National Oceanic and Atmospheric Administra-
13 tion to conduct more effective field investigations
14 and enforcement efforts with State enforcement offi-
15 cials.

16 “(6) Recommendations for the dissemination of
17 IUU fishing analysis and information to those enti-
18 ties that could use it for action and awareness, with
19 the aim to establish an IUU fishing information
20 sharing center.

21 “(7) Recommendations for an implementation
22 strategy, including measures for ensuring that trade
23 in seafood not linked to IUU fishing is not im-
24 peded.”.

1 **SEC. 10. INVESTMENT AND TECHNICAL ASSISTANCE IN THE**
2 **FISHERIES SECTOR.**

3 (a) IN GENERAL.—The Secretary of State, the Ad-
4 ministrator of the United States Agency for International
5 Development, and the Secretary of Commerce, in consulta-
6 tion with the heads of relevant agencies, the Millennium
7 Challenge Corporation, and multilateral institutions such
8 as the World Bank, is encouraged to increase support to
9 programs that provide technical assistance and investment
10 to nations’ fisheries sectors for sustainable fisheries man-
11 agement and combating IUU fishing. The focus of such
12 support is encouraged to be on priority regions and pri-
13 ority flag states identified under section 3552(b) of the
14 Maritime SAFE Act (16 U.S.C. 8032(b)).

15 (b) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated to the Department of
17 State and the United States Agency for International De-
18 velopment to carry out subsection (a) \$20,000,000 for
19 each of fiscal years 2023 through 2028.

20 **SEC. 11. PREVENTING IMPORTATION OF SEAFOOD AND**
21 **SEAFOOD PRODUCTS FROM FOREIGN VES-**
22 **SELS USING FORCED LABOR.**

23 (a) DEFINITIONS.—In this section:

24 (1) FORCED LABOR.—The term “forced labor”
25 has the meaning given that term in section 307 of
26 the Tariff Act of 1930 (19 U.S.C. 1307).

1 (2) SEAFOOD.—The term “seafood” means
2 fish, shellfish, processed fish, fish meal, shellfish
3 products, and all other forms of marine animal and
4 plant life other than marine mammals and birds.

5 (3) SECRETARY.—The term “Secretary” means
6 the Secretary of Commerce, acting through the Ad-
7 ministrator of the National Oceanic and Atmos-
8 pheric Administration or the designee of the Admin-
9 istrator.

10 (b) FORCED LABOR ON FOREIGN FISHING VES-
11 SELS.—

12 (1) RULEMAKING.—Not later than 1 year after
13 the date of enactment of this Act, the Commissioner
14 of U.S. Customs and Border Protection, in coordina-
15 tion with the Secretary and the Forced Labor En-
16 forcement Task Force, established pursuant to sec-
17 tion 741 of the United States-Mexico-Canada Agree-
18 ment Implementation Act (19 U.S.C. 4681), shall
19 issue regulations regarding the verification of sea-
20 food imports to ensure that no seafood or seafood
21 product harvested on foreign vessels using forced
22 labor is entered into the United States in violation
23 of section 307 of the Tariff Act of 1930 (19 U.S.C.
24 1307).

1 (2) STRATEGY.—The Commissioner of U.S.
2 Customs and Border Protection, in coordination
3 with the Secretary shall—

4 (A) develop a strategy for utilizing relevant
5 United States Government data to identify im-
6 ports of seafood or seafood products harvested
7 on foreign vessels using forced labor; and

8 (B) publish information regarding the
9 strategy developed under subparagraph (A) on
10 the website of U.S. Customs and Border Pro-
11 tection.

12 **SEC. 12. REPORTS.**

13 (a) IMPACT OF NEW TECHNOLOGY.—Not later than
14 1 year after the date of enactment of this Act, the Sec-
15 retary of Homeland Security, in coordination with the Ad-
16 ministrator and the Working Group established under sec-
17 tion 3551 of the Maritime SAFE Act (16 U.S.C. 8031),
18 shall conduct a study to assess the impact of new tech-
19 nology (such as remote observing, the use of drones, devel-
20 opment of risk assessment tools and data-sharing soft-
21 ware, immediate containerization of fish on fishing vessels,
22 and other technology-enhanced new fishing practices) on
23 IUU fishing and propose ways to integrate these tech-
24 nologies into global fisheries enforcement and manage-
25 ment.

1 (b) RUSSIAN AND CHINESE FISHING INDUSTRIES'
2 INFLUENCE ON EACH OTHER AND ON THE UNITED
3 STATES SEAFOOD AND FISHING INDUSTRY.—Not later
4 than 2 years after the date of the enactment of this Act,
5 the Secretary of State, with support from the Secretary
6 of Commerce and the Office of the United States Trade
7 Representative, shall—

8 (1) conduct a study on the collaboration be-
9 tween the Russian and Chinese fishing industries
10 and on the role of seafood reprocessing in China (in-
11 cluding that of raw materials originating in Russia)
12 in global seafood markets and its impact on United
13 States seafood importers, processors, and con-
14 sumers; and

15 (2) complete a report on the study that includes
16 classified and unclassified portions, as the Secretary
17 of State determines necessary.

18 (c) FISHERMEN CONDUCTING UNLAWFUL FISHING
19 IN THE ECONOMIC EXCLUSION ZONE.—Section 3551 of
20 the Maritime SAFE Act (16 U.S.C. 8031) is amended by
21 adding at the end the following:

22 “(d) THE IMPACTS OF IUU FISHING.—

23 “(1) IN GENERAL.—The Administrator, in con-
24 sultation with relevant members of the Working
25 Group, shall seek to enter into an arrangement with

1 the National Academies of Sciences, Engineering,
2 and Medicine under which the National Academies
3 will undertake a multifaceted study that includes the
4 following:

5 “(A) An analysis that quantifies the occur-
6 rence and extent of IUU fishing among flag
7 states.

8 “(B) An evaluation of the costs to the
9 United States economy of IUU fishing.

10 “(C) An assessment of the costs to the
11 global economy of IUU fishing.

12 “(2) AUTHORIZATION OF APPROPRIATIONS.—
13 There is authorized to be appropriated to carry out
14 this subsection \$2,000,000.”.

15 (d) REPORT.—Not later than 24 months after the
16 date of the enactment of this Act, the Administrator shall
17 submit to Congress a report on the study conducted under
18 subsection (d) of section 3551 of the Maritime SAFE Act
19 that includes—

20 (1) the findings of the National Academies; and

21 (2) recommendations on knowledge gaps that
22 warrant further scientific inquiry.

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