

Calendar No. 673

118TH CONGRESS
2D SESSION**S. 2248****[Report No. 118–270]**

To require a pilot program on the use of big data analytics to identify vessels evading sanctions and export controls and to require a report on the availability in the United States of emerging and foundational technologies subject to export controls.

IN THE SENATE OF THE UNITED STATES

JULY 11, 2023

Ms. HASSAN (for herself, Mr. LANKFORD, and Mr. WICKER) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

DECEMBER 9, 2024

Reported by Mr. PETERS, with amendments and an amendment to the title

[Insert the part printed in *italic*]

A BILL

To require a pilot program on the use of big data analytics to identify vessels evading sanctions and export controls and to require a report on the availability in the United States of emerging and foundational technologies subject to export controls.

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 “Vessel Tracking for
3 Sanctions Enforcement Act of 2023”.

4 **SEC. 2. PILOT PROGRAM ON USE OF BIG DATA ANALYTICS**
5 **TO IDENTIFY VESSELS EVADING SANCTIONS**
6 **AND EXPORT CONTROLS.**

7 (a) IN GENERAL.—Not later than 18 months after
8 the date of the enactment of this Act, the Secretary of
9 Homeland Security, acting through the Commissioner of
10 U.S. Customs and Border Protection, shall establish a
11 pilot program at the National Targeting Center to assess
12 the feasibility and advisability of using big data analytics
13 to identify and predict instances in which disabling or ma-
14 nipulating the Automatic Identification System on a vessel
15 is an indication that there is a high risk that the vessel
16 is transporting goods in a manner that evades sanctions
17 or export controls imposed by the United States.

18 (b) LAW ENFORCEMENT USE.—The Secretary, act-
19 ing through the Commissioner, shall design the pilot pro-
20 gram required by subsection (a) to provide actionable in-
21 telligence with respect to instances described in subsection
22 (a) to—

23 (1) operational components of the Department
24 of Homeland Security, including U.S. Immigration
25 and Customs Enforcement and the Coast Guard;

1 (2) other Federal law enforcement agencies;
2 and

3 (3) such agencies of foreign countries that are
4 partners of the United States as the Secretary con-
5 siders appropriate.

6 (c) DATA ELEMENTS.—

7 (1) IN GENERAL.—In developing the pilot pro-
8 gram required by subsection (a), the Secretary, act-
9 ing through the Commissioner, shall consider the in-
10 clusion of the following data with respect to a vessel
11 described in that subsection:

12 (A) The type of goods being transported
13 on the vessel.

14 (B) The destination of the vessel.

15 (C) The ownership and nationality of the
16 vessel, the shipper, and the importer.

17 (D) The ownership and nationality of ves-
18 sels located in close proximity to the vessel
19 while the Automatic Identification System was
20 disabled or being manipulated.

21 (E) The period of time for which the Auto-
22 matic Identification System on the vessel was
23 disabled or being manipulated.

24 (F) The frequency of issues with the Auto-
25 matic Identification System on that vessel.

1 (2) DATA MODELS.—The pilot program re-
2 quired by subsection (a) may include multiple data
3 models to account for different behavior patterns for
4 different shippers and different types of goods.

5 (d) INTERAGENCY COORDINATION.—The Secretary,
6 acting through the Commissioner, shall coordinate with
7 the Secretary of Commerce and the Director of National
8 Intelligence in developing and carrying out the pilot pro-
9 gram required by subsection (a).

10 (e) TERMINATION.—The pilot program required by
11 subsection (a) shall terminate on the date that is 4 years
12 after the date of the enactment of this Act.

13 (f) REPORT REQUIRED.—Not later than 4 years after
14 the date of the enactment of this Act, the Secretary of
15 Homeland Security, in consultation with the Secretary of
16 Commerce, *the Secretary of the Treasury*, and the Director
17 of National Intelligence, shall submit to Congress a re-
18 port—

19 (1) assessing the usefulness of the pilot pro-
20 gram required by subsection (a) in identifying and
21 predicting instances described in that subsection;

22 (2) with respect to each instance in which a
23 vessel was identified under the pilot program as pos-
24 ing a high risk of transporting goods in a manner
25 that evades sanctions or export controls imposed by

1 the United States and the vessel was successfully
2 interdicted by the United States or a country that
3 is a partner of the United States—

4 (A) specifying whether or not the vessel
5 was confirmed to be evading such sanctions or
6 export controls;

7 (B) if the vessel was confirmed to be evad-
8 ing such sanctions or export controls, specifying
9 the penalty imposed; and

10 (C) if the vessel was not confirmed to be
11 evading such sanctions or export controls, speci-
12 fying whether a United States agency took ac-
13 tion against the vessel based on reasonable sus-
14 picion;

15 (3) with respect to each instance in which a
16 vessel was identified under the pilot program as pos-
17 ing a high risk of transporting goods in a manner
18 that evades sanctions or export controls imposed by
19 the United States and the vessel was not success-
20 fully interdicted by the United States or a country
21 that is a partner of the United States, specifying
22 whether the vessel traveled to—

23 (A) a country with respect to which the
24 United States has imposed sanctions or export

1 controls with respect to goods suspected of
2 being transported on the vessel;

3 (B) a country not described in subpara-
4 graph (A) but that the Secretary of Homeland
5 Security has identified as a country posing a
6 high risk of transshipment of goods suspected
7 of being transported on the vessel to a country
8 described in subparagraph (A); or

9 (C) a country not described in subpara-
10 graph (A) or (B); and

11 (4) making recommendations with respect to
12 whether big data analytics should be used to identify
13 and predict instances described in subsection (a) in
14 the future.

15 *(g) NO ADDITIONAL AMOUNTS AUTHORIZED.—No ad-*
16 *ditional amounts are authorized to be appropriated to*
17 *carry out the pilot program required by subsection (a).*

18 *(h) RULE OF CONSTRUCTION ON COLLECTION OR AC-*
19 *QUISITION OF INFORMATION.—Nothing in this section au-*
20 *thorizes any new collection or acquisition of information*
21 *not otherwise authorized by existing law as of the date of*
22 *the enactment of this Act.*

Amend the title so as to read: “A bill to require a pilot program on the use of big data analytics to identify vessels evading sanctions and export controls and to require a report on the effectiveness of the pilot program

and whether similar programs should be used in the future.”.

Calendar No. 673

118TH CONGRESS
2D Session

S. 2248

[Report No. 118-270]

A BILL

To require a pilot program on the use of big data analytics to identify vessels evading sanctions and export controls and to require a report on the availability in the United States of emerging and foundational technologies subject to export controls.

DECEMBER 9, 2024

Reported with amendments and an amendment to the title