



(Original Signature of Member)

118TH CONGRESS
2D SESSION

H. R. _____

To provide for the establishment of a Caribbean and Latin America Maritime Security Initiative to combat illegal, unreported, and unregulated fishing in the Caribbean and Latin America, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. PETERS introduced the following bill; which was referred to the Committee on _____

A BILL

To provide for the establishment of a Caribbean and Latin America Maritime Security Initiative to combat illegal, unreported, and unregulated fishing in the Caribbean and Latin America, and for other purposes.

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 “Caribbean and Latin
5 America Maritime Security Initiative Act of 2023”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) Illegal, unreported, and unregulated (in this
2 Act referred to as “IUU”) fishing is contrary to the
3 United States commitment to sovereign rights, a
4 rules-based global order, and relevant international
5 treaties and obligations governing exclusive economic
6 zones and environmental protections.

7 (2) IUU fishing undermines the sustainable
8 management of protected living marine resources.

9 (3) The sustainable harvest of fish stocks is di-
10 rectly linked to food and economic security both for
11 the United States and around the globe.

12 (4) In 2019, Congress passed the Maritime Se-
13 curity and Fisheries Enforcement Act (Public Law
14 116–92) to support a whole-of-government approach
15 across the Federal Government to counter IUU fish-
16 ing and related threats to maritime security and
17 take action to curtail the global trade in seafood and
18 seafood products derived from IUU fishing, includ-
19 ing its links to forced labor and transnational orga-
20 nized illegal activity.

21 (5) The People’s Republic of China maintains a
22 distant-water fishing fleet, which engages in a vari-
23 ety of problematic behavior in Latin America’s
24 waters, including—

25 (A) overfishing;

1 (B) the deliberate catching of protected liv-
2 ing marine resources;

3 (C) often entering the exclusive economic
4 zones and marine protected areas of the region
5 and suspected of fishing without authorization.

6 (6) China's distant water fleet facilitates its at-
7 tempts to strengthen bilateral relationships, cultivate
8 influence, and affect specific policy or diplomatic
9 outcomes.

10 (7) Chinese IUU fishing without authorization
11 in other countries' waters demonstrates China's
12 drive to capture the region's resources and under-
13 mines countries' sovereign rights.

14 **SEC. 3. CARIBBEAN AND LATIN AMERICA MARITIME SECU-**
15 **RITY INITIATIVE.**

16 (a) PROGRAM REQUIRED.—The Secretary of De-
17 fense, the Secretary of Homeland Security, the Secretary
18 of State, and the heads of other relevant Federal agencies
19 shall cooperate to carry out a program, to be known as
20 the “Caribbean and Latin America Maritime Security Ini-
21 tiative”, in support of strengthening maritime security
22 partnerships in the Caribbean and Latin America using
23 assets of the Department of Defense, the Department of
24 Homeland Security, and other relevant Federal depart-
25 ments and agencies, as determined necessary.

1 (b) PROGRAM GOALS.—The goals of the program re-
2 quired under subsection (a) shall be, to the extent prac-
3 ticable—

4 (1) to enhance cooperation between personnel of
5 the Coast Guard, the Department of Defense, other
6 relevant Federal departments and agencies, and,
7 where appropriate, the maritime forces of countries
8 that are allies and partners of the United States in
9 the Caribbean and Latin America;

10 (2) to strengthen the participation and coordi-
11 nation of the Coast Guard and, where appropriate,
12 the Department of Defense and other relevant Fed-
13 eral departments and agencies, in regional organiza-
14 tions dedicated to coordination and cooperation in
15 support of the fisheries policies that align with cus-
16 tomary international law and United States stand-
17 ards, ocean conservation, maritime security, and re-
18 lated initiatives of the Caribbean and Latin America;

19 (3) to enhance partner country—

20 (A) maritime domain awareness;

21 (B) capability to perform fisheries manage-
22 ment and law enforcement activities within
23 their exclusive economic zones, including
24 through international coordination;

1 (C) legal capacity to develop and enforce
2 effective domestic laws and regulations, includ-
3 ing those necessary to implement international
4 legal commitments, effectively protect the ma-
5 rine environment, and combat IUU fishing;

6 (4) to increase the capabilities of the Coast
7 Guard personnel and other relevant Federal depart-
8 ments and agencies authorized to address IUU fish-
9 ing to support law enforcement, maritime protection,
10 and capacity-building initiatives in the Caribbean
11 and Latin America;

12 (5) to support partner country access to, or ac-
13 quisition of, capabilities to improve maritime domain
14 awareness, improve the ability to monitor fisheries
15 and other marine resources, and strengthen natural
16 disaster warning and response;

17 (6) to encourage Caribbean and Latin American
18 flag states to mandate the use of vessel tracking
19 technologies, including vessel monitoring systems,
20 automatic identification systems, or other vessel
21 movement monitoring technologies on fishing vessels
22 and transshipment vessels flagged by these countries
23 and foreign vessels authorized to operate in their ex-
24 clusive economic zones at all times, as appropriate,
25 while at sea as a means to identify IUU fishing ac-

1 activities and the shipment of illegally caught fish
2 products; and

3 (7) to document instances of private commercial
4 entities or government owned fishing vessels fishing
5 without authorization in the exclusive economic
6 zones of countries in the Caribbean and Latin Amer-
7 ica.

8 (c) COMBATING IUU FISHING IN CARIBBEAN AND
9 LATIN AMERICA.—Under the program required by sub-
10 section (a), the Secretary of Defense, the Secretary of
11 State, the Secretary of Homeland Security, and the heads
12 of other relevant Federal agencies shall jointly assess op-
13 portunities to combat IUU fishing by expanding, as appro-
14 priate, the use of the following mechanisms with respect
15 to countries in the Caribbean and Latin America:

16 (1) The systematic inclusion of counter-IUU
17 fishing as a mission in existing maritime law en-
18 forcement agreements concerning operational co-
19 operation to suppress illicit transnational maritime
20 activity to which the United States is a party.

21 (2) Entering into such agreements that include
22 counter-IUU fishing as an objective with countries
23 with which the United States has not already en-
24 tered into such an agreement.

1 (3) The inclusion of counter-IUU fishing as
2 part of the mission of the Combined Maritime
3 Forces.

4 (4) The inclusion of Coast Guard-led counter-
5 IUU fishing exercises in the annual Department of
6 Defense-led at-sea exercises conducted with partner
7 countries in the Caribbean and Latin America, in-
8 cluding, if appropriate, participation by other rel-
9 evant United States agencies.

10 (d) FRIENDLY FOREIGN COUNTRY OPERATION DES-
11 IGNATION.—The Secretary of Defense may designate the
12 program required by subsection (a) under section 331(b)
13 of title 10, United States Code, as an operation for which
14 support may be provided under such section to countries
15 in the Caribbean and Latin America Security Initiative,
16 if the support will be provided solely to governmental orga-
17 nizations of recipient countries for which maritime secu-
18 rity is among their functional responsibilities.

19 (e) STRATEGY REQUIRED.—Not later than one year
20 after the date of the enactment of this Act, the Secretary
21 of Defense, the Secretary of State, the Secretary of Home-
22 land Security, and the Secretary of Commerce shall jointly
23 submit to the appropriate congressional committees a re-
24 port that includes the following:

1 (1) A review of the ongoing efforts of the
2 United States to develop the institutional capacity of
3 partner countries in the Caribbean and Latin Amer-
4 ica to prosecute cases involving IUU fishing under
5 their existing laws or through relevant international
6 legal instruments, guidance, and institutions gov-
7 erning environmental protection, territorial sov-
8 ereignty, and maritime law.

9 (2) An estimate of the number of vessels flying
10 flags of convenience in the Caribbean and Latin
11 America, the scope of the problems caused by the
12 flying of such flags, and an analysis of actions that
13 could be taken by the United States in conjunction
14 with partner countries to deter the flying of such
15 flags.

16 (3) An assessment of the authorities and re-
17 sources needed to support the institutional capacity
18 building of partner countries to mitigate the flying
19 of flags of convenience.

20 (4) An assessment of actions that could be
21 taken by the Department of State with other rel-
22 evant Federal departments and agencies to partner
23 with relevant international organizations to mitigate
24 IUU fishing, including international legal coordina-
25 tion and data sharing, enforcement practices, and

1 holding flag States responsible for IUU fishing prac-
2 tices.

3 (5) An assessment of actions that could be
4 taken by the United States to partner with relevant
5 nongovernmental organizations to promote aware-
6 ness of the ramifications of IUU fishing and to work
7 with Caribbean and Latin American states to build
8 legal authorities needed to prosecute cases involving
9 IUU fishing and enforce fishery conservation and
10 management measures.

11 (6) An assessment of actions that could be
12 taken by the United States to highlight the IUU
13 fishing behavior of vessels flagged to countries, in-
14 cluding China, and the harm caused by IUU fishing
15 to partner countries and to the environment.

16 (7) A review of ongoing efforts by the United
17 States to promote maritime security, environmental
18 protection, and fisheries sustainability in the Carib-
19 bean and Latin America.

20 (8) For each maritime law enforcement agree-
21 ment or other agreement relevant to international
22 cooperation and law enforcement on fisheries issues
23 entered into with any country in the Caribbean or
24 Latin America—

1 (A) an identification of the countries party
2 to the agreement;

3 (B) an identification of the fiscal year dur-
4 ing which the agreement was entered into; and

5 (C) a description of the contents of the
6 agreement.

7 (9) A review of institutional barriers, including
8 authorities to enter into maritime law enforcement
9 agreements and funding needed to execute maritime
10 law enforcement agreements, within Federal depart-
11 ments.

12 (10) An assessment of how many interdictions
13 and high seas boarding and inspections of fishing
14 vessels for suspected IUU fishing activities occurred
15 during the 12-month period preceding the date of
16 the enactment of this Act in the geographic areas of
17 responsibility of United States Northern Command
18 and United States Southern Command.

19 (11) The number of counter-IUU fishing mis-
20 sions completed by allies and partners in the Carib-
21 bean and Latin America with support from the De-
22 partment of Defense or the Coast Guard during the
23 12-month period preceding the date of the enact-
24 ment of this Act.

1 (12) A review of the total number of vessels en-
2 gaged in suspected IUU fishing detected in the Car-
3 ibbean and Latin America by the United States or
4 its allies and partners and the country of origin for
5 each such vessel during the calendar year preceding
6 the date of the enactment of this Act.

7 (13) An assessment of any additional authori-
8 ties necessary, including the expansion or modifica-
9 tion of international cooperation agreements, trea-
10 ties, and other legal vehicles, to enhance the efficacy
11 of the Caribbean and Latin America Maritime Secu-
12 rity Initiative.

13 (f) DEFINITIONS.—In this section:

14 (1) The term “appropriate congressional com-
15 mittees” means—

16 (A) the Committee on Foreign Affairs, the
17 Committee on Natural Resources, the Com-
18 mittee on Financial Services, the Committee on
19 Armed Services, the Committee on Transpor-
20 tation and Infrastructure, and the Committee
21 on Appropriations of the House of Representa-
22 tives; and

23 (B) the Committee on Foreign Relations,
24 the Committee on Commerce, Science, and
25 Transportation, the Committee on Banking, the

1 Committee on Armed Services, and the Com-
2 mittee on Appropriations of the Senate.

3 (2) The term “the Caribbean and Latin Amer-
4 ica” means any of the following countries, terri-
5 tories, and bodies of water:

6 (A) The Gulf of Mexico.

7 (B) The Bahamas.

8 (C) Antigua and Barbuda.

9 (D) Argentina.

10 (E) Barbados.

11 (F) Belize.

12 (G) Bolivia.

13 (H) Brazil.

14 (I) Chile.

15 (J) Colombia.

16 (K) Costa Rica.

17 (L) Dominica.

18 (M) Dominican Republic.

19 (N) Ecuador.

20 (O) El Salvador.

21 (P) Grenada.

22 (Q) Guatemala.

23 (R) Guyana.

24 (S) Haiti.

25 (T) Honduras.

1 (U) Jamaica.

2 (V) Nicaragua.

3 (W) Panama.

4 (X) Paraguay.

5 (Y) Peru.

6 (Z) Saint Kitts and Nevis.

7 (AA) Saint Lucia.

8 (BB) Saint Vincent and the Grenadines.

9 (CC) Suriname.

10 (DD) Trinidad and Tobago.

11 (EE) Turks and Caicos.

12 (FF) Uruguay.

13 (3) The term “exclusive economic zone” means,
14 with respect to a country, the zone contiguous to the
15 territorial sea, as designated by the country—

16 (A) that extends a maximum distance of
17 200 nautical miles from the baseline from
18 which the breadth of the territorial sea is meas-
19 ured, in accordance with international law; and

20 (B) where the country has, to the extent
21 permitted by international law—

22 (i) sovereign rights for the purpose of
23 exploring, exploiting, conserving, and man-
24 aging natural resources, both living and
25 non-living, of the seabed and subsoil and

1 the superjacent waters and with regard to
2 other activities for the economic exploi-
3 tation and exploration; and

4 (ii) jurisdiction with regard to the es-
5 tablishment and use of artificial islands,
6 and installations and structures having
7 economic purposes, and the protection and
8 preservation of the marine environment.

9 (4) The term “illegal, unreported, and unregu-
10 lated fishing” or “IUU fishing” means the activities
11 described as IUU fishing in paragraph 3 of the 2001
12 Food and Agriculture Organization International
13 Plan of Action to Prevent, Deter and Eliminate Ille-
14 gal, Unreported, and Unregulated Fishing.

15 (5) The term “marine protected area” means
16 any area of intertidal or subtidal terrain, together
17 with its overlying water and associated flora, fauna,
18 historical and cultural features, that has been re-
19 served by law or other effective means to protect
20 part or all of the enclosed environment.

21 (6) The term “fly a flag of convenience” with
22 respect to a vessel means the registry of the vessel
23 under the flag of a nation other than the nation of
24 citizenship or incorporation of the beneficial owner

1 of the vessel in order to profit from less restrictive
2 regulations.

3 **SEC. 4. AUTHORIZATION OF IMPOSITION OF SANCTIONS.**

4 (a) IN GENERAL.—The President may impose the
5 sanctions described in subsection (b) with respect to any
6 foreign person, including a foreign vessel regardless of
7 ownership, that the President determines—

8 (1) is responsible for, complicit in, or has di-
9 rectly or indirectly participated in—

10 (A) IUU fishing, as such term is defined
11 in section 3(f)(4);

12 (B) except as part of a conservation effort,
13 the sale, supply, purchase, or transfer (includ-
14 ing transportation) of endangered species, as
15 defined in section 3(6) of the Endangered Spe-
16 cies Act (16 U.S.C. 1532(6)); or

17 (C) behavior associated with IUU fishing,
18 including improper use of relevant vessel moni-
19 toring, identification, or communication sys-
20 tems;

21 (2) is a leader or official of an entity, including
22 a government entity, that has engaged in, or the
23 members of which have engaged in, any of the ac-
24 tivities described in paragraph (1) during the tenure
25 of the leader or official;

1 (3) has ever owned, operated, chartered, or con-
2 trolled a vessel during which time the personnel of
3 the vessel engaged in any of the activities described
4 in paragraph (1); or

5 (4) has materially assisted, sponsored, or pro-
6 vided financial, material, or technological support
7 for, or goods or services in support of—

8 (A) any of the activities described in para-
9 graph (1); or

10 (B) any entity engaged in any such activ-
11 ity.

12 (b) SANCTIONS DESCRIBED.—The sanctions de-
13 scribed in this subsection are the following:

14 (1) BLOCKING OF PROPERTY.—Notwith-
15 standing section 202 of the International Emergency
16 Economic Powers Act (50 U.S.C. 1701), the exercise
17 of all powers granted to the President by the Inter-
18 national Emergency Economic Powers Act (50
19 U.S.C. 1701 et seq.) to the extent necessary to block
20 and prohibit all transactions in all property and in-
21 terests in property of a foreign person described in
22 subsection (a), if such property and interests in
23 property are in the United States, come within the
24 United States, or are or come within the possession
25 or control of a United States person.

1 (2) INADMISSIBILITY TO THE UNITED
2 STATES.—In the case of a foreign person described
3 in subsection (a) who is an individual—

4 (A) ineligibility for a visa to enter and in-
5 admissibility to the United States; and

6 (B) revocation of any valid visa or travel
7 documentation in accordance with section
8 221(i) of the Immigration and Nationality Act
9 (8 U.S.C. 1201(i)).

10 (3) PROHIBITION ON ACCESS TO THE UNITED
11 STATES.—In the case of a foreign vessel, denial of
12 access to United States ports.

13 (4) EXCLUSION OF CORPORATE OFFICERS.—
14 The President may direct the Secretary of State to
15 deny a visa to, and the Secretary of Homeland Secu-
16 rity to exclude from the United States, any alien
17 that the President determines is a corporate officer
18 or principal of, or a shareholder with a controlling
19 interest in, the foreign person.

20 (5) SANCTIONS ON PRINCIPAL EXECUTIVE OF-
21 FICERS.—The President may impose on the prin-
22 cipal executive officer or officers of the foreign per-
23 son, entity, or on individuals performing similar
24 functions and with similar authorities as such officer
25 or officers, any of the sanctions described in para-

1 graphs (1), (2), (3), (4), or (6) of this subsection
2 that are applicable.

3 (6) LOANS FROM UNITED STATES FINANCIAL
4 INSTITUTIONS.—The President may prohibit any
5 United States financial institution from making
6 loans or providing credits to the foreign person or
7 entity.

8 (7) FOREIGN EXCHANGE.—The President may,
9 pursuant to such regulations as the President may
10 prescribe, prohibit any transactions in foreign ex-
11 change that are subject to the jurisdiction of the
12 United States and in which the foreign person, enti-
13 ty, or vessel has any interest.

14 (8) REPORT.—The President shall annually
15 submit a report to the Committee on Financial Serv-
16 ices and the Committee on Foreign Affairs of the
17 House of Representatives and the Committee on
18 Banking, Housing, and Urban Affairs and the Com-
19 mittee on Foreign Relations of the Senate on actions
20 exercising the authorities provided by this section.

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 determines that
15 such a waiver is in the national interests of the United
16 States.

17 (e) EXCEPTIONS.—

18 (1) EXCEPTIONS FOR AUTHORIZED INTEL-
19 LIGENCE AND LAW ENFORCEMENT ACTIVITIES.—
20 This section shall not apply with respect to activities
21 subject to the reporting requirements under title V
22 of the National Security Act of 1947 (50 U.S.C.
23 3091 et seq.) or any authorized intelligence, law en-
24 forcement, or national security activities of the
25 United States.

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

14 (3) EXCEPTION FOR SAFETY OF VESSELS AND
15 CREW.—Sanctions under this section shall not apply
16 with respect to a person providing provisions to a
17 vessel if such provisions are intended for the safety
18 and care of the crew aboard the vessel, or the main-
19 tenance of the vessel to avoid any environmental or
20 other significant damage.

21 (4) HUMANITARIAN EXCEPTION.—The Presi-
22 dent may not impose sanctions under this section
23 with respect to any person for conducting or facili-
24 tating a transaction for the sale of agricultural com-

1 commodities, food, medicine, or medical devices or for
2 the provision of humanitarian assistance.

3 (f) RULEMAKING.—

4 (1) IN GENERAL.—Agencies responsible for the
5 implementation of this section may promulgate such
6 rules and regulations as may be necessary to carry
7 out the provisions of this section (which may include
8 regulatory exceptions), including under section 205
9 of the International Emergency Economic Powers
10 Act (50 U.S.C. 1704).

11 (2) RULE OF CONSTRUCTION.—Nothing in this
12 section may be construed to limit the authority of
13 the President pursuant to the International Emer-
14 gency Economic Powers Act (50 U.S.C. 1701 et
15 seq.).

16 (g) DEFINITIONS.—In this section:

17 (1) The term “foreign person” means an indi-
18 vidual or entity that is not a United States person.

19 (2) The term “United States person” means—

20 (A) a United States citizen or an alien law-
21 fully admitted for permanent residence to the
22 United States;

23 (B) an entity organized under the laws of
24 the United States or any jurisdiction within the

1 United States, including a foreign branch of
2 such an entity; or
3 (C) any person located in the United
4 States.