

118TH CONGRESS
2D SESSION

H. R. 9440

To require a strategy to increase United States interagency cooperation with partner African countries to counter illegal, unreported, and unregulated fishing, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 30, 2024

Mr. MORAN (for himself and Mr. AMO) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on Foreign Affairs, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require a strategy to increase United States interagency cooperation with partner African countries to counter illegal, unreported, and unregulated fishing, 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 “Securing Enforcement
5 in African Seas Act of 2024” or the “SEAS Act of 2024”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Illegal, unreported, and unregulated (in this
4 Act referred to as “IUU”) fishing off Africa’s coasts
5 undermines regional fisheries management and
6 international agreements aimed at curbing IUU fish-
7 ing activities and is a threat to the food and eco-
8 nomic stability of coastal African countries.

9 (2) Reports estimate that Illicit Financial
10 Flows linked to IUU fishing leads to an economic
11 loss of up to \$11,490,000,000 per year for Africa.

12 (3) The Financial Transparency Coalition, in a
13 joint report with several other organizations, re-
14 ported in 2022 that 48.9 percent of all industrial
15 and semi-industrial vessels identified as being in-
16 volved in global IUU fishing were found to be oper-
17 ating off of Africa’s coasts, with 40 percent in West
18 Africa alone.

19 (4) The People’s Republic of China (in this Act
20 referred to as the “PRC”) is the largest exploiter of
21 global marine fisheries, has the largest distant-water
22 fleet in the world and 8 of the 10 companies most
23 responsible for IUU fishing are based in China.

24 (5) IUU fishing often occurs in conjunction
25 with violations of internationally recognized worker
26 rights, forced labor, and other human rights abuses.

1 (6) In a June 27, 2022, national security
2 memorandum the White House stated that “left un-
3 checked, IUU fishing and associated labor abuses
4 undermine United States economic competitiveness,
5 national security, fishery sustainability, and the live-
6 lihoods and human rights of fishers around the
7 world”.

8 (7) In 2019, Congress passed the Maritime Se-
9 curity and Fisheries Enforcement Act (Public Law
10 116–92) to support a whole-of-government approach
11 across the Federal Government to counter IUU fish-
12 ing and related threats to maritime security.

13 (8) Efforts to combat IUU fishing benefit from
14 strategies that also target the associated maritime
15 labor abuses like violations of internationally recog-
16 nized worker rights and forced labor.

17 (9) The 2022 National 5-Year Strategy for
18 Combating Illegal, Unreported, and Unregulated
19 Fishing identified the Gulf of Guinea as a “Tier One
20 Priority Region”, Northwest Africa (Atlantic Ocean)
21 and East Africa as a “Tier Two Priority Region”,
22 and Senegal as a “Priority Flag State”, the only
23 country in Africa to be selected for that status.

24 (10) In 2020, the Coast Guard called IUU fish-
25 ing the “leading global maritime security threat” in

1 its Illegal, Unreported, and Unregulated Fishing
2 Strategic Outlook.

3 (11) In 2023, there were zero Coast Guard
4 attachés or liaisons deployed in Africa.

5 **SEC. 3. SENSE OF CONGRESS.**

6 It is the sense of Congress that the United States
7 should—

8 (1) work with and encourage African countries
9 committed to countering IUU fishing to adopt legal
10 requirements mandating the continual use of vessel-
11 tracking technologies, including vessel monitoring
12 systems, automatic identification systems, or other
13 vessel movement monitoring technologies pertaining
14 to fishing and transshipment activities, as appro-
15 priate, during the port- or ocean-based operations of
16 vessels flagged by these nations and foreign vessels
17 operating in their exclusive economic zone—

18 (A) to ensure that all such operations are
19 legal;

20 (B) to identify vessels suspected of IUU
21 fishing activities; and

22 (C) to counter the illicit or unregulated
23 shipment of illegally caught fish products, par-
24 ticularly through ship-to-ship transfers of such
25 products;

1 (2) document instances of private commercial
2 entities or foreign government-owned fishing vessels
3 fishing without authorization within the exclusive
4 economic zones of African countries or within high
5 seas areas under the management of regional fish-
6 eries management organizations;

7 (3) compile and publish—

8 (A) a list of private commercial entities or
9 foreign government-owned fishing vessels, in-
10 cluding licenses and registration data, author-
11 ized to operate in the exclusive economic zone
12 of coastal African countries; and

13 (B) details of foreign fishing fleet access
14 agreements with African countries (unless pro-
15 hibited under national law or contractual
16 terms), management plans, and regulations for
17 marine fishery stocks;

18 (4) develop and include in counter-IUU strate-
19 gies efforts to address associated maritime violations
20 relating to violations of internationally recognized
21 worker rights and forced labor; and

22 (5) work to coordinate efforts to address forced
23 labor and violations of internationally recognized
24 worker rights with foreign countries and partners,
25 where appropriate.

1 **SEC. 4. STATEMENT OF POLICY.**

2 It is the policy of the United States to—

3 (1) provide technical and other forms of
4 counter-IUU fishing capacity-building assistance to
5 countries in Africa that have prioritized such efforts
6 and that request such assistance;

7 (2) engage with countries in Africa that face
8 IUU fishing challenges to deepen cooperation related
9 to combating IUU fishing; and

10 (3) ensure that sufficient full-time United
11 States Government personnel, including personnel
12 from the Coast Guard and other Federal agency
13 staff, mandated with pursuing counter-IUU fishing
14 are deployed to United States Embassies in African
15 countries that face significant IUU challenges.

16 **SEC. 5. ANNEX TO THE 2022 NATIONAL 5-YEAR STRATEGY.**

17 (a) IN GENERAL.—Not later than 1 year after the
18 date of enactment of this Act, the Interagency Working
19 Group on IUU Fishing, as established by section 3551 of
20 the Maritime Security and Fisheries Enforcement Act (16
21 U.S.C. 8031), shall submit to the appropriate congres-
22 sional committees an annex to the 2022 National 5-Year
23 Strategy for Combating Illegal, Unreported, and Unregu-
24 lated Fishing relating to IUU fishing off the coasts of Af-
25 rica. Such annex shall—

1 (1) focus on efforts to counter IUU industrial
2 fishing off of Africa’s coasts;

3 (2) identify opportunities to expand cooperation
4 with African countries—

5 (A) to strengthen national and sub-re-
6 gional maritime security partnerships with the
7 United States; and

8 (B) to achieve increased success in coun-
9 tering IUU industrial fishing; and

10 (3) identify specific actions to—

11 (A) enhance African partner country—

12 (i) maritime domain awareness capa-
13 bilities relating to IUU fishing;

14 (ii) capability to manage fishing ac-
15 tivities within their exclusive economic
16 zones and to take enforcement action to
17 address violations of such management
18 measures, including through international
19 coordination; and

20 (iii) legal and other institutional ca-
21 pacity-building necessary to develop, en-
22 hance, and enforce effective domestic laws
23 and regulations, including those necessary
24 to implement international legal commit-
25 ments, to combat IUU fishing;

1 (B) assist with the regulation of domestic
2 and foreign commercial fishing vessels and
3 fleets operating in a given country's territorial
4 waters in a manner that facilitates the identi-
5 fication, mitigation, and prevention of unsafe
6 working conditions, violations of internationally
7 recognized worker rights, and labor abuses on
8 such vessels and fleets; and

9 (C) increase support for existing regional
10 monitoring, control, and surveillance centers
11 and support the establishment of new such cen-
12 ters throughout Africa.

13 (b) PRIORITY COASTAL STATES.—

14 (1) IN GENERAL.—In implementing the annex
15 required by subsection (a), the Secretary of State, in
16 consultation with the Administrator of the United
17 States Agency for International Development, the
18 Secretary of Defense, the Administrator of the Na-
19 tional Oceanic and Atmospheric Administration, the
20 Commandant of the Coast Guard and the heads of
21 other relevant Federal agencies, shall identify addi-
22 tional African countries to be “Priority Coastal
23 States” to serve as the focus of counter-IUU fishing
24 efforts in Africa. Such Priority Coastal States shall
25 be chosen—

1 (A) on the basis of—

2 (i) significant negative impact that
3 IUU fishing is having on the host coun-
4 try's economy, food security and stability;

5 (ii) capacity, and willingness, of the
6 host country to work with the United
7 States Government in countering IUU
8 fishing; and

9 (iii) the national security interests of
10 the United States; and

11 (B) in a manner that ensures that—

12 (i) not fewer than 4 countries are se-
13 lected, including not fewer than one East
14 African country; and

15 (ii) all of the countries are from either
16 a Tier One or Tier Two Priority Region,
17 as defined in the 2022 National 5-Year
18 Strategy for Combating Illegal, Unre-
19 ported, and Unregulated Fishing.

20 (2) CONGRESSIONAL CONSULTATION.—Prior to
21 finalization of the selection of Priority Countries,
22 representatives from the Department of State, the
23 United States Agency for International Develop-
24 ment, the Department of Defense, the National Oce-
25 anic and Atmospheric Administration, and the Coast

1 Guard shall consult the appropriate congressional
2 committees on the countries being considered for
3 prioritization and shall consider congressional input
4 on such prioritization.

5 (3) JUSTIFICATION.—Not later than 60 days
6 after the selection of the Priority Countries under
7 this subsection the Secretary of State, in coordina-
8 tion with the Administrator of the United States
9 Agency for International Development, the Secretary
10 of Defense, the Administrator of the National Oce-
11 anic and Atmospheric Administration, and the Com-
12 mandant of the Coast Guard, and in consultation
13 with the heads of other relevant Federal depart-
14 ments and agencies, shall submit to Congress an un-
15 classified written justification, which may include a
16 classified annex, for the Priority Countries chosen.

17 (c) IMPLEMENTATION PLAN.—Not later than 1 year
18 after the date of the enactment of this Act, the Secretary
19 of State, in coordination with the Administrator of the
20 United States Agency for International Development, the
21 Secretary of Defense, the Administrator of the National
22 Oceanic and Atmospheric Administration, the Com-
23 mandant of the Coast Guard, and the heads of other rel-
24 evant Federal agencies, shall submit a plan to counter
25 IUU fishing in the Priority Countries chosen under sub-

1 section (c) including by implementing the specific actions
2 identified in subsection (a).

3 (d) REPORTS.—Not later than 1 year after the date
4 of enactment of this Act, and biennially thereafter for a
5 total of 8 years, the Secretary of State, the Department
6 of Justice, the Administrator of the National Oceanic and
7 Atmospheric Administration, the Secretary of Defense,
8 and the Secretary of Homeland Security shall jointly sub-
9 mit to the appropriate congressional committees a report,
10 which may include a classified annex, that includes the
11 following:

12 (1) A review of the ongoing efforts of the
13 United States to develop the institutional capacity of
14 partner nations in Africa to interdict or identify ac-
15 tors involved in prohibited IUU fishing practices or
16 acts (whether prohibited by law or regulation) and,
17 as applicable, to prosecute violations of such actors
18 under existing domestic laws and, where appropriate,
19 to support the efforts of such countries to strength-
20 en their laws aimed at combatting IUU fishing.

21 (2) A review of efforts to strengthen, reform, or
22 otherwise enhance the laws, policies, and regulatory
23 systems and capacities of partner nations in Africa
24 as these tools relate to countering IUU fishing, in-
25 creasing transparency around operations, including

1 corruption in the allocation of fishing quotas or
2 other rights.

3 (3) An assessment of the number of Depart-
4 ment of Transportation SeaVision accounts that
5 have been allocated to African countries and the as-
6 sociated training provided on how to use SeaVision
7 data.

8 (4) A review of the progress made in identifying
9 the opportunities to expand the mechanisms to com-
10 bat IUU fishing laid out in section 3544 of the Mar-
11 itime Security and Fisheries Enforcement Act (16
12 U.S.C. 8014).

13 (5) An assessment of actions that could be
14 taken by the United States to highlight, publicly and
15 to African partners, the IUU fishing behavior off of
16 Africa's coasts of vessels flagged to the People's Re-
17 public of China or with Chinese beneficial owners
18 and the negative impact caused by IUU fishing to
19 partner countries in Africa.

20 (6) A recording and assessment of the total
21 number of vessels engaged in suspected IUU fishing
22 detected in Africa by the United States and the
23 country of origin for each such vessel during the 2-
24 year period ending on the date of the submission of
25 the report.

1 (7) A review of ongoing efforts by the United
2 States to promote maritime security, marine envi-
3 ronmental protection, and fisheries sustainability in
4 Africa including the number, and per-country break-
5 down, of United States Government personnel situ-
6 ated in diplomatic or consular posts in Africa who
7 work on the counter-IUU fishing portfolio, either
8 full or part time.

9 (8) A recording and assessment of the number
10 of interdictions and boarding and inspections in or
11 off African waters of fishing vessels suspected of
12 IUU fishing activities by the Coast Guard, United
13 States Navy, or other relevant Federal departments
14 and agencies, that occurred during the 2-year period
15 ending on the date of the submission of the report.

16 (9) Specific opportunities to—

17 (A) enhance coordination between the De-
18 partment of State, the United States Agency
19 for International Development, and the Coast
20 Guard, specifically through the Maritime Advi-
21 sors program, as it relates to counter-IUU fish-
22 ing efforts in African countries;

23 (B) enhance cooperation between the Coast
24 Guard, the Navy, the Department of State, the
25 United States Agency for International Devel-

1 opment, the National Oceanic and Atmospheric
2 Administration, and other relevant Federal de-
3 partments and agencies, and the maritime
4 forces of African countries that are allies and
5 partners of the United States, to coordinate
6 and improve counter-IUU fishing efforts;

7 (C) strengthen engagement and coordina-
8 tion by the Coast Guard with other relevant
9 Federal departments and agencies that lead
10 United States participation in regional organi-
11 zations, including regional fisheries manage-
12 ment organizations, dedicated to coordination
13 and cooperation in support of the fisheries poli-
14 cies that align with customary international law
15 related to fisheries management, trade, and law
16 enforcement, international best fishing prac-
17 tices, and United States standards, ocean con-
18 servation, maritime security, and related initia-
19 tives of Africa;

20 (D) increase the presence of the Coast
21 Guard personnel and other relevant Federal de-
22 partments and agencies authorized to address
23 IUU fishing at United States diplomatic and
24 consular posts across Africa to support host

1 country law enforcement and capacity-building
2 initiatives;

3 (E) increase the frequency, and duration of
4 stay, of Coast Guard Mobile Training Teams
5 visits to Africa; and

6 (F) include Coast Guard-led counter-IUU
7 fishing exercises in the annual Department of
8 Defense at-sea exercises conducted with partner
9 countries in Africa including, if appropriate,
10 participation by other relevant United States
11 departments and agencies.

12 **SEC. 6. FEASIBILITY STUDY ON INCREASING THE PRES-**
13 **ENCE OF THE COAST GUARD IN AFRICA.**

14 (a) **IN GENERAL.**—The Commandant of the Coast
15 Guard and the Secretary of State, in consultation with the
16 Secretary of Defense and in coordination with the heads
17 of other relevant Federal departments and agencies, shall
18 conduct a feasibility study to assess the potential for, and
19 challenges to, increasing the number of personnel of the
20 Coast Guard and other Federal departments or agencies
21 with counter-IUU fishing technical capacities and man-
22 dates at United States diplomatic and consular posts in
23 Africa.

24 (b) **RECOMMENDED ASSUMPTIONS.**—For the pur-
25 poses of the feasibility study required by subsection (a)

1 Congress recommends that the following assumptions be
2 made:

3 (1) The Coast Guard personnel deployed must
4 be in the role of a Coast Guard Attaché, Coast
5 Guard Liaison Officer, Coast Guard Maritime Advi-
6 sor, or Coast Guard Security Cooperation Officer.

7 (2) The deployed Coast Guard personnel shall
8 remain in the Coast Guard Priority Country for a
9 tour of duty no shorter than 2 years.

10 (c) IDENTIFICATION OF PRIORITY COUNTRIES.—Not
11 later than 180 days after the date of enactment of this
12 Act, the Commandant of the Coast Guard and the Sec-
13 retary of State, in coordination with the Secretary of De-
14 fense, shall identify certain African countries, to be known
15 under this Act as “Coast Guard Priority Countries” that
16 would benefit the most from an increased Coast Guard
17 presence. Such countries shall be selected pursuant to the
18 following:

19 (1) Coast Guard Priority Countries shall be se-
20 lected on the basis of the criteria laid out in section
21 5(c)(1) for identifying “Priority Countries” and
22 shall also take into account the likelihood that the
23 deployment of Coast Guard personnel to the United
24 States Embassy in the country would measurably in-

1 crease the effectiveness of counter-IUU fishing ef-
2 forts.

3 (2) Prior to finalization of the selection of the
4 Coast Guard Priority Countries, representatives
5 from the Department of State, the Department of
6 Defense, the Coast Guard and other relevant Fed-
7 eral departments and agencies, shall consult the ap-
8 propriate congressional committees on the countries
9 being considered and shall consider congressional
10 input on such prioritization.

11 (d) REPORT.—Not later than 1 year after the date
12 of enactment of this Act, the Commandant of the Coast
13 Guard, in coordination with the Secretary of State and
14 the Secretary of Defense, shall submit to the appropriate
15 congressional committees a written justification for the
16 priority countries selected that includes—

17 (1) the results of the feasibility study under-
18 taken pursuant to subsection (a);

19 (2) justification as to why the Coast Guard Pri-
20 ority Countries were chosen;

21 (3) how the Coast Guard personnel deployed on
22 an ongoing basis to embassies in Coast Guard Pri-
23 ority Countries will benefit counter-IUU fishing ef-
24 forts in these countries;

1 (4) the expected timeline it would take for the
2 Coast Guard personnel to arrive in each of the Coast
3 Guard Priority Countries selected;

4 (5) the current capacity of the host nation gov-
5 ernment, to include the number of maritime assets
6 in the host country navy or coast guard, and the
7 willingness and ability of the host country govern-
8 ment to implement reforms to facilitate successful
9 counter-IUU fishing; and

10 (6) an assessment of challenges or impediments
11 to Coast Guard deployment to Coast Guard Priority
12 Country.

13 **SEC. 7. INCREASED TRAINING IN ILLEGAL, UNREPORTED,**
14 **AND UNREGULATED FISHING DIPLOMACY.**

15 Section 708 of the Foreign Service Act of 1980 (22
16 U.S.C. 4028) is amended—

17 (1) in subsection (a)(1)(C), by striking “; and”
18 and inserting a semicolon;

19 (2) in subsection (a)(1)(D) by striking “.” and
20 inserting “; and”;

21 (3) by adding at the end of subsection (a)(1)
22 the following new subparagraph:

23 “(E) for Foreign Service Officers who will
24 be assigned to a country experiencing or at risk
25 for human trafficking, maritime violations of

1 internationally recognized worker rights, and
2 maritime forced labor within their seafood sec-
3 tor, including on distant water fishing fleets, as
4 determined by the Secretary of State, in con-
5 sultation with the heads of other relevant Fed-
6 eral agencies, instruction on monitoring and
7 countering illegal, unregulated and unreported
8 fishing through the training described in sub-
9 section (f).”; and

10 (4) by adding at the end the following new sub-
11 section:

12 “(f) COUNTER-IUU FISHING.—The Secretary of
13 State, in consultation with the Secretary of Defense, the
14 Commandant of the Coast Guard, the Administrator of
15 the National Oceanic and Atmospheric Administration,
16 the heads of other relevant Federal agencies, and appro-
17 priate representatives of the private sector, shall establish
18 as part of the standard training for Foreign Service Offi-
19 cers, chiefs of mission, and deputy chiefs of mission serv-
20 ing or preparing to serve in countries that were identified
21 as being in a Tier One, Tier Two, or Tier Three Priority
22 Region, as defined in the most recent National 5-Year
23 Strategy for Combating Illegal, Unreported, and Unregu-
24 lated Fishing, training on matters related to countering
25 illegal, unregulated and unreported (IUU) fishing, mari-

1 time violations of internationally recognized worker rights,
2 and maritime forced labor in the respective host country,
3 including—

4 “(1) ongoing efforts to counter-IUU fishing;

5 “(2) country maritime domain awareness capa-
6 bilities including technical assistance;

7 “(3) maritime law enforcement activities, in-
8 cluding international coordination;

9 “(4) legal capacity to strengthen and enforce
10 domestic fisheries management and conservation
11 laws and regulations, including those necessary to
12 implement international legal commitments, aimed
13 at countering IUU fishing, maritime violations of
14 internationally recognized worker rights, forced
15 labor;

16 “(5) legal capacity to identify, apprehend, in-
17 vestigate and prosecute transgressors; and

18 “(6) challenges to implementing effective
19 counter-IUU fishing efforts.”.

20 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

21 Amounts made available to carry out this Act and
22 the amendments made by this Act shall be derived from
23 amounts otherwise authorized to be appropriated to each
24 applicable Federal department or agency, and in par-
25 ticular, with respect to activities of the Department of

1 State, from the Counter PRC Influence Fund of such De-
2 partment.

3 **SEC. 9. DEFINITIONS.**

4 In this Act:

5 (1) APPROPRIATE CONGRESSIONAL COMMIT-
6 TEES.—The term “appropriate congressional com-
7 mittees” means—

8 (A) the Committee on Foreign Affairs of
9 the House of Representatives; and

10 (B) the Committee on Foreign Relations of
11 the Senate.

12 (2) FORCED LABOR.—The term “forced labor”
13 has the meaning given that term in section 307 of
14 the Tariff Act of 1930 (19 U.S.C. 1307).

15 (3) IUU FISHING.—The term “IUU fishing”
16 means activities described as illegal fishing, unre-
17 ported fishing, or unregulated fishing (as such terms
18 are defined in paragraph (3) of the International
19 Plan of Action to Prevent, Deter, and Eliminate Ille-
20 gal, Unreported and Unregulated Fishing, adopted
21 at the 24th Session of the Committee on Fisheries
22 in Rome on March 2, 2001).

23 (4) INTERNATIONALLY RECOGNIZED WORKER
24 RIGHTS.—The term “internationally recognized
25 worker rights” has the meaning give that term in

1 section 601 of the Trade Act of 1974 (19 U.S.C.
2 2467).

○