

118TH CONGRESS  
2D SESSION

# H. R. 7209

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.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 1, 2024

Mr. PETERS (for himself and Mr. GIMENEZ) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services, Transportation and Infrastructure, the Judiciary, Financial Services, and Natural Resources, 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

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## 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 2024”.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

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

9 (2) IUU fishing undermines the sustainable  
10 management of protected living marine resources.

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

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

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

1 (A) overfishing;

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

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

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

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

15 **SEC. 3. CARIBBEAN AND LATIN AMERICA MARITIME SECUR-**  
16 **RITY INITIATIVE.**

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

1 Homeland Security, and other relevant Federal depart-  
2 ments and agencies, as determined necessary.

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

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

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

21 (3) to enhance partner country—

22 (A) maritime domain awareness;

23 (B) capability to perform fisheries manage-  
24 ment and law enforcement activities within

1           their exclusive economic zones, including  
2           through international coordination; and

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

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

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

19          (6) to encourage Caribbean and Latin American  
20          flag states to mandate the use of vessel tracking  
21          technologies, including vessel monitoring systems,  
22          automatic identification systems, or other vessel  
23          movement monitoring technologies on fishing vessels  
24          and transshipment vessels flagged by these countries  
25          and foreign vessels authorized to operate in their ex-

1 exclusive economic zones at all times, as appropriate,  
2 while at sea as a means to identify IUU fishing ac-  
3 tivities and the shipment of illegally caught fish  
4 products; and

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

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

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

23 (2) Entering into such agreements that include  
24 counter-IUU fishing as an objective with countries

1 with which the United States has not already en-  
2 tered into such an agreement.

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

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

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

21 (e) STRATEGY REQUIRED.—Not later than one year  
22 after the date of the enactment of this Act, the Secretary  
23 of Defense, the Secretary of State, the Secretary of Home-  
24 land Security, and the Secretary of Commerce shall jointly

1 submit to the appropriate congressional committees a re-  
2 port that includes the following:

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

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

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

22           (4) An assessment of actions that could be  
23 taken by the Department of State with other rel-  
24 evant Federal departments and agencies to partner  
25 with relevant international organizations to mitigate



1 IUU fishing, including international legal coordina-  
2 tion and data sharing, enforcement practices, and  
3 holding flag States responsible for IUU fishing prac-  
4 tices.

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

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

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

22 (8) For each maritime law enforcement agree-  
23 ment or other agreement relevant to international  
24 cooperation and law enforcement on fisheries issues

1 entered into with any country in the Caribbean or  
2 Latin America—

3 (A) an identification of the countries party  
4 to the agreement;

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

7 (C) a description of the contents of the  
8 agreement.

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

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

21 (11) The number of counter-IUU fishing mis-  
22 sions completed by allies and partners in the Carib-  
23 bean and Latin America with support from the De-  
24 partment of Defense or the Coast Guard during the

1 12-month period preceding the date of the enact-  
2 ment of this Act.

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

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

15 (f) DEFINITIONS.—In this section:

16 (1) The term “appropriate congressional com-  
17 mittees” means—

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

1 (B) the Committee on Foreign Relations,  
2 the Committee on Commerce, Science, and  
3 Transportation, the Committee on Banking, the  
4 Committee on Armed Services, and the Com-  
5 mittee on Appropriations of the Senate.

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

9 (A) The Gulf of Mexico.

10 (B) The Bahamas.

11 (C) Antigua and Barbuda.

12 (D) Argentina.

13 (E) Barbados.

14 (F) Belize.

15 (G) Bolivia.

16 (H) Brazil.

17 (I) Chile.

18 (J) Colombia.

19 (K) Costa Rica.

20 (L) Dominica.

21 (M) Dominican Republic.

22 (N) Ecuador.

23 (O) El Salvador.

24 (P) Grenada.

25 (Q) Guatemala.

- 1 (R) Guyana.
- 2 (S) Haiti.
- 3 (T) Honduras.
- 4 (U) Jamaica.
- 5 (V) Nicaragua.
- 6 (W) Panama.
- 7 (X) Paraguay.
- 8 (Y) Peru.
- 9 (Z) Saint Kitts and Nevis.
- 10 (AA) Saint Lucia.
- 11 (BB) Saint Vincent and the Grenadines.
- 12 (CC) Suriname.
- 13 (DD) Trinidad and Tobago.
- 14 (EE) Turks and Caicos.
- 15 (FF) Uruguay.

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

19 (A) that extends a maximum distance of  
20 200 nautical miles from the baseline from  
21 which the breadth of the territorial sea is meas-  
22 ured, in accordance with international law; and

23 (B) where the country has, to the extent  
24 permitted by international law—

1 (i) sovereign rights for the purpose of  
2 exploring, exploiting, conserving, and man-  
3 aging natural resources, both living and  
4 non-living, of the seabed and subsoil and  
5 the superjacent waters and with regard to  
6 other activities for the economic exploi-  
7 tation and exploration; and

8 (ii) jurisdiction with regard to the es-  
9 tablishment and use of artificial islands,  
10 and installations and structures having  
11 economic purposes, and the protection and  
12 preservation of the marine environment.

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

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

1           (6) The term “fly a flag of convenience” with  
2           respect to a vessel means the registry of the vessel  
3           under the flag of a nation other than the nation of  
4           citizenship or incorporation of the beneficial owner  
5           of the vessel in order to profit from less restrictive  
6           regulations.

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

8           (a) IN GENERAL.—The President may impose the  
9           sanctions described in subsection (b) with respect to any  
10          foreign person, including a foreign vessel regardless of  
11          ownership, that the President determines—

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

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

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

21                         (C) behavior associated with IUU fishing,  
22                         including improper use of relevant vessel moni-  
23                         toring, identification, or communication sys-  
24                         tems;

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

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

10          (4) has materially assisted, sponsored, or pro-  
11 vided financial, material, or technological support  
12 for, or goods or services in support of—

13                 (A) any of the activities described in para-  
14 graph (1); or

15                 (B) any entity engaged in any such activ-  
16 ity.

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

19                 (1) BLOCKING OF PROPERTY.—Notwith-  
20 standing section 202 of the International Emergency  
21 Economic Powers Act (50 U.S.C. 1701), the exercise  
22 of all powers granted to the President by the Inter-  
23 national Emergency Economic Powers Act (50  
24 U.S.C. 1701 et seq.) to the extent necessary to block  
25 and prohibit all transactions in all property and in-



1       terests in property of a foreign person described in  
2       subsection (a), if such property and interests in  
3       property are in the United States, come within the  
4       United States, or are or come within the possession  
5       or control of a United States person.

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

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

11              (B) revocation of any valid visa or travel  
12       documentation in accordance with section  
13       221(i) of the Immigration and Nationality Act  
14       (8 U.S.C. 1201(i)).

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

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

1           (5) SANCTIONS ON PRINCIPAL EXECUTIVE OF-  
2           FICERS.—The President may impose on the prin-  
3           cipal executive officer or officers of the foreign per-  
4           son, entity, or on individuals performing similar  
5           functions and with similar authorities as such officer  
6           or officers, any of the sanctions described in para-  
7           graphs (1), (2), (3), (4), or (6) of this subsection  
8           that are applicable.

9           (6) LOANS FROM UNITED STATES FINANCIAL  
10          INSTITUTIONS.—The President may prohibit any  
11          United States financial institution from making  
12          loans or providing credits to the foreign person or  
13          entity.

14          (7) FOREIGN EXCHANGE.—The President may,  
15          pursuant to such regulations as the President may  
16          prescribe, prohibit any transactions in foreign ex-  
17          change that are subject to the jurisdiction of the  
18          United States and in which the foreign person, enti-  
19          ty, or vessel has any interest.

20          (8) REPORT.—The President shall annually  
21          submit a report to the Committee on Financial Serv-  
22          ices and the Committee on Foreign Affairs of the  
23          House of Representatives and the Committee on  
24          Banking, Housing, and Urban Affairs and the Com-

1       mittee on Foreign Relations of the Senate on actions  
2       exercising the authorities provided by this section.

3       (c) IMPLEMENTATION; PENALTIES.—

4             (1) IMPLEMENTATION.—The President may ex-  
5       ercise all authorities provided under sections 203  
6       and 205 of the International Emergency Economic  
7       Powers Act (50 U.S.C. 1702 and 1704) to carry out  
8       this section.

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

18      (d) NATIONAL INTEREST WAIVER.—The President  
19      may waive the imposition of sanctions under this section  
20      with respect to a person if the President determines that  
21      such a waiver is in the national interests of the United  
22      States.

23      (e) EXCEPTIONS.—

24             (1) EXCEPTIONS FOR AUTHORIZED INTEL-  
25      LIGENCE AND LAW ENFORCEMENT ACTIVITIES.—

1 This section shall not apply with respect to activities  
2 subject to the reporting requirements under title V  
3 of the National Security Act of 1947 (50 U.S.C.  
4 3091 et seq.) or any authorized intelligence, law en-  
5 forcement, or national security activities of the  
6 United States.

7 (2) EXCEPTION TO COMPLY WITH INTER-  
8 NATIONAL AGREEMENTS.—Sanctions under sub-  
9 section (b)(2) shall not apply with respect to the ad-  
10 mission of an alien to the United States if such ad-  
11 mission is necessary to comply with the obligations  
12 of the United States under the Agreement regarding  
13 the Headquarters of the United Nations, signed at  
14 Lake Success on June 26, 1947, and entered into  
15 force on November 21, 1947, between the United  
16 Nations and the United States, or the Convention on  
17 Consular Relations, done at Vienna on April 24,  
18 1963, and entered into force on March 19, 1967, or  
19 other international obligations.

20 (3) EXCEPTION FOR SAFETY OF VESSELS AND  
21 CREW.—Sanctions under this section shall not apply  
22 with respect to a person providing provisions to a  
23 vessel if such provisions are intended for the safety  
24 and care of the crew aboard the vessel, or the main-

1       tenance of the vessel to avoid any environmental or  
2       other significant damage.

3               (4) HUMANITARIAN EXCEPTION.—The Presi-  
4       dent may not impose sanctions under this section  
5       with respect to any person for conducting or facili-  
6       tating a transaction for the sale of agricultural com-  
7       modities, food, medicine, or medical devices or for  
8       the provision of humanitarian assistance.

9       (f) RULEMAKING.—

10              (1) IN GENERAL.—Agencies responsible for the  
11       implementation of this section may promulgate such  
12       rules and regulations as may be necessary to carry  
13       out the provisions of this section (which may include  
14       regulatory exceptions), including under section 205  
15       of the International Emergency Economic Powers  
16       Act (50 U.S.C. 1704).

17              (2) RULE OF CONSTRUCTION.—Nothing in this  
18       section may be construed to limit the authority of  
19       the President pursuant to the International Emer-  
20       gency Economic Powers Act (50 U.S.C. 1701 et  
21       seq.).

22       (g) DEFINITIONS.—In this section:

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

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

1           (A) a United States citizen or an alien law-  
2 fully admitted for permanent residence to the  
3 United States;

4           (B) an entity organized under the laws of  
5 the United States or any jurisdiction within the  
6 United States, including a foreign branch of  
7 such an entity; or

8           (C) any person located in the United  
9 States.

○