

velopment, the Secretary of the Department in which the Coast Guard is operating when it is not operating as a service in the Department of the Navy, the Secretary of Defense, the Secretary of Commerce, the Attorney General, and the heads of other appropriate Federal agencies shall assess opportunities to combat IUU fishing by expanding, as appropriate, the use of the following mechanisms:

(1) Including counter-IUU fishing in existing shiprider agreements in which the United States is a party.

(2) Entering into shiprider agreements that include counter-IUU fishing with priority flag states and countries in priority regions with which the United States does not already have such an agreement.

(3) Including counter-IUU fishing as part of the mission of the Combined Maritime Forces.

(4) Including counter-IUU fishing exercises in the annual at-sea exercises conducted by the Department of Defense, in coordination with the United States Coast Guard.

(5) Creating partnerships similar to the Oceania Maritime Security Initiative and the Africa Maritime Law Enforcement Partnership in other priority regions.

**(b) Information sharing**

The Director of National Intelligence, in conjunction with other agencies, as appropriate, shall develop an enterprise approach to appropriately share information and data within the United States Government or with other countries or nongovernmental organizations, or the private sector, as appropriate, on IUU fishing and other connected transnational organized illegal activity occurring in priority regions and elsewhere, including big data analytics and machine learning.

(Pub. L. 116–92, div. C, title XXXV, § 3544, Dec. 20, 2019, 133 Stat. 2003.)

**§ 8015. Improvement of transparency and traceability programs**

The Secretary of State, the Administrator of the United States Agency for International Development, the Secretary of the Department in which the Coast Guard is operating when it is not operating as a service in the Department of the Navy, the Secretary of Commerce, and the heads of other Federal agencies, if merited, shall work, as appropriate, with priority flag states and key countries in priority regions—

(1) to increase knowledge within such countries about the United States transparency and traceability standards for imports of seafood and seafood products;

(2) to improve the capacity of seafood industries within such countries through information sharing and training to meet the requirements of transparency and traceability standards for seafood and seafood product imports, including catch documentation and trade tracking programs adopted by relevant regional fisheries management organizations; and

(3) to improve the capacities of government, industry, and civil society groups to develop and implement comprehensive traceability systems that—

(A) deter IUU fishing;

(B) strengthen fisheries management; and

(C) enhance maritime domain awareness.

(Pub. L. 116–92, div. C, title XXXV, § 3545, Dec. 20, 2019, 133 Stat. 2004.)

**§ 8016. Technology programs**

The Secretary of State, the Administrator of the United States Agency for International Development, the Secretary of the Department in which the Coast Guard is operating when it is not operating as a service in the Department of the Navy, the Secretary of Defense, the Secretary of Commerce, and the heads of other Federal agencies, if merited, shall pursue programs, as appropriate, to expand the role of technology for combating IUU fishing, including by—

(1) promoting the use of technology to combat IUU fishing;

(2) assessing the technology needs, including vessel tracking technologies and data sharing, in priority regions and priority flag states;

(3) engaging with priority flag states to encourage the mandated use of vessel tracking technologies, including vessel monitoring systems, AIS, or other vessel movement monitoring technologies on fishing vessels and transshipment vessels at all times, as appropriate, while at sea as a means to identify IUU fishing activities and the shipment of illegally caught fish products; and

(4) building partnerships with the private sector, including universities, nonprofit research organizations, the seafood industry, and the technology, transportation and logistics sectors, to leverage new and existing technologies and data analytics to address IUU fishing.

(Pub. L. 116–92, div. C, title XXXV, § 3546, Dec. 20, 2019, 133 Stat. 2004.)

**§ 8017. Savings clause**

No provision of section 8001 of this title or of this subchapter shall impose, or be interpreted to impose, any duty, responsibility, requirement, or obligation on the Department of Defense, the Department of the Navy, the United States Coast Guard when operating as a service in the Department of Homeland Security, or any official or component of either.

(Pub. L. 116–92, div. C, title XXXV, § 3547, Dec. 20, 2019, 133 Stat. 2005.)

**SUBCHAPTER II—ESTABLISHMENT OF INTERAGENCY WORKING GROUP ON IUU FISHING**

**§ 8031. Interagency Working Group on IUU fishing**

**(a) In general**

There is established a collaborative interagency working group on maritime security and IUU fishing (referred to in this chapter as the “Working Group”).

**(b) Members**

The members of the Working Group shall be composed of—

(1) 1 chair, who shall rotate between the Secretary of the Department in which the Coast

Guard is operating, acting through the Commandant of the Coast Guard, the Secretary of State, and the National Oceanographic and Atmospheric Administration, acting through the Administrator, on a 3-year term;

(2) 2 deputy chairs, who shall be appointed by their respective agency heads and shall be from a different Department than that of the chair, from—

- (A) the Coast Guard;
- (B) the Department of State; and
- (C) the National Oceanic and Atmospheric Administration;

(3) 12 members, who shall be appointed by their respective agency heads, from—

- (A) the Department of Defense;
- (B) the United States Navy;
- (C) the United States Agency for International Development;
- (D) the United States Fish and Wildlife Service;
- (E) the Department of Justice;
- (F) the Department of the Treasury;
- (G) U.S. Customs and Border Protection;
- (H) U.S. Immigration and Customs Enforcement;
- (I) the Federal Trade Commission;
- (J) the Department of Agriculture;
- (K) the Food and Drug Administration; and
- (L) the Department of Labor;

(4) 1 or more members from the intelligence community (as defined in section 3003 of title 50), who shall be appointed by the Director of National Intelligence; and

(5) 5 members, who shall be appointed by the President, from—

- (A) the National Security Council;
- (B) the Council on Environmental Quality;
- (C) the Office of Management and Budget;
- (D) the Office of Science and Technology Policy; and
- (E) the Office of the United States Trade Representative.

### (c) Responsibilities

The Working Group shall ensure an integrated, Federal Government-wide response to IUU fishing globally, including by—

- (1) improving the coordination of Federal agencies to identify, interdict, investigate, prosecute, and dismantle IUU fishing operations and organizations perpetrating and knowingly benefitting from IUU fishing;
- (2) assessing areas for increased interagency information sharing on matters related to IUU fishing and related crimes;
- (3) establishing standards for information sharing related to maritime enforcement;
- (4) developing a strategy to determine how military assets and intelligence can contribute to enforcement strategies to combat IUU fishing;
- (5) increasing maritime domain awareness relating to IUU fishing and related crimes and developing a strategy to leverage awareness for enhanced enforcement and prosecution actions against IUU fishing;
- (6) supporting the adoption and implementation of the Port State Measures Agreement in

relevant countries and assessing the capacity and training needs in such countries;

(7) outlining a strategy to coordinate, increase, and use shiprider agreements between the Department of Defense or the Coast Guard and relevant countries;

(8) enhancing cooperation with partner governments to combat IUU fishing;

(9) identifying opportunities for increased information sharing between Federal agencies and partner governments working to combat IUU fishing;

(10) consulting and coordinating with the seafood industry and nongovernmental stakeholders that work to combat IUU fishing;

(11) supporting the work of collaborative international initiatives to make available certified data from state authorities about vessel and vessel-related activities related to IUU fishing;

(12) supporting the identification and certification procedures to address IUU fishing in accordance with the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826d et seq.); and

(13) publishing annual reports summarizing nonsensitive information about the Working Group's efforts to investigate, enforce, and prosecute groups and individuals engaging in IUU fishing.

(Pub. L. 116-92, div. C, title XXXV, § 3551, Dec. 20, 2019, 133 Stat. 2005.)

### Editorial Notes

#### REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original "this subtitle", meaning subtitle C of title XXXV of div. C of Pub. L. 116-92, Dec. 20, 2019, 133 Stat. 1997, known as the Maritime Security and Fisheries Enforcement Act and also as the Maritime SAFE Act, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 8001 of this title and Tables.

The High Seas Driftnet Fishing Moratorium Protection Act, referred to in subsec. (c)(12), is Pub. L. 104-43, title VI, Nov. 3, 1995, 109 Stat. 391, which enacted sections 1826d to 1826g of this title and provisions set out as a note under section 1826d of this title. For complete classification of this Act to the Code, see Short Title of 1995 Amendment note set out under section 1801 of this title and Tables.

### § 8032. Strategic plan

#### (a) Strategic plan

Not later than 2 years after December 20, 2019, the Working Group, after consultation with the relevant stakeholders, shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Natural Resources of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Appropriations of the House of Representatives a 5-year integrated strategic plan on combating IUU fishing and enhancing maritime security, including specific strategies with monitoring