

119TH CONGRESS  
2D SESSION

# S. 4720

To amend the High Seas Driftnet Fishing Moratorium Protection Act to authorize the Secretary of Commerce to consider nations with open registries in the Secretary’s identification of nations engaging in or endorsing illegal, unreported, or unregulated fishing.

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## IN THE SENATE OF THE UNITED STATES

JUNE 9, 2026

Mr. MERKLEY (for himself and Mr. WICKER) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To amend the High Seas Driftnet Fishing Moratorium Protection Act to authorize the Secretary of Commerce to consider nations with open registries in the Secretary’s identification of nations engaging in or endorsing illegal, unreported, or unregulated fishing.

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 “Protecting U.S. Fish-  
5 ers from Illegal Foreign Flags Act of 2026”.

1 **SEC. 2. AMENDMENTS TO THE HIGH SEAS DRIFTNET FISH-**  
2 **ING MORATORIUM PROTECTION ACT.**

3 Section 609 of the High Seas Driftnet Fishing Mora-  
4 torium Protection Act (16 U.S.C. 1826j) is amended—

5 (1) in subsection (a)(2), by adding at the end  
6 the following:

7 “(E) Any nation that allows vessels to be  
8 operated under the laws of the nation without  
9 confirming a genuine link (as described in Arti-  
10 cle 5(1) of the United Nations Convention on  
11 the High Seas, done at Geneva on April 29,  
12 1958 and entered into force September 30,  
13 1962) between the nation and the persons or  
14 entities with beneficial ownership and control of  
15 the vessel, and that, as a result, fails to effec-  
16 tively exercise flag state responsibilities as de-  
17 scribed in subparagraphs (A) through (C).”;  
18 and

19 (2) in subsection (e), by striking paragraph (2)  
20 and inserting the following:

21 “(2) SECRETARY TO AMEND TERM WITHIN LEG-  
22 ISLATIVE GUIDELINES.—Not later than 90 days  
23 after the date of enactment of the Protecting U.S.  
24 Fishers from Illegal Foreign Flags Act of 2026, the  
25 Secretary shall amend the definition of the term ‘il-  
26 legal, unreported, or unregulated fishing’ published

1 at part 300.201 of title 50, Code of Federal Regula-  
2 tions (as in effect on the date of enactment of such  
3 Act), to be consistent with section 3532(6) of the  
4 Maritime SAFE Act (16 U.S.C. 8001(6)).”.

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