

118TH CONGRESS
2D SESSION

H. R. 10010

To amend the Magnuson-Stevens Fishery Conservation and Management Act to add an economic cause as an allowable cause to declare a fishery resource disaster.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 18, 2024

Ms. MACE (for herself, Mr. CARTER of Louisiana, Mr. WEBER of Texas, Mr. GOLDEN of Maine, Mr. HIGGINS of Louisiana, Mr. MURPHY, Mr. CARL, Mr. D'ESPOSITO, and Mr. DONALDS) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To amend the Magnuson-Stevens Fishery Conservation and Management Act to add an economic cause as an allowable cause to declare a fishery resource disaster.

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 “Protect American
5 Fisheries Act of 2024”.

1 **SEC. 2. ECONOMIC FISHERY RESOURCE DISASTERS.**

2 Section 312(a) of the Magnuson-Stevens Fishery
3 Conservation and Management Act (16 U.S.C. 1861a(a))
4 is amended—

5 (1) in paragraph (1)—

6 (A) in subparagraph (A), by inserting
7 “economic cause,” after “discrete anthropogenic
8 cause,”;

9 (B) by redesignating subparagraphs (D)
10 through (G) as subparagraphs (F) through (I),
11 respectively;

12 (C) by redesignating subparagraph (C) as
13 subparagraph (D);

14 (D) by inserting after subparagraph (B)
15 the following:

16 “(C) ECONOMIC CAUSE.—The term ‘eco-
17 nomic cause’ means any activity carried out by
18 a foreign person that the Secretary deter-
19 mines—

20 “(i) distorts the market for a fishery
21 resource;

22 “(ii) disrupts the sustainable harvest
23 of a fishery resource; or

24 “(iii) hinders the operational or eco-
25 nomic viability of a fishery resource.”;

1 (E) in subparagraph (D)(i), as so redesignated,
2 nated, by inserting “or significant disruption to
3 the fishery resource or economy of a fishing
4 community” after “fishery resource”; and

5 (F) by inserting after subparagraph (D),
6 as so redesignated, the following:

7 “(E) FOREIGN PERSON.—The term ‘for-
8 eign person’ means—

9 “(i) an individual who is not a citizen
10 or national of the United States;

11 “(ii) a government of a foreign coun-
12 try and any unit of such government;

13 “(iii) an international financial insti-
14 tution (as the term ‘international financial
15 institutions’ is defined in section 1701(c)
16 of the International Financial Institutions
17 Act (22 U.S.C. 262r(c)));

18 “(iv) a partnership, association, cor-
19 poration, organization, or other combina-
20 tion of persons organized under the laws of
21 or having its principal place of business in
22 a foreign country; and

23 “(v) a partnership, association, cor-
24 poration, organization, or other combina-
25 tion of persons organized under the laws of

1 the United States that is owned by, di-
2 rectly or indirectly controlled by, or subject
3 to the direction of a person or an entity
4 described in clauses (i) through (iv).”;

5 (2) in paragraph (3)(B)(v)—

6 (A) in subclause (III), by striking “and” at
7 the end;

8 (B) in subclause (IV), by striking the pe-
9 riod at the end and inserting “; and”; and

10 (C) by inserting after subclause (IV) the
11 following:

12 “(V) if applicable with respect to
13 the cause of the fishery resource dis-
14 aster, information documenting the
15 adverse effects of activities carried out
16 by a foreign person on the operational
17 or economic viability of the applicable
18 fishery, including—

19 “(aa) illegal, unreported, or
20 unregulated fishing, including the
21 use of forced or child labor;

22 “(bb) predatory pricing; and

23 “(cc) the provision of sub-
24 sidies that—

1 “(AA) have an adverse
2 effect on the price in the
3 United States or export
4 markets of seafood produced
5 by the applicable fishery; or
6 “(BB) otherwise cause
7 a distortion of such mar-
8 kets.”;

9 (3) in paragraph (4)(B)(i)(II)—

10 (A) in item (ii), by striking “and” at the
11 end;

12 (B) in item (jj), by striking the period at
13 the end and inserting a semicolon; and

14 (C) by adding at the end the following:

15 “(kk) prices in the United
16 States or export markets of sea-
17 food produced in the fishery; and

18 “(ll) if the requester submits
19 information described in para-
20 graph (3)(B)(v)(V), any activities
21 carried out by a foreign person
22 that contribute to an economic
23 cause of the fishery resource dis-
24 aster and the specific economic
25 effects thereof.”; and

1 (4) in paragraph (5)(A)—

2 (A) in clause (iii)—

3 (i) by striking “a combination” and
4 inserting “any combination”; and

5 (ii) by striking “and an anthropogenic
6 cause” and inserting “, anthropogenic
7 cause, or economic cause”;

8 (B) by redesignating clauses (iii) and (iv)
9 as clauses (iv) and (v), respectively; and

10 (C) by inserting after clause (ii) the fol-
11 lowing:

12 “(iii) an economic cause;”.

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