



REPORT TO CONGRESS

REPORT OF THE MARITIME SECURITY AND FISHERIES ENFORCEMENT ACT INTERAGENCY WORKING GROUP ON IUU FISHING REGARDING EFFORTS TO INVESTIGATE, ENFORCE, AND PROSECUTE ILLEGAL, UNREGULATED, AND UNREPORTED FISHING IN 2020

*Developed pursuant to: Maritime Security and Fisheries Enforcement Act, 2019
(Public Law No. 116-92)*

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THE MARITIME SECURITY AND FISHERIES ENFORCEMENT ACT (PUBLIC LAW 116-92) INCLUDED THE FOLLOWING LANGUAGE:

SEC. 3551. 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 subtitle 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 3 of the National Security Act of 1947 (50 U.S.C. 3003)), 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.

THIS REPORT RESPONDS TO THE ACT'S REQUIREMENT UNDER SEC 3551(c)(13).

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I. EXECUTIVE SUMMARY

This report is submitted in accordance with the Maritime Security and Fisheries Enforcement Act (Public Law No. 116-92; Maritime SAFE Act) which became law on December 20, 2019. Part II of the Maritime SAFE Act calls for the establishment of a collaborative interagency working group to strengthen maritime security and combat illegal, unreported, and unregulated (IUU) fishing. The interagency Working Group on IUU fishing is chaired by the National Oceanic and Atmospheric Administration (NOAA), and co-chaired by the Department of State (DOS) and the U.S. Coast Guard (USCG). The Working Group brings together 21 agencies for an integrated, federal government-wide response to IUU fishing globally.

Section 3551(c)(13) directs the Working Group to publish annual reports summarizing nonsensitive information about the Working Group members' efforts to investigate, enforce, and prosecute groups and individuals engaging in IUU fishing. NOAA, USCG, the U.S. Department of Justice (DOJ), U.S. Fish and Wildlife Service (USFWS), and the U.S. Department of Homeland Security (HSI)¹ contributed to this report.

This report describes the Working Group members' efforts to investigate groups and individuals engaged in IUU fishing; to enforce laws, treaties, and regional fishery management organization (RFMO) compliance measures related to IUU fishing; and to prosecute groups and individuals engaging in IUU fishing from January 1, 2020, through December 31, 2020. The report is organized into investigations, enforcement actions, and prosecutions; however, due to the progressive nature of these cases, these actions do not always fit neatly into one category.

¹ The following agencies responded to the call for information, but had no publicly reportable enforcement actions for calendar year 2020: Department of State, U.S. Internal Revenue Service, Office of the U.S. Trade Representative, U.S. Agency for International Development.

List of Acronyms

<u>Acronym</u>	<u>Full Name</u>
ACE	Automated Commercial Environment (U.S. Customs and Border Protection)
AIT	American Institute in Taiwan
CBP	U.S. Customs and Border Protection
CITES/ESA	Convention on International Trade in Endangered Species of Wild Fauna and Flora Endangered Species Act
CTAC	Commercial Targeting and Analysis Center
DFO	Canada Department of Fisheries and Oceans
DOJ	Department of Justice
DOS	Department of State
EEZ	Exclusive Economic Zone
F/V	Fishing Vessel
FDA	Food and Drug Administration
ICCAT	International Commission for the Conservation of Atlantic Tunas
ICE HSI	Immigration and Customs Enforcement, Homeland Security Investigations
INTERPOL	International Criminal Police Organization
IUU	Illegal, unreported, and unregulated (fishing)
MSA	Magnuson-Stevens Fishery Conservation and Management Act
NM	Nautical mile
NMFS	National Marine Fisheries Service (a NOAA line office)
NOAA	National Oceanic and Atmospheric Administration (an agency of the Department of Commerce)
NOAA OLE	NOAA Office of Law Enforcement
NPAFC	North Pacific Anadromous Fish Commission
NPFC	North Pacific Fisheries Commission
OLRFI	U.S. Department of Labor - Office of Labor Racketeering and Fraud Investigations
RFMO	Regional Fishery Management Organization
SIMP	Seafood Import Monitoring Program
SPRFMO	South Pacific Regional Fisheries Management Organization
USCG	United States Coast Guard
USFWS	United States Fish and Wildlife Service
VHF	Very High Frequency
WCPFC	Western and Central Pacific Fisheries Commission

II. WORKING GROUP MEMBERS' EFFORTS TO INVESTIGATE GROUPS AND INDIVIDUALS ENGAGED IN IUU FISHING

January 2020

On January 3, 2020, USCG's maritime domain awareness (MDA) watch discovered the Japanese F/V *Kaiyo Maru No.58* operating inside the U.S. Exclusive Economic Zone (EEZ) west of Midway Island. A USCG aircraft sighted *Kaiyo Maru No.58* actively fishing 50 nautical miles inside of the U.S. EEZ. The USCG command center emailed the vessel and stated that they needed to cease fishing and depart the EEZ. The case package was transferred to NOAA's National Marine Fisheries Service (NMFS) Office of Law Enforcement (OLE) on January 8, 2020. OLE turned the case over to Japan for further investigation and enforcement action as the flag State. The investigation concluded that the vessel did not have the U.S. EEZ entered into its GPS plotter. All catch resulting from the incursion was disposed of, the vessel was prevented from fishing for 55 days (resulting in approximately \$1.55 million (USD) in lost revenue), and the vessel's vessel monitoring system (VMS) was modified to notify the vessel when it approaches the U.S. EEZ.

April 2020

On April 9, 2020, the USCG notified NOAA of a foreign-flagged vessel suspected of illegal tuna fishing activity on the high seas. The vessel, F/V *Ocean Star No. 2*, claimed to be operating under the flag of Vanuatu. NOAA contacted Vanuatu and other member countries of the International Commission for the Conservation of Atlantic Tunas (ICCAT) and determined that the vessel was in fact stateless and unauthorized to operate in ICCAT-managed fisheries, and thus engaging in IUU fishing. NOAA coordinated efforts with the USCG, INTERPOL, Fisheries and Oceans Canada (DFO), and non-governmental organizations to locate the vessel. In addition, the ICCAT Secretariat issued a notice to all ICCAT member countries notifying them of the vessel's activity. The vessel was added to the ICCAT IUU vessel list; as a result, all ICCAT contracting parties and cooperating non-contracting parties are required to deny this vessel port entry, except for the purposes of inspection and enforcement or in cases of force majeure, and to prohibit the import, landing, or transshipment of tuna and tuna-like species from the vessel. Furthermore, the vessel's name and identifiers were added to the [U.S Customs and Border Protection \(CBP\) Cargo Systems Messaging Service](#) (CSMS) to notify U.S. importers of prohibitions against seafood shipments originating from this vessel.

May 2020

On May 6, 2020, the USCG sighted the F/V *Mario No. 11 343* nautical miles north of the British Virgin Islands within the ICCAT Convention area. At the time, the vessel was on ICCAT's authorized vessel list for longline fishing and flagged to Senegal. The USCG made contact via VHF radio but, due to language barriers, was not able to discern any pertinent information from the vessel concerning its activities. The USCG observed approximately 250 shark fins strung from lines throughout the vessel's decks, calling into question the vessel's adherence to [ICCAT Recommendation 04-10 Concerning the Conservation of Sharks Caught in Association with Fisheries Managed by ICCAT](#). When contacted by the United States, Senegalese authorities confirmed that the vessel's registration was being cancelled (the process of cancellation was initiated on January 7, 2020). Based on the combined investigative efforts of NOAA and the USCG, the vessel has been added to the ICCAT IUU vessel list and notice issued to all contracting parties and cooperating non-contracting parties regarding the vessel's illegal fishing activities. As a result of the vessel's inclusion on ICCAT's IUU fishing vessel list, all ICCAT contracting parties and cooperating non-contracting parties are required to deny this vessel port entry, except for the purposes of inspection and enforcement or in cases of force majeure, and to prohibit the import, landing, or transshipment of tuna and tuna-like species from the vessel. In addition, the investigating agencies worked with CBP to have the vessel's name and identifiers added to the CBP's CSMS. Partners engaged for this response included USCG, NOAA, ICCAT, Department of State, DoD 6th Fleet, the relevant Port States, and INTERPOL.

August 2020

The USCG executed a patrol in support of Operation KUARTAM from August 25 to 29, 2020. This patrol was split into two phases, overt and covert, to maximize detection of potential IUU fishing activities in the vicinity of the Galapagos Islands and capture reactionary fleet activity. This operation focused on evidence gathering to support IUU fishing network analysis and disruption. Through intelligence-driven operational planning, the USCG executed collection on dark targets, non-registered vessels, and those vessels exhibiting activities contrary to the South Pacific Regional Fishery Management Organization (SPRFMO) conservation and management measures and Ecuadorian domestic law. In addition, the USCG capitalized on the opportunity to maximize partner nation engagement with Ecuador by conducting a joint patrol with the Ecuadorian Coast Guard vessel, within the Ecuadorian EEZ surrounding the Galapagos Islands and international waters. In summary, a total of 35 Right of Approach (ROA) inquiries were conducted of fishing and transshipment vessels, 15 of which had potential IUU fishing indicators. As a result, Ecuador sent a letter to SPRFMO asking to add six vessels to SPRFMO's IUU fishing

vessel list. There were no detections of foreign fishing vessel (FFV) incursions or gear incursions into the Ecuadorian EEZ. This operation highlights significant progress in laying foundations for Central/South American partnerships in the fight against IUU fishing. The leveraging of USCG capabilities in the region to observe, collect, and share information on illicit activities occurring in the remote areas not easily reachable by Ecuadorian maritime assets illustrates one of the many ways the United States can assist other nations in policing and protecting their waters.

December 2020

Operation Southern Cross operationalized the USCG's [IUU Fishing Strategic Outlook](#) to expand multilateral fisheries enforcement cooperation with like-minded partner nations in South America. From December 2020 to March 2021 the USCG patrolled the South Atlantic and conducted joint counter-IUU fishing patrols, executed communication and maneuvering exercises, and trained with Brazilian, Uruguayan, and Argentinean partners. The USCG's unique capabilities proved to be successful in improving maritime domain awareness for partner nations such as Brazil, whose resources are limited in patrolling the farther regions of their EEZ.

III. ENFORCEMENT ACTIONS PERTAINING TO IUU FISHING

January–December 2020

A significant number of fishing vessel incursions by Mexican lancha vessels into the U.S. EEZ in the Gulf of Mexico continue. In 2020, the USCG interdicted 138 Mexican lancha vessels for illegal fishing in the U.S. EEZ of the Gulf of Mexico. NOAA, DOS, and USCG continue to work with the Government of Mexico to encourage increased efforts to address this issue, which persists despite USCG enforcement efforts and reported Mexican legal actions as evidenced by the high number of incursions and apprehension of repeat offenders in 2020. The background of this long-standing issue can be found in the [2019 biennial report to Congress on Improving International Fisheries Management](#).

February 2020

On February 6, 2020, USCG aircraft detected three Taiwan-flagged vessels in the U.S. EEZ approximately 100 nautical miles south of Guam. One of the vessels showed signs of actively fishing. As the flag authority, Taiwan is expected to take action against any unauthorized fishing by its vessels in the U.S. EEZ. USCG forwarded a case package to NOAA for further consideration. NOAA determined that the photos taken over one of the vessels indicated that the vessel crew was engaged in recreational fishing. A Summary Settlement was issued to the

owner, assessing a \$1,000 (USD) fine. The fine was paid and the case was closed as of August 2020. NOAA did not take any enforcement action against the other two vessels due to lack of evidence. Taiwan's Fisheries Agency Deep Sea Fisheries Division told the American Institute in Taiwan (AIT) on March 13, 2020, that Taiwan planned to investigate the incidents and impose the strictest penalties on the Taiwan-flagged fishing vessels in question if investigations revealed illegal behavior.

April 2020

In April 2020, NOAA OLE received information from the NMFS Office of International Affairs and Seafood Inspection regarding an altered catch certificate request validation form. The catch certificate documented the export of frozen pink salmon, which was shipped to China. The investigation resulted in a U.S. Correspondence Flash message, sent to China by the U.S. National Central Bureau (INTERPOL). The flash notice requested that the Chinese Government investigate the Chinese company that attempted to ship the frozen pink salmon with an altered catch certificate. All evidence collected was provided to the Chinese Government for follow-up action.

April 2020

In April 2020, import restrictions initially created by NOAA and CBP in 2018 for fish and fish products from Mexico caught with gillnets deployed in the range of the vaquita, expanded to other gear types, and to anchovy, herrings, sardines, mackerels, croaker, and pilchard caught within the Upper Gulf of California. Vaquita is a species of porpoise endemic to northern Gulf of California waters in Mexico that is on the brink of extinction and listed as an endangered species under the U.S. Endangered Species Act. Since August 2018, a Certification of Admissibility signed and stamped by a duly authorized official of the Mexican Government must accompany all imports of shrimp, corvina, sierra, and chano fish, and fish products originating from Mexico. NOAA and CBP are working together to ensure affected seafood importers are aware of these restrictions, and to provide support for the trade community in their efforts to comply with this directive; the agencies are also partnering, through the Commercial Targeting and Analysis Center (CTAC), on efforts to detect fraudulent import documentation and other illegal activity.

July 2020

In July 2020, the United States deployed the USCG Cutter *Douglas Munro* in support of Operation North Pacific Guard. COVID-19 required shifting the traditional forward operating location from Japan to Kodiak, Hawaii, and Shemya. USCG Cutter *Douglas Munro* patrolled for

59 days from July 18, 2020, to September 14, 2020, covered over 11,000 nautical miles in the North Pacific Anadromous Fish Commission (NPAFC), North Pacific Fisheries Commission (NPFC), and Western and Central Pacific Fisheries Commission (WCPFC) convention areas of the North Pacific Ocean, sighted 130 foreign fishing vessels, and completed nine boardings on foreign-flagged vessels, finding 14 potential violations. Canada's DFO contributed 20.5 flight hours in support of the operation.

Additionally, DFO provided radar satellite support and shared intelligence throughout the operation. Japan's Coast Guard provided intelligence and 10 flight hours in support of the operation. Global Fishing Watch contributed with critical intelligence support, including targeting and patrol planning analysis. The cutter sighted and conducted eight WCPFC boardings (five Chinese Taipei-, two U.S.-, and one Vanuatu-flagged vessel) that detected five violations, and three NPFC boardings (three Chinese-flagged vessels) that detected nine violations. The NPFC potential violations identified on the Chinese vessels included licenses not on board, marking violations, and multiple VMS units on board. Although multiple fishing violations were detected, none involved high-seas driftnet activity or illegal retention of salmon in the NPAFC convention area. Reports of violations were reported to the appropriate RFMO per the formally established compliance procedures.

August 2020

In August 2020, customs authorities at the Taiwan Taoyan International Airport, in collaboration with the U.S. Fish and Wildlife Service (USFWS) and the FBI, [seized 161 totoaba fish maws](#) totaling 19 kilograms via air cargo, with a black-market value of \$900,000 (USD). The fish maws were discovered at the Port of Memphis by CBP and turned over to USFWS for investigation. Through the USFWS Attaché in Beijing, China, and in coordination with the FBI in Taiwan, the information was passed to Taiwan's Criminal Investigation Bureau after the fish maws transited the United States from Mexico.

December 2020

In December 2020, USCG conducted a boarding of Chinese F/V *Qiong Sanya Yu* in accordance with Palau's request for technical assistance under the provisions of the bilateral maritime law enforcement agreement. The vessel was apprehended for fishing illegally at Helen Reef in Palau's marine reserve. The catch and gear were confiscated and the vessel was subsequently released. The U.S. Ambassador commended the Palauan government for its actions.

December 2020

In December 2020 a joint NOAA, USFWS, and Immigration and Customs Enforcement, Homeland Security Investigations (ICE HSI) investigation into the importation of IUU-caught fish and fish products resulted in the [revocation of more than 15 visas](#) for those complicit in IUU fishing who also have links to human trafficking, including associates of Pingtan Marine Enterprise Ltd.

Import denials

In March 2020, NMFS' [Tuna Tracking and Verification Program](#) (TTVP) became aware that a Florida-based company imported yellowfin tuna harvested by two purse seine fishing vessels from Nicaragua—a country that is not certified to import tuna into the United States due to its failure to comply with dolphin-safe regulations promulgated under the Marine Mammal Protection Act (MMPA). The case has been referred to NOAA's Office of General Counsel for further action.

In March 2020 an Arizona-based business imported 56 kilograms of embargoed yellowfin tuna in violation of the MMPA. NMFS OLE personnel worked with the broker to address and fix incorrectly filed TTVP documents for approximately 11 imports of yellowfin tuna in CBP's [Automated Commercial Environment](#) (ACE) database, and worked with the broker/importer to educate them on NMFS' [Seafood Import Monitoring Program](#) (SIMP) requirements. Final disposition of embargoed tuna products in warehouses around the country will be photographed and destroyed in place by the importer with an affidavit, signed by the importer, confirming destruction. The case has been sent to NOAA General Counsel's Enforcement Section for further action.

On May 27, 2020, NOAA OLE agents received information from the NMFS National Seafood Inspection Lab of an application for pre-approval of import certification for approximately 40,000 kilograms of frozen toothfish harvested by a Russian-flagged vessel. NOAA OLE's investigative efforts determined that New Zealand authorities had detected the Russian vessel engaged in fishing activities in a closed area, in contravention of measures of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR). As a result, the application for import was denied and the toothfish, valued at approximately \$1.5 million (USD), were prevented from entering U.S. commerce.

In August 2020, a company imported 359 cartons of shrimp from Thailand without submitting complete and accurate information as required by SIMP. The importer initially claimed that the shrimp was farm-raised. Later, the importer submitted documentation indicating that the shrimp was wild-caught and thus prohibited from being imported from that country. Entry was denied for the portion of the shipment containing shrimp.

In December 2020, NOAA and CBP conducted a joint operation at the Port of Calais, Maine. NOAA OLE provided current seafood imports trends to assist in targeting, and CBP provided onsite follow-up targeting. Of the 22 shipments inspected, 17 contained violations. Ultimately 29 violations were found; these violations consisted of: egg-bearing lobsters, undersized female lobsters, mutilated lobsters, and “v-notched” lobsters. V-notching is the process of removing a V-shaped piece of exoskeleton from the tail fin of a female egg bearing lobster. Fishermen may not harvest female egg-bearing lobsters and if one is caught in their traps, they must notch the tail fin before returning it to the water. All of the lobsters were being imported from Canada. A total of seven Summary Settlements were issued, and one Notice of Violation was referred to NOAA’s Office of General Counsel for further action. Additional fresh and frozen fish shipments were checked by personnel from the Food and Drug Administration (FDA), including Atlantic halibut, haddock, pollock, and cod. The FDA took fish samples and inspected packaging for temperature control and health safety.

Throughout 2020, NOAA worked with CBP and other partners in the Commercial Targeting and Analysis Center ([CTAC](#)) to conduct seafood and shrimp monitoring and enforcement activities, including SIMP-informed targeting of noncompliant importers to ensure legal sourcing and trade in certain seafood imports considered to be at risk of IUU fishing. In 2020, NOAA reviewed a total 217 cases specific to SIMP, of which 150 cases have been processed with an additional 67 pending completion.

IV. INVESTIGATIONS THAT LED TO PROSECUTIONS IN 2020

February 2020

A case that began in January 2013 concluded in February 2020 with the sentencing of Jose Torres, who smuggled live protected coral labeled as “live fish” from the United States to Mexico. He was convicted of Lacey Act violations. USFWS was responsible for the investigation and DOJ for the prosecution.

June 2020

Beginning in June 2015, ICE HSI Norfolk, NOAA, the FDA Office of Criminal Investigations (FDA OCI), and the U.S. Department of Labor Office of Labor Racketeering and Fraud Investigations (OLRFI) investigated Casey’s Seafood, Inc. and its owner for [falsely labeling imported crab meat as *callinectes sapidus*](#), commonly identified as Atlantic blue crab, a species native to the United States. Casey’s bought imported crab meat from U.S. importers, repackaged it as Atlantic or Chesapeake Bay blue crab, and mislabeled it as “Product of USA.” This was a

NOAA-led investigation with ICE HSI, FDA, and OLRFI collaboration. In September of 2018, the owner pled guilty to criminal information filed in federal court for leading a conspiracy to falsely label more than 367,000 pounds of crab meat later sold for about \$4.3 million (USD). Initially, on January 9, 2019, the owner was sentenced to 45 months incarceration and was fined \$15,000 (USD). Later, on June 12, 2020, after serving 15 months of incarceration and filing an Emergency Motion for Compassionate Release, the owner received a reduced sentence of three years of probation, with the first six months consisting of home detention.

July 2020

On July 14, 2020, Taiwan authorities completed an IUU fishing investigation of their flagged vessel, the F/V *Cheng Tsai No. 6*. In August 2019, the USCG boarded and inspected the *Cheng Tsai No. 6* during Operation North Pacific Guard (NPG) 2019 in the Western and Central Pacific Fisheries Commission (WCPFC) area and relayed notification of potential fisheries violations to both the WCPFC and the Taiwanese fisheries authorities. In July 2020, Taiwan confirmed the USCG-noted conservation management measure infringements of shark finning, prohibited gear (shark line), and false reporting and has imposed the equivalent of \$250,000 (USD) fine to the vessel operator and master.

October 2020

On October 9, 2020, [the owner of a Japanese fishing vessel pled guilty](#) to unlawful trafficking of shark fins and was sentenced to the largest monetary penalty ever imposed in a federal shark finning case.

In November 2018, M/V *Kyoshin Maru No. 20* traveled near Hawaii, and 10 of its Indonesian crew members were arrested and charged with trying to smuggle nearly 1,000 shark fins from the United States to Indonesia. During routine screening, Transportation Security Administration (TSA) officers discovered shark fins in the fishermen's checked luggage. The USFWS seized the shark fins, which it later determined were worth as much as \$57,850 (USD) on the black market. ICE HSI, Customs and Border Protection (CBP), the USFWS, and NOAA collaborated on the subsequent investigation.

The *Kyoshin Maru* had engaged in longline tuna fishing in the southern Pacific Ocean for approximately one year prior, utilizing a crew of officers who were Japanese nationals and fishermen who were Indonesian nationals. When sharks were caught as bycatch by the *Kyoshin Maru*, the fishing master of the vessel directed the crew members to haul the shark into the vessel and kill the shark, instead of cutting the line and letting the shark swim free, in order to save the hook. The crew members followed this instruction, though at times they cut the line when the fishing master was not looking, in order to avoid the danger of handling a live shark. The fishermen dried the shark fins without the corresponding shark carcasses, in plain view of

the captain and crew. The captain and the fishing master personally observed the shark finning that took place on the vessel, and did nothing to stop it. In the course of the voyage, crew members harvested fins from approximately 300 sharks.

Hamada Suisan Company, Limited, the owner of the Japanese-flagged fishing vessel, pled guilty, pursuant to a plea agreement, to aiding and abetting the attempted export of shark fins out of Hawaii in violation of the Lacey Act, specifically in violation of the Magnuson-Stevens Fishery Conservation and Management Act and CITES/ESA. The company was sentenced to pay a fine of \$126,000 (USD), a forfeiture of \$119,000 (USD) (representing the value of the vessel), a period of probation of three years, and they must institute a compliance plan. During the three-year probation period, the company must comply with a robust compliance plan developed in coordination with the DOJ. The company was also ordered to retire and relinquish the fishing license in Japan previously associated with the vessel. This sentence represents the largest monetary criminal penalty ever imposed for a federal shark finning case. This concludes a nearly two-year investigation that also resulted in the arrest and guilty pleas of 10 Indonesian nationals and the seizure of almost 1,000 shark fins.