

118TH CONGRESS
1ST SESSION

S. 2248

To require a pilot program on the use of big data analytics to identify vessels evading sanctions and export controls and to require a report on the availability in the United States of emerging and foundational technologies subject to export controls.

IN THE SENATE OF THE UNITED STATES

JULY 11, 2023

Ms. HASSAN (for herself and Mr. LANKFORD) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To require a pilot program on the use of big data analytics to identify vessels evading sanctions and export controls and to require a report on the availability in the United States of emerging and foundational technologies subject to export controls.

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 “Vessel Tracking for
5 Sanctions Enforcement Act of 2023”.

1 **SEC. 2. PILOT PROGRAM ON USE OF BIG DATA ANALYTICS**
2 **TO IDENTIFY VESSELS EVADING SANCTIONS**
3 **AND EXPORT CONTROLS.**

4 (a) **IN GENERAL.**—Not later than 18 months after
5 the date of the enactment of this Act, the Secretary of
6 Homeland Security, acting through the Commissioner of
7 U.S. Customs and Border Protection, shall establish a
8 pilot program at the National Targeting Center to assess
9 the feasibility and advisability of using big data analytics
10 to identify and predict instances in which disabling or ma-
11 nipulating the Automatic Identification System on a vessel
12 is an indication that there is a high risk that the vessel
13 is transporting goods in a manner that evades sanctions
14 or export controls imposed by the United States.

15 (b) **LAW ENFORCEMENT USE.**—The Secretary, act-
16 ing through the Commissioner, shall design the pilot pro-
17 gram required by subsection (a) to provide actionable in-
18 telligence with respect to instances described in subsection
19 (a) to—

20 (1) operational components of the Department
21 of Homeland Security, including U.S. Immigration
22 and Customs Enforcement and the Coast Guard;

23 (2) other Federal law enforcement agencies;
24 and

1 (3) such agencies of foreign countries that are
2 partners of the United States as the Secretary con-
3 siders appropriate.

4 (c) DATA ELEMENTS.—

5 (1) IN GENERAL.—In developing the pilot pro-
6 gram required by subsection (a), the Secretary, act-
7 ing through the Commissioner, shall consider the in-
8 clusion of the following data with respect to a vessel
9 described in that subsection:

10 (A) The type of goods being transported
11 on the vessel.

12 (B) The destination of the vessel.

13 (C) The ownership and nationality of the
14 vessel, the shipper, and the importer.

15 (D) The ownership and nationality of ves-
16 sels located in close proximity to the vessel
17 while the Automatic Identification System was
18 disabled or being manipulated.

19 (E) The period of time for which the Auto-
20 matic Identification System on the vessel was
21 disabled or being manipulated.

22 (F) The frequency of issues with the Auto-
23 matic Identification System on that vessel.

24 (2) DATA MODELS.—The pilot program re-
25 quired by subsection (a) may include multiple data

1 models to account for different behavior patterns for
2 different shippers and different types of goods.

3 (d) INTERAGENCY COORDINATION.—The Secretary,
4 acting through the Commissioner, shall coordinate with
5 the Secretary of Commerce and the Director of National
6 Intelligence in developing and carrying out the pilot pro-
7 gram required by subsection (a).

8 (e) TERMINATION.—The pilot program required by
9 subsection (a) shall terminate on the date that is 4 years
10 after the date of the enactment of this Act.

11 (f) REPORT REQUIRED.—Not later than 4 years after
12 the date of the enactment of this Act, the Secretary of
13 Homeland Security, in consultation with the Secretary of
14 Commerce and the Director of National Intelligence, shall
15 submit to Congress a report—

16 (1) assessing the usefulness of the pilot pro-
17 gram required by subsection (a) in identifying and
18 predicting instances described in that subsection;

19 (2) with respect to each instance in which a
20 vessel was identified under the pilot program as pos-
21 ing a high risk of transporting goods in a manner
22 that evades sanctions or export controls imposed by
23 the United States and the vessel was successfully
24 interdicted by the United States or a country that
25 is a partner of the United States—

1 (A) specifying whether or not the vessel
2 was confirmed to be evading such sanctions or
3 export controls;

4 (B) if the vessel was confirmed to be evad-
5 ing such sanctions or export controls, specifying
6 the penalty imposed; and

7 (C) if the vessel was not confirmed to be
8 evading such sanctions or export controls, speci-
9 fying whether a United States agency took ac-
10 tion against the vessel based on reasonable sus-
11 picion;

12 (3) with respect to each instance in which a
13 vessel was identified under the pilot program as pos-
14 ing a high risk of transporting goods in a manner
15 that evades sanctions or export controls imposed by
16 the United States and the vessel was not success-
17 fully interdicted by the United States or a country
18 that is a partner of the United States, specifying
19 whether the vessel traveled to—

20 (A) a country with respect to which the
21 United States has imposed sanctions or export
22 controls with respect to goods suspected of
23 being transported on the vessel;

24 (B) a country not described in subpara-
25 graph (A) but that the Secretary of Homeland

1 Security has identified as a country posing a
2 high risk of transshipment of goods suspected
3 of being transported on the vessel to a country
4 described in subparagraph (A); or
5 (C) a country not described in subpara-
6 graph (A) or (B); and
7 (4) making recommendations with respect to
8 whether big data analytics should be used to identify
9 and predict instances described in subsection (a) in
10 the future.

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