

Tackling Illegal, Unregulated, Unreported Fishing: Congressional push underway

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Oregon's U.S. Senator Jeff Merkley led Senators in a bipartisan letter to U.S. Department of Commerce Secretary Gina Raimondo, Under Secretary of Commerce for Oceans and Atmosphere Richard Spinrad, and National Marine Fisheries Service Janet Coit, pushing for a revised proposed rule to the Seafood Import Monitoring Plan (SIMP) current proposal to tackle Illegal, Unregulated, and Unreported (IUU) fishing.

Joining Merkley in this letter are Senators Roger Wicker (R-MS), Martin Heinrich (D-NM), Richard Blumenthal (D-CT), Edward J. Markey (D-MA), Elizabeth Warren (D-MA), and Ben Cardin (D-MD).

IUU fishing depletes marine species, destroys ocean habitats, and enables forced labor and human rights abuses around the world. Quality, safety, and health implications of fraudulent seafood not only directly undercut U.S. seafood offerings, but can also have negative impacts on the reputation of lawfully-harvested fish.

“As the United States is the world’s largest seafood-importing country, we have both the purchasing power and the responsibility to tackle illegal, unreported, and unregulated (IUU) fishing and human rights abuses in the fishing industry,” the lawmakers wrote. “We request that NOAA issue a revised proposed rule because of the lack of interagency and stakeholder consultation, the failure to disclose the method used for additional species selection, and the failure to meet the requirements of the FY23 National Defense Authorization Act (NDAA) and the National Security Memorandum on Combating IUU Fishing and Associated Labor Abuses (NSM-11).”

The letter cites how 70-80 percent of U.S. seafood imports are caught outside of U.S. water and almost 55 percent of the seafood Americans consume fails to meet traceability requirements that certifies where the fish was originally caught. This reality makes the U.S. complicit in the depletion of fish and other marine species, the degradation of ocean habitats, and the enabling of labor abuses. The National Oceanic and Atmospheric Administration (NOAA) bears responsibility for ensuring the U.S. has a robust seafood traceability program, and the letter urges its National Marine Fisheries Service to issue a supplemental proposed rule to protect fishers, their communities, and U.S. commerce.

The Biden administration’s NSM-11 directs the United States to “combat abuses and to strengthen incentives for ethical behavior in the global seafood industry, including by limiting the market for products derived from IUU fishing, labor abuses, or other abusive labor practices.”

NSM-11 directs agencies to collaborate with multilateral organizations, and regional fisheries management organizations to create guidelines for social responsibility in fisheries, while simultaneously recognizing the role of individual import markets to combat IUU fishing and to include additional species groups. The White House also disclosed that NOAA would issue a proposed rule to the International Fisheries Regulations to enhance its ability to address both IUU fishing and labor abuses in the seafood supply chain.

The letter also shines a light on how the current proposed SIMP rule fails to suggest an integrated approach to combatting both IUU fishing and labor abuses. In order to ensure only legal, sustainable, and responsibly-harvested seafood enters the market, the letter encourages the agencies to work in conjunction with U.S. Customs and Border Protection, the Department of Labor, the Forced Labor Enforcement Task Force, and other agencies to recognize and adequately address labor abuses in the seafood sector.

“Quality, safety, or health implications of fraudulent seafood not only directly undercut the U.S.’s seafood offerings, but also can affect the reputation of legitimate fish and fish products, causing further indirect effects to the fish-based economic sector,” the lawmakers conclude. “NMFS must strengthen and expand SIMP, which falls in line with their counter-IUU fishing efforts to help U.S. fishermen.”