

November 18, 2022

Dr. Jane Lubchenco
Deputy Director for Climate and Environment
Office of Science and Technology Policy

Brenda Mallory
Chair
Council on Environmental Quality

Re: RFI Response: OCAP [Federal Register :: Ocean Climate Action Plan](#)

Dear Dr. Lubchenco, Chair Mallory and Ocean Policy Committee,

We represent a collection of environmental, labor, and human rights groups that believe it is critical that the Administration address illegal, unreported, and unregulated (IUU) fishing and forced labor in seafood supply chains as part of the development of a bold and ambitious U.S. Ocean Climate Action Plan to help meet global climate goals and make our oceans more resilient.

IUU fishing is one of the greatest global environmental threats to ocean health. Representing up to a third of global catches, IUU fishing directly contributes to overfishing, threatening the sustainability of fisheries and marine ecosystems; undermines coastal communities and food security; destabilizes the security of maritime states, economically disadvantages fishers operating legally; and drives human trafficking and labor and other human rights abuses in the fishing industry.

The U.S. is the single largest country market for seafood by value in the world; almost 80 percent of the seafood Americans consume is imported. The U.S. International Trade Commission (ITC) recently estimated that the United States imported \$2.4 billion worth of seafood imports derived from IUU fishing in 2019.

Left unchecked, IUU fishing will significantly exacerbate the impacts of climate change on ecosystems and communities. Continued progress on this issue would build on critical steps launched by the Obama-Biden administration in 2016 and meet commitments made by President Biden and Special Presidential Envoy Kerry to world leaders at the 2022 Our Ocean Conference in Palau.

Efforts to address IUU fishing and forced labor in seafood supply chains are needed to reduce the risks to fisheries as well as the workers and local communities that depend on them. The U.S. Ocean Climate Action Plan should include the following actions to address IUU fishing and forced labor in seafood supply chains:

- **Expand the application of NOAA's Seafood Import Monitoring Program (SIMP) to all seafood imports.** SIMP is currently applied only to 13 species groups, which constitute 45% of seafood imports by value. To ensure effectiveness and close loopholes, this program must be expanded to include all species.
- **Strengthen SIMP implementation and enforcement by:**
 - ***Reviewing and expanding the existing set of required key data elements*** to include information related to identifying human rights abuses at sea, better enable automated predictive analysis of risky shipments, and harmonize SIMP with global best practices;

- **Conduct regular targeted audits** of SIMP data for accuracy, not just completion.
- **Strengthen automatic identification system (AIS) and transparency requirements.**
 - **Require AIS tracking information** and unique mobile maritime service identity as a condition of importing seafood into the U.S.
 - **Ensure comparable transparency requirements** exist for the U.S. fishing fleet.
- **Strengthen diplomatic tools and better direct capacity building investments.**
 - **Apply the existing legal definition of IUU fishing**, as required under the National Defense Authorization Act of 2020 and the Illegal, Unreported, and Unregulated Fishing Act of 2015, to the anti-IUU process established under the High Seas Driftnet Fishing Moratorium Protection Act (HSDFMPPA) and interpret that definition to include forced labor and other human rights violations through updated HSDFMPPA regulations.
- **Develop import controls and similar measures for human rights concerns in the seafood sector.**
 - **Identify and establish an appropriate regulatory process** for jointly addressing traditional IUU fishing issues as well as forced labor and human rights violations in seafood supply chains within two years. This rule or rules should maximize existing authorities' capacities to address these joint concerns and build on concepts related to collection and analysis of key data elements and critical tracking events, requirements for due diligence and due diligence plan submission, traceability, transparency, risk-based screening, and nation-based pressure.
- **Strengthen risk-based screening and enforcement.** Within two years, establish a rule or requirement providing for an IUU Data Fusion Center. The center should build on the existing model of the Commercial Targeting and Analysis Center and provide a center of gravity for relevant agencies to work together to identify and continually modify, as necessary, indicators of IUU behavior, including forced labor and other human right abuses, and apply those indicators to real time data collected through SIMP and the mechanisms identified above.

It is critical for the U.S. to continue taking strong action to combat IUU fishing and forced labor in seafood supply chains. Absent such measures, the combined and often confounding effects of IUU fishing, climate change, and labor violations will severely and increasingly undermine marine ecosystems and the communities that depend on them and will significantly exacerbate the socio-political and environmental impacts of climate change. Greater U.S. action to address the environmental and social challenges posed by IUU fishing and forced labor will strengthen the durability and resilience of global fisheries. This will ensure greater economic prosperity for American fishers, reduce labor abuses around the world, increase food security, and promote healthier marine ecosystems and sustainable fish stocks while securing the livelihoods of coastal communities that depend on them. These outcomes will provide resiliency against the impacts of a rapidly changing ocean due to climate change.

World Wildlife Fund | Natural Resources Defense Council | Oceana | International Corporate
Accountability Roundtable | Earthjustice | Ocean Defense Initiative | Greenpeace | Humanity United
Action | Human Rights At Sea | Conservation International | Global Labor Justice – International Labor
Rights Forum | Azul



Ocean Defense
Initiative



HUMAN RIGHTS AT SEA

CONSERVATION
INTERNATIONAL

