

WRITTEN STATEMENT FROM THE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
U.S. DEPARTMENT OF COMMERCE

SUBMITTED FOR THE RECORD FOR THE LEGISLATIVE HEARING
ON
[H.R. 3756](#) & [H.R. 5699](#)

BEFORE THE
SUBCOMMITTEE ON WATER, WILDLIFE, AND FISHERIES
HOUSE COMMITTEE ON NATURAL RESOURCES
U.S. HOUSE OF REPRESENTATIVES

NOVEMBER 19, 2025

Introduction

The Department and NOAA acknowledge and appreciate the ongoing work with this Subcommittee on:

1. H.R. 3756, “Fighting Foreign Illegal Seafood Harvests Act of 2025” or the “FISH Act of 2025”
2. H.R. 5699, “Fisheries Data Modernization and Accuracy Act of 2025”

H.R. 3756, “Fighting Foreign Illegal Seafood Harvests Act of 2025” or the “FISH Act of 2025”

NOAA appreciates the Committee’s attention to the important topic of Illegal, Unregulated, and Unreported (IUU) fishing and supports strong actions to combat this global threat to healthy fisheries and ocean ecosystems. Restoring American seafood competitiveness and strengthening our domestic fishing-based economies, while supporting abundant marine resources for future generations of Americans, are priorities of our Administration, including through the implementation of Executive Order 14276, “Restoring American Seafood Competitiveness.” We value our strong partnership with the Committee on these efforts.

Overall, H.R. 3756 represents a positive step forward in providing additional opportunities to address IUU fishing practices that lead to unfair competition with U.S. seafood producers in global markets.

Section 4 calls for the establishment of an IUU fishing vessel list by the Secretary of Commerce, working in coordination with the Secretary of State, the Commissioner of U.S. Customs and Border Protection, and the Secretary of Labor. Under the High Seas Driftnet Fishing Moratorium Protection Act (Moratorium Protection Act) (16 U.S.C. § 1826i(c)), the Secretary of Commerce has existing authority to establish an IUU fishing vessel list, though NOAA has found it more effective and efficient in practice to work multilaterally through Regional Fisheries Management Organizations (RFMOs) to include relevant vessels on those organizations' IUU fishing vessel lists, rather than establishing a separate U.S. IUU fishing vessel list.

NOAA notes that many provisions of the bill require action relating to the beneficial owner of a vessel. Beneficial owners can be extremely challenging to identify given complex and obscured ownership structures. In addition, there is no common understanding of the definition of beneficial ownership in the case of fishing vessels.

H.R. 5699, “Fisheries Data Modernization and Accuracy Act of 2025”

H.R. 5699 contains provisions related to reforming the NOAA Fisheries' Marine Recreational Information Program (MRIP). Specifically, the bill would establish a standing committee under the National Academies to provide recreational fisheries related guidance. The committee would offer recommendations to the Administrator on methods to reduce variance, practicable uses of catch estimates not meeting a 30% precision threshold and alternative data collection methods. States may petition for the examination of imprecise estimates and request a consultation between the Administrator and the standing committee. The bill prohibits the calibration of state survey estimates to MRIP estimates but allows the calibration of MRIP estimates to state survey equivalents and estimates from NOAA approved state surveys must be used instead of NOAA survey information to construct historical time series. The bill would establish a grant program to fund state survey development and improvement; the President's Budget does not include resources for this activity.

Section 6 references only “contracts”, which may be legally interpreted as authorizing procurement. However, this work is often done through grants and cooperative agreements. NOAA interprets Section 4(a)(5) regarding the continuance of funding “allocated” to a state to mean the state maintains its eligibility for future funding, not its initial dollar amount, which must remain subject to annual appropriations and program needs.

Other provisions of the bill include the amendment of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) to include a formal definition for “stock assessment” and requires the Secretary to establish a stock assessment schedule and the NOAA Administrator to contract with independent entities to conduct fishery-independent surveys. Among other provisions, the bill requires fishery management councils to allow for public involvement in council processes.

NOAA shares concern regarding the data collection and management needs of U.S. recreational fisheries and looks forward to working with the Committee to improve state-federal data collection partnerships as highlighted by H.R. 5699. The bill focuses on the precision and accuracy of estimates; feedback mechanisms for regional data review; national standardization practices across survey programs; support for state surveys; and independent expert review.

The bill authorizes universal standards for recreational data collection systems that provide consistency and regional flexibility. This core concept was the basis for the establishment of NOAA Fisheries' national recreational fishing and survey and data standards that included input from states, marine fisheries commissions, fishery management councils, and the broader fishing community, and which is currently undergoing an independent peer review by the National Academies' Committee on National Statistics. To improve upon these objectives, we have initiated an effort to strengthen our Federal-State data collection partnership, beginning with an information-gathering phase in 2024-2025. As part of this initiative, several key changes to MRIP have already been implemented to-date, including co-developing formal state partner review procedures of preliminary estimates to better incorporate regional knowledge of fishing activity into estimate production, expanding the role of interstate commissions in recreational data collection, enhancing internal NOAA collaboration, and advancing federal, state and regionally-led data collection improvement initiatives across all regions. While we are striving to execute improvements in many of these areas, we also believe there is significant work remaining to be accomplished to improve the reliability of MRIP program data and to build better trusted working relationships with the states.

The bill contains very specific provisions related to survey estimate precision and the use of alternative survey information. A major challenge for the use of estimates produced using different survey methods is comparability of those estimates. In order for the data from any data collection system to be usable in regional resource management, it must be consistent and comparable across a management jurisdiction. Therefore, strong coordination is essential across regions and survey designs for cooperative state-federal data collection efforts so that estimates may be comparable. It is also critical for any new system to estimate the number of fish released during the closed season, as this is a major source of mortality in many recreational fisheries. Applying lessons learned from state management of red snapper in the Gulf of America, early regional coordination can help avoid the loss of fishing opportunities due to overestimation of catch, or overfishing because of underestimation of catch, if new systems are inconsistent or fail to adequately estimate discards when calibrating the historical MRIP estimates to new state survey estimates.

NOAA remains committed to maintaining and improving our scientific partnerships with states, and our team has recently made several advances in this area. Consistent with the MSA requirement to base management actions on the best scientific information available (BSIA), NOAA Fisheries relies on objective regional BSIA frameworks which currently consider all

available data, including data derived from State surveys. A recent example is the utilization of the Florida State Reef Fish Survey to make NOAA Fisheries management decisions for gag grouper, which enabled our agency to more than double the catch levels for commercial and recreational fishing through an emergency rulemaking.

This bill contains provisions that NOAA currently does not have the resources to implement. If enacted, NOAA would have to weigh these program needs against other priorities. Overall, NOAA appreciates the opportunity to comment on this bill and looks forward to working with the Committee and staff on our shared areas of interest. This includes improving our recreational data collection capabilities to support effective resource management and maintain recreational fishing opportunities.

Conclusion

We appreciate the Subcommittee's support for NOAA's mission and look forward to working with you on these bills and future legislation. Thank you for the opportunity to testify on this legislation.