

**Statement of Justin Conrad
On Behalf of the National Fisheries Institute
United States House of Representatives
Committee on Natural Resources
Subcommittee on Water, Wildlife, and Fisheries
Legislative Hearing
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Washington, D.C.**

Chair Hageman, Ranking Member Hoyle, and Members of the Subcommittee, good morning. My name is Justin Conrad, from Greensboro, NC. I am the Founder and CEO of Bay Hill Seafood Sales, President of Libby Hill Restaurants, and the Chair-elect of the National Fisheries Institute (NFI). For almost 80 years NFI has been the leading voice for the nation's fish and seafood industry and America's largest commercial seafood trade association. Our members span the entire seafood value chain—from East Coast lobster, clam and scallop harvesters, Alaska vessel owners, Pacific Northwest processors, Midwest importers, and Southern shellfish producers, to aquaculture providers, distributors, cold storage providers, retailers, and seafood restaurants. Collectively, our over 300 member companies supply American families with tens of millions of delicious, healthy, sustainable seafood meals every year, and support about 1.6 million American jobs and more than \$183 billion in economic value to the national economy. As such, responsible management of our oceans is extremely important not only to our members' livelihoods and businesses, but also to the families we help feed. I appreciate the opportunity to appear before the Subcommittee on behalf of these companies.

Today's legislative hearing, focusing in part on the Fighting Foreign Illegal Seafood Harvests (FISH) Act, aims to help solve a significant concern that NFI and its member companies have been working towards for years and in some cases, decades. Our membership's commitment to eliminate illegally caught fish from entering our supply system is long standing. We take a back seat to no one in our efforts to ensure the seafood we sell has been caught legally.

Illegal, Unreported, and Unregulated (IUU) Fishing:

To begin, let me state that IUU fishing, where it occurs, is a legitimate challenge that calls for serious and thoughtful policy solutions. Illegally harvested seafood damages our industry in multiple ways. First, IUU fishing punishes harvesters here and abroad that operate in strict adherence to applicable fishery management requirements and the member companies that source from those harvesters. Second, IUU fishing undercuts confidence in the fishery management systems we rely on, as any fishery management system is only as good as the enforcement that stands behind it. Third, illegally harvested product in any seafood category can erode consumer confidence in seafood sustainability broadly, thus punishing all for the sins of a few.

To address this challenge, Congress in 2007 directed the National Marine Fisheries Service (NMFS) to produce a biennial report to Congress focused, among other things, on improving international fisheries management. These reports include a list of nations identified

for IUU fishing or related activities. Under the law, NMFS must identify countries engaged in IUU fishing or related activities and agree to a plan under which named countries effectively remediate the failures NMFS has documented. Two years after a country is identified, the agency must certify whether the actions taken have adequately addressed the concerns.

NFI commends NMFS for producing eight Biennial Reports and securing effective remediation from dozens of nations with respect to multiple different capture fisheries. As even cursory review of these reports shows, effectively combating IUU fishing requires the agency—often through a “whole-of-government” or “government to government” approach—to work closely with its counterparts around the world. The Biennial Reports also demonstrate that meaningful progress depends on collaboration with RFMOs, foreign fishery management regulators, and international law enforcement. Identifying IUU fishing activity and applying dogged—but targeted—pressure on countries to hold violators accountable may not be glamorous, but it remains the most effective way to achieve concrete results.

That said, NFI has supported and helped to advance a series of additional initiatives to detect and reduce IUU fishing around the world and especially in the United States. Over nearly two decades, NFI:

- Was an early proponent of the Port State Measures Agreement (PSMA) and its implementing legislation. This accord requires signatory nations to block port entry and deny port services to fishing vessels engaged in illegal harvesting, and commits signatories to scrutinizing arriving seafood containers for product linked to IUU fishing. In doing so, the PSMA helps prevent fishery products derived from IUU fishing from entering national and international markets.
- Created the Better Seafood Board (BSB) in 2007, a first-of-its-kind industry initiative, through which NFI member CEOs commit to economic integrity by ensuring seafood is sold at the correct weight and count, labeled with its proper market name, not transshipped to evade duties or tariffs, and appropriately marked for any additives.
- Developed model specification language to ensure member company purchases are solely from vessels with an International Maritime Organization number, integrating “IMO” numbers into supply agreements and thereby making it more difficult for fishing vessels engaged in illegal move illegal harvests into commerce.
- Endorsed and urged ratification of the WTO Agreement on Fisheries Subsidies, a multilateral accord that entered into force two months ago. This Agreement, the first of its kind globally, aims to reduce and ultimately eliminate the worst forms of harmful government subsidies that contribute to overfishing in EEZ and on the high seas.
- Helped lead the International Coalition of Fisheries Associations (ICFA), an organization with members in 24 countries across six continents that serves as a unified voice on global fish and seafood policy issues. In 2021, ICFA was granted special consultative status as a UN observer, allowing it to actively participate in

UN discussions through the Food and Agriculture Organization (FAO). This recognition positions ICFA to play a pivotal role in shaping global fisheries policy by offering leadership and coordinating international efforts to promote sustainable marine resource management and responsible fishing practices.

The Seafood Import Monitoring Program (SIMP):

NMFS established SIMP in December 2016 via regulation. The program was intended to use private industry supply chains to enhance the nation's capability to detect and stop IUU fishing products from entering the U.S. market. Despite a heavy commitment of agency resources and voluminous reporting by, and auditing of, U.S. seafood companies, SIMP has failed to meet its objective.

In nearly eight years of operation, SIMP has demonstrably failed to identify and halt shipments of illegally harvested or mislabeled products at U.S. ports of entry. Instead, it has imposed onerous and unworkable requirements on U.S. seafood producers, processors, and distributors. First, the existing program has not deterred IUU fishing products from entry. Under the prior Administration, NOAA itself determined that "SIMP does not prevent or stop IUU fish and fish products from entering U.S. commerce" and concluded that the program should be deployed in a "risk-based" manner.¹ NFI is informed that NOAA has issued only a small number of civil penalties and has not made a single referral to DOJ arising out of SIMP violations.

Second, regrettably, NMFS has consistently underestimated the burdens that the SIMP imposes on the complex seafood supply chain and on U.S. companies in particular. This view appears to be driven by an assumption that in many fisheries the supply chain is linear, with simple harvesting and processing actions. This is simply not the case. Though SIMP's reach might appear modest (13 types of seafood/16 data points), the reality is the program covers over 1,100 individual species. Moreover, the program applies to aquaculture products as well, even though no one can illegally land a farmed species. The program's recordkeeping and auditory requirements impose serious logistical and financial burdens on U.S. seafood businesses, adding to the overall compliance burden that weighs on our member companies every day.

Even though there were concentrated efforts by the previous Administration to expand SIMP to all species, President Trump's Executive Order 14276 explicitly acknowledges that SIMP simply does not work. President Trump in that Order directs federal agencies to reform or rescind any efforts to expand the program. The Order states:

The Secretary of Commerce, in consultation with the Secretary of Health and Human Services, the Secretary of Homeland Security, and other relevant agencies, shall immediately consider revising or rescinding recent expansions of the Seafood

¹ See Report on the Implementation of the U.S. Seafood Import Monitoring Program, NOAA Fisheries, at 6 (May 2021) and Recommendations of the Presidential Task Force on Combatting Illegal, Unreported and Unregulated Seafood and Seafood Fraud, 79 Federal Register 75540 (December 18, 2014) (stating the "the scope of the Task Force recommended traceability program is to track at-risk seafood from harvest to entry into U.S. commerce").

Import Monitoring Program to unnecessary species and further improve the program to more effectively target high-risk shipments from nations that routinely violate international fishery regulations.²

We commend President Trump for correctly identifying SIMP as a failed regulatory program and directing Secretary Lutnick to explore ways to narrow the program's reach. However, we would go further and eliminate SIMP in its entirety.

The Congress and this Subcommittee never authorized NMFS to create this sprawling regulation. It is perhaps not surprising that, in the absence of proposed legislation, hearings, stakeholder consultation, and robust congressional debate, the regulation we now have does not fulfill its mission, even as it burdens regulated industry with a blizzard of paperwork and never-ending audits. Scrapping SIMP and starting over would permit NMFS and other agencies to redouble their efforts with respect to the government-to-government initiatives described above. These initiatives include bilateral and multilateral diplomacy, fishery management capacity building, coordinated law enforcement targeting vessel owners and others, and full utilization of RFMOs. These tools can meaningfully combat illegal fishing.

H.R. 3756, The Fighting Foreign Illegal Seafood Harvests (FISH) Act:

An example of a concrete solution to combat IUU, and the reason for my testimony today, is H.R. 3756, *The Fighting Foreign Illegal Seafood Harvests* (FISH) Act introduced by Representatives. Dan Crenshaw (R-TX), Seth Magaziner (D-RI), and Nick Begich (R-AK).

NFI strongly supports this bill. The legislation if enacted would bolster the Port State Measures Agreement, RFMOs, and other efforts to combat IUU fishing both here and abroad. Over the past several years, NFI has worked closely with Senators Dan Sullivan (R-AK) and Sheldon Whitehouse (D-RI) on provisions within the Senate companion bills, and most recently S. 688, which has been passed out of the Commerce Committee.

The central concept of this bill is to go after the bad actors by creating a "Black List/IUU Vessel List." This list would be a public list maintained and updated annually by the Department of Commerce. This list would "name names" of the vessels, fleets, and beneficial owners (with detailed identifying information), when there is clear and convincing evidence of involvement in IUU fishing, including such as:

- Vessels listed by international organizations
- Vessels exceeding catch limits or violating international conservation measures
- Vessels linked to forced labor
- Vessels providing services to listed vessels
- Vessels fishing illegally in the U.S. EEZ
- Owners connected to vessels already on the list

² See 90 Fed. Reg. 16993, President Donald Trump Executive Order No. 14276 Restoring American Seafood Competitiveness, at Section 4(g). <https://www.federalregister.gov/documents/2025/04/22/2025-07062/restoring-american-seafood-competitiveness>.

Consequences for landing on this “Black List”/ “IUU Vessel list” would include:

- U.S. port entry bans
- Service prohibitions for U.S. vessels
- Import bans on seafood linked to listed vessels
- Vessel and cargo seizure (with protection for innocent importers)

Removal from the lists described would occur upon specific outcomes:

- Revocation of forced labor withhold release orders
- Removal of a vessel from lists maintained by specified international organizations
- Demonstration by beneficial owners that they have met the outlined corrective standards and that the vessel in question has not engaged in illegal harvest operations five consecutive years

Further, the FISH Act would also impose sanctions on these bad actors, such as blocking assets, and even visa bans.

This bill also shows a commitment to help stop IUU fishing by building upon government to government relationships and multilateral initiatives, by encouraging the incorporation of IUU-related considerations into diplomatic negotiations and international agreements. The legislation seeks to improve management at the RFMO level—including strengthening enforcement against IUU fishing and associated abuses, and developing strategies that optimize data sharing and collection to prevent IUU-derived products from entering U.S. markets.

Lastly, the FISH Act aims to go after the perpetrators of IUU fishing by directing the United States Coast Guard to intensify high-seas boarding and observation of suspected IUU vessels each year, and by requiring NOAA, the Coast Guard, and the Department of State to track follow-up actions by countries whose flagged vessels were boarded. It also aims to work with the RFMOs on their high-seas boarding and inspection programs.

Conclusion:

NFI members remain committed to stopping IUU fishing and its ill-gotten product from entering into U.S commerce. When unlawfully harvested seafood products enter the global marketplace, they undercut the value of responsibly produced seafood. This undercuts the competitiveness of responsible harvesters and threatens the importers, processors, distributors, restaurant, and retail workers here at home, who ultimately depend on fishermen to do it right. We should have a strong legal foundation to detect and punish bad actors where they are, rather than—as in the case of SIMP—burdening U.S. seafood companies and their American workers with needless, onerous regulation. We view the FISH Act as a major step forward, and we look forward to its consideration and enactment.

Thank you once more for the opportunity to appear before the Subcommittee. I stand ready to answer your questions.