

February X, 2022

Dear Senator/Representative,

We are writing to urge your support for key provisions of the America COMPETES Act that will help combat illegal, unregulated, and unreported (IUU) fishing, reduce human rights abuses in supply chains, secure maritime domain awareness, and increase transparency of fisheries globally. As the House and Senate reconcile the differences between the America COMPETES Act and the US Innovation and Competition Act, our organizations strongly support including the House Illegal Fishing and Forced Labor Prevention provisions (Sec. 70101 – Sec. 70131) in their entirety in the final package.

Billions of dollars of seafood associated with IUU fishing flood the US market every year - an estimated \$2.4 billion worth in 2019 alone - undercutting US fishers. IUU fishing has also been closely linked with human rights abuses like forced labor and human trafficking, as illegal operators try to cut labor costs while engaging in unsustainable fishing practices to meet ever increasing seafood demand. Provisions in the House-passed bill will address these interrelated issues and hold seafood imports to the same standards as domestically caught products.

The America COMPETES Act will stem the flow of IUU fishing products into the US by expanding the Seafood Import Monitoring Program (SIMP) to cover all seafood imports. SIMP presently applies to only 40% of imported seafood products, leaving significant gaps in the program. Expanding SIMP to all imported species will ensure traceability through the supply chain to the US border, enabling the US to prevent seafood products caught using IUU fishing practices and forced labor violations from entering the US market. Currently, only 29% of seafood imports from China are covered by SIMP. The rest are allowed to be imported into the US without meeting SIMP traceability requirements.

Expanding SIMP will also level the playing field for US fishers by requiring seafood importers to meet the same minimum standards and catch reporting requirements as domestic seafood. This bill will *not* require domestic fishers who sell their fish in the US to do any additional reporting, since US fishers are already required to report catch information as part of federal fisheries requirements under the Magnuson-Stevens Fishery Conservation and Management Act.

SIMP only impacts US businesses if they export their catch to other countries for processing and then reimport it into the United States. Tracking these domestic products throughout the supply chain outside the US will ensure that the seafood sent abroad for processing is the same seafood when it returns. This chain of custody requirement therefore protects US fishers and consumers by ensuring that the catch is not replaced with illegally sourced products or processed with forced labor in foreign facilities, such as in China.

The bill also provides critical tools to improve the United States' ability to put pressure on nations - China and others - that fail to prevent IUU fishing, forced labor, and human trafficking in their fleets. Under current law, NOAA can identify individual fishing vessels at risk of IUU and

forced labor practices; this bill will enable NOAA to identify the nations that are failing to combat these issues in their fishing fleets. This new approach is similar to the European Union's (EU) system, which incentivizes non-compliant governments to combat IUU fishing and human rights abuses on their vessels in order to maintain import privileges to the EU.

The bill also includes additional forced labor key data elements, which will be vital for combating forced labor in IUU fishing. Customs and Border Patrol largely depends on external sources, such as data shared from SIMP, to issue Withhold Release Orders that stop imports associated with IUU and forced labor at the US border. Moreover, the inclusion of beneficial ownership data will be vital for holding large corporations behind IUU fishing accountable, as opposed to individual vessels fishing on their behalf.

Finally, the bill enhances maritime awareness and transparency at sea by requiring fishing vessels with mandated automatic identification system (AIS) devices to continuously transmit their location while in the US Exclusive Economic Zone. AIS devices can be utilized to identify vessels engaging in behaviors linked to illicit practices including forced labor - such as remaining at sea for months at a time. The AIS requirement will enable the US to push for stronger transparency requirements internationally, in effect discouraging IUU fishing and forced labor in the global seafood trade.

We urge you to support the inclusion of these important provisions from the America COMPETES Act in the final conferenced version of the bill. Thank you for your consideration of these important issues.

Sincerely,