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# The Seafood Import Monitoring Program (SIMP)

Updated April 30, 2025

**Congressional Research Service**

<https://crsreports.congress.gov>

R48469



R48469

April 30, 2025

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## The Seafood Import Monitoring Program (SIMP)

The Seafood Import Monitoring Program (SIMP) is a federal risk-based seafood traceability program that sets reporting and recordkeeping requirements from the point of harvest to entry into U.S. commerce. The National Marine Fisheries Service (NMFS), within the National Oceanic and Atmospheric Administration (NOAA), and U.S. Customs and Border Protection (CBP) monitor U.S. seafood imports through SIMP with the goal of preventing species most associated with illegal, unregulated, and unreported (IUU) fishing from entering U.S. commerce. SIMP requires seafood importers to exercise increased control over their supply chains, particularly for 13 seafood *species groups* (i.e., a complex of related species with certain physical similarities), by complying with permitting and chain-of-custody information requirements. Congress has prescribed requirements for SIMP in legislation, including directives to NMFS and CBP regarding the program’s administration, reporting, and enforcement. Stakeholders and some Members of Congress also have expressed concerns about the amount of seafood audited through SIMP, the scope of the program, and SIMP’s overall effectiveness in relation to these factors.

The Secretary of Commerce established SIMP in 2016, and the program became fully operational in 2018 in accordance with directives in the Consolidated Appropriations Act, 2018 (P.L. 115-141). As of FY2023, the program covered approximately one-third of all U.S. seafood imports (i.e., covering approximately 1.7 billion pounds of seafood). Since 2023, Congress has required NMFS to submit annual reports regarding SIMP’s efforts to prevent IUU-associated seafood from entering the United States. In 2024, NMFS reported it had undertaken over 3,900 audits of seafood imports from January 2018 through September 2023, which comprised 0.5% of all SIMP imports since implementation. The majority of SIMP imports include shrimp, tunas, and cods (each is a distinct SIMP species group). NMFS reports that proportions of total audits by species group generally align with these percentages. Congress increased appropriated funds to NOAA in support of SIMP from FY2017 to FY2023 and appropriated \$6.2 million to NOAA in each of FY2024 and FY2025 for SIMP.

In December 2022, NMFS issued a proposed rule to expand SIMP to include several additional species groups. NMFS later withdrew this proposed rule in light of public comments and announced it would instead conduct a “comprehensive program review” of SIMP. In summer 2024, NMFS completed its program review, during which it received feedback and recommendations from stakeholders and federal agencies. In November 2024, NMFS released an action plan for SIMP that incorporated elements of these recommendations, including with respect to (1) enhancing SIMP traceability and risk detection; (2) addressing forced labor in the global seafood supply chain through government-wide efforts; (3) promoting fair global seafood trade practices to strengthen global seafood supply chains; and (4) improving SIMP implementation, including capacity building to maintain and grow the program.

Since SIMP’s implementation, Congress and stakeholders have continued to raise concerns regarding IUU fishing and its impacts on seafood trade. They also have raised concerns about the effectiveness of programs such as SIMP in preventing IUU-fished products from entering U.S. commerce. Congress may consider multiple options, if it seeks to address issues raised by stakeholders and during previous Congresses. These options may include building on actions identified in the November 2024 NMFS action plan for SIMP, amending statutory language and requirements regarding SIMP, aligning SIMP more closely with mandates in IUU fishing legislation (e.g., the High Seas Driftnet Moratorium Protection Act [Title VI of P.L. 104-43]), directing an evaluation study of SIMP, or evaluating whether additional resources or approaches beyond SIMP may assist in accounting for the entry of IUU-fished seafood into U.S. commerce. Congress also may consider options of whether to enhance, retain, revise, or dismantle SIMP, or certain elements of the program, including in light of April 2025 presidential directives for the Secretary of Commerce to evaluate and “further improve” SIMP.

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## Introduction

The Seafood Import Monitoring Program (SIMP) is a federal risk-based seafood traceability program that sets reporting and recordkeeping requirements from the point of fishery harvest to entry into U.S. commerce.<sup>1</sup> The goal of SIMP is to prevent fish and fish products taken by illegal, unreported, and unregulated (IUU) fishing from entering U.S. commerce; it is administered by the National Oceanic and Atmospheric Administration’s (NOAA’s) National Marine Fisheries Service (NMFS) and U.S. Customs and Border Protection (CBP).<sup>2</sup>

SIMP requires seafood importers to obtain an NMFS International Fisheries Trade Permit (IFTP) in order to exercise increased control over their supply chains, particularly for 13 seafood species groups identified by NMFS and partners as most vulnerable to IUU fishing (**Table 1**).<sup>3</sup> SIMP also requires U.S. importers to retain two-year chain-of-custody information for all imports of covered species and to document each step of the supply chain (i.e., fishery harvest and landings information).<sup>4</sup>

Since FY2018, Congress has prescribed requirements for SIMP in legislation, including directives to NMFS and CBP regarding the program’s administration, reporting, and enforcement.<sup>5</sup> Some Members of Congress also have expressed concerns regarding the amount of seafood audited through SIMP, the scope of the program, and SIMP’s effectiveness in preventing IUU-fished seafood from entering the United States in relation to these factors.<sup>6</sup> Additionally, stakeholders have recommended modifications to SIMP’s scope and data capabilities and to align the program with other federal and international efforts to address IUU fishing, including in feedback to NMFS during a 2023-2024 SIMP program review.<sup>7</sup> Other stakeholders have raised concerns about SIMP’s overall effectiveness and efficiency, including its associated administrative

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<sup>1</sup> National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries Service (NMFS), “Seafood Import Monitoring Program,” <https://www.fisheries.noaa.gov/international/international-affairs/seafood-import-monitoring-program> (hereinafter NOAA, NMFS, “Seafood Import Monitoring Program”).

<sup>2</sup> NOAA, NMFS, “Seafood Import Monitoring Program”; for more information on illegal, unreported, and unregulated (IUU) fishing, see CRS Report R48215, *Illegal, Unreported, and Unregulated (IUU) Fishing: Frequently Asked Questions*, by Caitlin Keating-Bitonti and Anthony R. Marshak.

<sup>3</sup> NOAA, NMFS, “International Fisheries Trade Permit,” <https://www.fisheries.noaa.gov/permit/international-fisheries-trade-permit>; and NOAA, NMFS, “Magnuson-Stevens Fishery Conservation and Management Act; Seafood Import Monitoring Program,” 81 *Federal Register* 6212-6215, February 5, 2016.

<sup>4</sup> NOAA, NMFS, “Seafood Import Monitoring Program Facts and Reports,” <https://www.fisheries.noaa.gov/international/international-affairs/seafood-import-monitoring-program-facts-and-reports>; and NOAA, NMFS, Office of International Affairs, Trade, and Commerce, *U.S. Seafood Import Monitoring Program*, Public Webinar Series, Spring 2024, April 2024, <https://www.fisheries.noaa.gov/s3/2024-04/SIMP-Review-Public-Webinars-spring-2024.pdf>.

<sup>5</sup> As examples, in the Consolidated Appropriations Act, 2018 (P.L. 115-141, Division B, Title V, §539), and the Don Young Coast Guard Authorization Act of 2022 (P.L. 117-263, Division K, Title CXIII, §§11330-11335).

<sup>6</sup> For example, Letter from Raúl M. Grijalva, Ranking Member, House Committee on Natural Resources, and Jared Huffman, Ranking Member, House Subcommittee on Water, Wildlife, and Fisheries, to The Honorable Gina M. Raimondo, Secretary of Commerce, Ms. Janet Coit, Assistant Administrator for Fisheries, National Marine Fisheries Service, and Richard W. Spinrad, Ph.D., Under Secretary of Commerce for Oceans and Atmosphere, October 20, 2023, [https://democrats-naturalresources.house.gov/imo/media/doc/huffman\\_grijalva\\_simp\\_letter\\_to\\_noaa.pdf](https://democrats-naturalresources.house.gov/imo/media/doc/huffman_grijalva_simp_letter_to_noaa.pdf) (hereinafter Letter from Representatives Grijalva and Huffman, October 2023).

<sup>7</sup> NOAA, NMFS, *U.S. Seafood Import Monitoring Program Review: Progress Update October 2023-June 2024*, August 2024, <https://www.fisheries.noaa.gov/s3/2024-08/SIMP-Comprehensive-Review-Summary.pdf> (hereinafter NOAA, NMFS, *U.S. Seafood Import Monitoring Program Review*, 2024).

requirements and compliance costs.<sup>8</sup> They also have questioned whether SIMP warrants continuation given its current scope and the small number of audits resulting in civil penalties.<sup>9</sup>

**Table 1. The 13 Species Groups Covered by the Seafood Import Monitoring Program**

|  |  |
|--|--|
| Abalone  | Atlantic Cod<br>( <i>Gadus morhua</i> )                            |
| Atlantic Blue Crab<br>( <i>Callinectes sapidus</i> )   | Dolphinfish ( <i>Mahi Mahi</i> )<br>( <i>Coryphaena hippurus</i> ) |
| Groupers   | Pacific Cod<br>( <i>Gadus macrocephalus</i> )                      |
| Red King Crab<br>( <i>Paralithodes camtschaticus</i> ) | Red Snapper<br>( <i>Lutjanus campechanus</i> )                     |
| Sea Cucumbers  | Sharks   |
| Shrimp   | Swordfish<br>( <i>Xiphias gladius</i> )                            |
| Tunas  |  |

**Sources:** National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries Service (NMFS), “Seafood Import Monitoring Program”; NOAA, NMFS, “Magnuson-Stevens Fishery Conservation and Management Act; Seafood Import Monitoring Program,” 81 *Federal Register* 88975-88998, December 9, 2016; and NOAA, NMFS, “Magnuson-Stevens Fishery Conservation and Management Act; Lifting the Stay on Inclusion of Shrimp and Abalone in the Seafood Traceability Program,” 83 *Federal Register* 17762-17765, April 24, 2018.

**Notes:** *Abalone* refers to species of family Haliotidae. *Groupers* refers to species of family Epinephelidae. *Sea Cucumber* refers to species of class Holothuroidea. *Sharks* refer to species of orders Galeomorphii and Squalomorphii, including their fins. *Shrimp* collectively refers to species of suborders Dendrobranchiata and Pleocyemata. *Tunas* specifically include albacore tuna (*Thunnus alalunga*), bigeye tuna (*T. obesus*), bluefin tuna (Atlantic, *T. thynnus*; Pacific, *T. orientalis*; Southern *T. maccoyii*), skipjack tuna (*Katsuwonus pelamis*), and yellowfin tuna (*T. albacares*). Some experts define a *species group* as a complex of related species with morphological (i.e., certain physical) similarities.

As of FY2023 reporting, SIMP covered approximately one-third of all U.S. seafood imports by volume, meaning the program covered approximately 1.7 billion pounds (773 million kilograms) of seafood in FY2023.<sup>10</sup> Since SIMP’s implementation, Congress and stakeholders have raised concerns regarding IUU fishing and its impacts on seafood trade and on the effectiveness of programs such as SIMP in stopping IUU-fished products from entering U.S. commerce.<sup>11</sup>

<sup>8</sup> Jack Cheney, “What Is the Seafood Import Monitoring Program (SIMP)?,” University of Washington, April 12, 2022, <https://sustainablefisheries-uw.org/simp-seafood-import-monitoring-program/> (hereinafter Cheney, “What Is the Seafood Import Monitoring Program?,” 2022); and National Fisheries Institute, “The Modern-Day Lawn Dart: NOAA’s Seafood Import Monitoring Program,” <https://aboutseafood.com/the-modern-day-lawn-dart-noaas-seafood-import-monitoring-program/> (hereinafter National Fisheries Institute, “Modern-Day Lawn Dart”).

<sup>9</sup> Cheney, “What Is the Seafood Import Monitoring Program?,” 2022; and National Fisheries Institute, “The Modern-Day Lawn Dart.”

<sup>10</sup> NOAA, NMFS, *Report on the Seafood Import Monitoring Program—FY2023*, May 2024, <https://www.fisheries.noaa.gov/s3/2024-05/SIMP-Report-to-Congress-FY2023.pdf> (hereinafter NOAA, NMFS, *Report on the Seafood Import Monitoring Program—FY2023*).

<sup>11</sup> As examples, see Nathan Strout, “U.S. Senators Say SIMP Expansion Is Too Narrow,” *Seafood Source*, May 25, 2023, <https://www.seafoodsource.com/news/environment-sustainability/u-s-senators-say-simp-expansion-is-too-narrow>; and Stimson Center, “Stimson Center Applauds NOAA Fisheries’ New Action Plan to Strengthen U.S. Seafood Import Monitoring,” press release, November 14, 2024, <https://www.stimson.org/2024/stimson-center-> (continued...)

Additionally, Congress has provided ongoing appropriations to NMFS in support of SIMP and directives to NMFS and partners regarding the program's implementation.

This report provides an overview of SIMP, including its origins, objectives, and requirements, as well as recent trends in NMFS reporting about the program. The report also contains information about appropriations and congressional directives for SIMP, the program's anticipated future directions, and issues and considerations for Congress.

## Seafood Import Monitoring Program Origins, Objectives, and Requirements

The idea for SIMP originated from recommendations by a June 2014 Presidential Task Force on Combatting IUU Fishing and Seafood Fraud.<sup>12</sup> Among the task force's recommendations was the development of a risk-based traceability program as a means to combat IUU fishing and seafood fraud.<sup>13</sup> Subsequently, in 2016, the Secretary of Commerce established SIMP pursuant to those recommendations and the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. §§1801-1891d); the program's partial implementation for 11 species groups began in January 2018.<sup>14</sup> Congress also codified directives for SIMP in the Consolidated Appropriations Act, 2018 (P.L. 115-141, Division B, Title V, §539; see also "Seafood Import Monitoring Program Appropriations and Congressional Directives").<sup>15</sup> SIMP's full implementation became effective in May 2018 and included shrimp and abalone, bringing the total of covered species groups to 13.<sup>16</sup>

Among SIMP's objectives is to serve as both a screening mechanism for and a deterrent against the entry of IUU-associated and misrepresented (i.e., fraudulently labeled) seafood into the U.S. market.<sup>17</sup> SIMP is intended to prevent fish and fish products taken by IUU fishing from entering U.S. commerce and to serve as a risk-based seafood traceability program.<sup>18</sup> According to NMFS, the program is not designed as a means for NOAA to attest to the legality of a given seafood shipment, nor is it a labeling program or consumer facing.<sup>19</sup> SIMP relies on data reporting and recordkeeping requirements as well as random and targeted audits of shipments conducted by the

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applauds-noaa-fisheries-new-action-plan-to-strengthen-u-s-seafood-import-monitoring/ (hereinafter Stimson Center, press release, November 14, 2024); and National Fisheries Institute, "Modern-Day Lawn Dart."

<sup>12</sup> The task force was directed to report to the President with "recommendations for the implementation of a comprehensive framework of integrated programs to combat IUU fishing and seafood fraud that emphasizes areas of greatest need." NOAA, NMFS, "Presidential Task Force on Combating Illegal, Unreported and Unregulated Fishing and Seafood Fraud," 79 *Federal Register* 44404-44405, July 31, 2014.

<sup>13</sup> NOAA, NMFS, "Recommendations of the Presidential Task Force on Combating Illegal, Unreported and Unregulated Fishing and Seafood Fraud," 79 *Federal Register* 75536-75541, December 18, 2014; and NOAA, NMFS, "Magnuson-Stevens Fishery Conservation and Management Act; Seafood Import Monitoring Program," 81 *Federal Register* 88975-88998, December 9, 2016 (hereinafter NOAA, NMFS, 81 *Federal Register* 88975-88998, 2016).

<sup>14</sup> NOAA, NMFS, 81 *Federal Register* 88975-88998, 2016.

<sup>15</sup> Codified at 16 U.S.C. §1855.

<sup>16</sup> NMFS specified in the final rule a compliance date for shrimp and abalone importers by December 31, 2018. NOAA, NMFS, "Magnuson-Stevens Fishery Conservation and Management Act; Lifting the Stay on Inclusion of Shrimp and Abalone in the Seafood Traceability Program," 83 *Federal Register* 17762-17765, April 24, 2018 (hereinafter NOAA, NMFS, 83 *Federal Register* 17762-17765, 2018); and 16 U.S.C. §1885.

<sup>17</sup> NOAA, NMFS, *Report on the Implementation of the U.S. Seafood Import Monitoring Program*, April 2021, pp. 1-17, <https://media.fisheries.noaa.gov/2021-05/SIMP%20Implementation%20Report%202021.pdf?null> (hereinafter NOAA, NMFS, *Report on the Implementation of the U.S. Seafood Import Monitoring Program*).

<sup>18</sup> NOAA, NMFS, "Seafood Import Monitoring Program."

<sup>19</sup> NOAA, NMFS, *Report on the Implementation of the U.S. Seafood Import Monitoring Program*, pp. 5-6.

NMFS Office of Law Enforcement (OLE), CBP, and federal and state agency partners; it does not include routine examinations of each seafood shipment.<sup>20</sup> SIMP also maintains a list of importers with a demonstrated history of “excellent audit compliance” with program requirements, known as the SIMP-Compliant Importers List (see textbox below).

### The Seafood Import Monitoring Program (SIMP)-Compliant Importers List

The National Marine Fisheries Service (NMFS) established the SIMP-Compliant Importers List (SIL) in September 2020. The list “recognizes U.S. importers with a demonstrated history of excellent audit compliance with the SIMP requirements.” Qualified importers included on the SIL have a reduced frequency of audits based on their compliance record and are recognized at no cost to the importer. Recognized importers remain on the SIL as long as eligibility requirements are met. Importers are eligible for listing on the SIL if they have

- a valid NMFS International Fisheries Trade Permit,
- three consecutively completed SIMP audits with no findings of noncompliance in the preceding 365 days,
- provided chain of custody records requested for SIMP audits in a timely manner,
- no pending enforcement actions with the National Oceanic and Atmospheric Administration (NOAA); and
- no violations during the preceding five years of any trade requirement under any statute administered and enforced by NOAA that resulted in a final enforcement action.

NMFS issues updates to the SIL on a quarterly basis. As of quarter 1 of FY2025, 26 importers are included on the SIL.

**Source:** NOAA, NMFS, “SIMP Compliant Importers List,” <https://www.fisheries.noaa.gov/national/international-affairs/simp-compliant-importers-list>.

NMFS and CBP jointly administer SIMP while operating under separate missions. As part of its mission, NMFS leads federal efforts to combat IUU fishing and is responsible for certain seafood imports.<sup>21</sup> In addition to SIMP, NMFS administers three other trade monitoring programs with the goal of deterring and identifying seafood imports harvested by IUU fishing.<sup>22</sup> Through these programs, NMFS reviews import documentation for all fresh and frozen Patagonian toothfish (i.e., *Chilean sea bass*); Antarctic krill; shark fins; swordfish; and certain fresh, frozen, and/or processed tunas.<sup>23</sup> According to CBP and the U.S. Government Accountability Office (GAO), CBP is the primary law enforcement agency responsible for “facilitating lawful international trade at the ports-of-entry for imports, including seafood, and protecting revenue.”<sup>24</sup> Additionally, CBP, among other activities, conducts enforcement efforts for trade violations, including assessing civil penalties and providing information in support of criminal prosecutions. CBP also collects import data and documentation from importers through its Automated Commercial

<sup>20</sup> NOAA, NMFS, *Report on the Implementation of the U.S. Seafood Import Monitoring Program*, pp. 1-17; and NOAA, NMFS, *Report on the Seafood Import Monitoring Program—FY2023*.

<sup>21</sup> NOAA, NMFS, “About Us—Our Mission,” <https://www.fisheries.noaa.gov/about-us>; and NOAA, NMFS, “International Affairs: IUU Fishing,” <https://www.fisheries.noaa.gov/topic/international-affairs/iuu-fishing>.

<sup>22</sup> NOAA, NMFS, “Seafood Commerce and Trade: International Trade,” <https://www.fisheries.noaa.gov/topic/seafood-commerce-and-trade/international-trade> (hereinafter NOAA, NMFS, “Seafood Commerce and Trade: International Trade”).

<sup>23</sup> These programs include the Antarctic Marine Living Resources Program (Patagonian toothfish, Antarctic krill); the Highly Migratory Species International Trade Program (fresh and frozen bluefin tunas, shark fins, swordfish, and frozen bigeye tuna); and the Tuna Tracking and Verification Program, also known as the Dolphin-Safe Program, (frozen and processed albacore, bigeye, blackfin [*Thunnus atlanticus*], bluefin, longtail, skipjack, and yellowfin tunas). NOAA, NMFS, “Seafood Commerce and Trade: International Trade,” and U.S. Government Accountability Office (GAO), *Combating Illegal Fishing. Better Information Sharing Could Enhance U.S. Efforts to Target Seafood Imports for Investigation*, GAO-23-105643, May 2023, p. 11, <https://www.gao.gov/assets/d23105643.pdf> (hereinafter GAO, *Combating Illegal Fishing*, 2023).

<sup>24</sup> U.S. Customs and Border Protection (CBP), “About CBP,” <https://www.cbp.gov/about>; and GAO, *Combating Illegal Fishing*, 2023, p. 9.

Environment system, which, together with other sources, provides data to CBP partner agencies (e.g., NMFS, U.S. Food and Drug Administration [FDA], U.S. Fish and Wildlife Service [FWS]) to identify cargo for possible inspection by port officials.<sup>25</sup>

## Seafood Import Monitoring Program Reporting

Congress requires NMFS to submit periodic reports regarding SIMP's efforts to prevent seafood associated with IUU fishing and forced labor from entering the United States,<sup>26</sup> including annual reports since FY2023.<sup>27</sup> As directed by statute, each annual report is to include information regarding the volume and value of seafood species subject to SIMP; enforcement efforts related to SIMP; the percentage of import shipments that were audited; instances of noncompliance with SIMP requirements; and those seafood species and harvest locations most commonly cited as noncompliant or otherwise illegal, among other information.<sup>28</sup>

SIMP collects data for priority species and species groups through the U.S. Census International Trade Data System (e.g., species, quantity, vessel and flag state, fishing gear used, landing or offloading dates, names of recipients, U.S. importer of record).<sup>29</sup> SIMP does not require importers to collect labor-related information.<sup>30</sup>

Some stakeholders and Members of Congress have raised concerns about the amount of seafood imports that are audited through SIMP, including the criteria that are used to select a given import for audit.<sup>31</sup> For example, during a 2023-2024 program review of SIMP, stakeholders recommended that NMFS consider additional risk factors for IUU fishing, such as country of origin, when determining which seafood imports are selected for audit.<sup>32</sup> Additionally, Congress, in the Don Young Coast Guard Authorization Act of 2022 (P.L. 117-263, Division K, Title CXIII, §11332(a)), directed NMFS to implement procedures to “support statistically robust conclusions that the samples audited are representative of all seafood imports” covered by SIMP during a given year. According to NMFS, SIMP entries may be subject to both random and directed audits.<sup>33</sup>

In 2024, NMFS reported that it undertook over 3,900 audits of seafood imports from January 2018 (i.e., the time at which NMFS began its initial implementation of SIMP)<sup>34</sup> to September 2023, which NMFS stated comprised 0.5% of all SIMP imports since implementation.<sup>35</sup> NMFS

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<sup>25</sup> GAO, *Combatting Illegal Fishing*, 2023, pp. 9-10.

<sup>26</sup> For example, as stipulated in the Consolidated Appropriations Act, 2018 (P.L. 115-141), and the Consolidated Appropriations Act, 2020 (P.L. 116-93).

<sup>27</sup> As stipulated in the Don Young Coast Guard Authorization Act of 2022 (P.L. 117-263, Division K, Title CXII) and 16 U.S.C. §1885a.

<sup>28</sup> 16 U.S.C. §1885a(b).

<sup>29</sup> U.S. Census Bureau, “International Trade Data Systems (ITDS),” <https://www.census.gov/foreign-trade/aes/itds.html>; and NOAA, NMFS, “Foreign Fishery Trade Data,” <https://www.fisheries.noaa.gov/national/sustainable-fisheries/foreign-fishery-trade-data>.

<sup>30</sup> NOAA, NMFS, *Report on the Implementation of the U.S. Seafood Import Monitoring Program*.

<sup>31</sup> For example, Letter from Representatives Grijalva and Huffman, October 2023.

<sup>32</sup> NOAA, NMFS, *U.S. Seafood Import Monitoring Program Review*, 2024.

<sup>33</sup> NOAA, NMFS, *Guide to Audit Requirements for the Seafood Import Monitoring Program: Frequently Asked Questions*, December 2020, pp. 1-10, <https://media.fisheries.noaa.gov/2020-12/SIMP%20Audit%20Guidance%202020.pdf>.

<sup>34</sup> NOAA, NMFS, *Report on the Implementation of the U.S. Seafood Import Monitoring Program*, p. 10.

<sup>35</sup> NOAA, NMFS, *Report on the Seafood Import Monitoring Program—FY2023*.

also reported that it had audited 40% of all IFTP holders (i.e., importers) during that time.<sup>36</sup> According to FY2020 and FY2023 reports to Congress, the majority of SIMP imports in those years were shrimp and tunas, based on reported weight values (Table 2).<sup>37</sup>

**Table 2. Total Imports, Value, and Number of Audits per Major SIMP Species Groups During FY2020 and FY2023**

| Species Group      | FY2020                    |                                |             | FY2023                    |                                |            |
|--------------------|---------------------------|--------------------------------|-------------|---------------------------|--------------------------------|------------|
|                    | Quantity (kg in millions) | Value (FY2024 USD in billions) | Audits      | Quantity (kg in millions) | Value (FY2024 USD in billions) | Audits     |
| Shrimp             | 749.7                     | 7.77                           | 448         | 252.1                     | 2.34                           | 95         |
| Tunas              | 416.0                     | 2.79                           | 250         | 359.4                     | 2.51                           | 116        |
| Cods               | 75.8                      | 0.71                           | 121         | 77.6                      | 0.82                           | 51         |
| Other <sup>a</sup> | 88.7                      | 1.29                           | 312         | 84.3                      | 0.96                           | 128        |
| <b>Total</b>       | <b>1330.2</b>             | <b>12.56</b>                   | <b>1131</b> | <b>773.4</b>              | <b>6.63</b>                    | <b>390</b> |

**Sources:** National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries Service (NMFS), *Report to Congress: Efforts to Prevent Importation of Seafood Harvested Through Illegal, Unreported, and Unregulated Fishing and Address Imported Seafood Fraud*, August 2021, [https://media.fisheries.noaa.gov/2021-08/SIMP%20Report%20to%20Congress\\_Efforts%20to%20Prevent%20Seafood%20Harvested%20through%20IUU%20fishing.pdf](https://media.fisheries.noaa.gov/2021-08/SIMP%20Report%20to%20Congress_Efforts%20to%20Prevent%20Seafood%20Harvested%20through%20IUU%20fishing.pdf); NOAA, NMFS, *Report on the Seafood Import Monitoring Program—FY2023*, May 2024, <https://www.fisheries.noaa.gov/s3/2024-05/SIMP-Report-to-Congress-FY2023.pdf>; and U.S. Bureau of Labor Statistics, “Databases, Tables & Calculators by Subject – Consumer Price Index for All Urban Consumers (CPI-U),” [https://data.bls.gov/timeseries/CUUR0000SA0?years\\_option=all\\_years](https://data.bls.gov/timeseries/CUUR0000SA0?years_option=all_years).

**Notes:** Quantity = total kilograms (kg) imported. CRS identified major Seafood Import Monitoring Program (SIMP) species groups as those with at least 5% contribution to total imported quantity (kg) or value (FY2024 USD) in either year. Quantity totals reflect those reported by NMFS as rounded to the nearest decimal place, which may not align with sums as rounded for a given species group in this table. Reported values in NMFS reports to Congress are adjusted for inflation using the Consumer Price Index and expressed as 2024 USD.

a. Red snapper data may include SIMP and non-SIMP species, as reporting for that species group and its products is based on not readily separable general product codes.

According to NMFS data, the number of audits per imported kilogram (audits/kg) of seafood for a given species group generally decreased between FY2020 and FY2023 (particularly for groupers and abalone), except for increases in audits/kg for red king crab, sea cucumbers, and sharks. NMFS notes in its reports to Congress that audits are conducted to correlate loosely with the “number of imports per species.”<sup>38</sup> NMFS data in reports to Congress do not include information about the volume of seafood audited per species group during a given year or about the number of imports per species group. Thus, the relationship between the number of imports and audits, or the volume of imports and audits, is unclear using data from those reports.

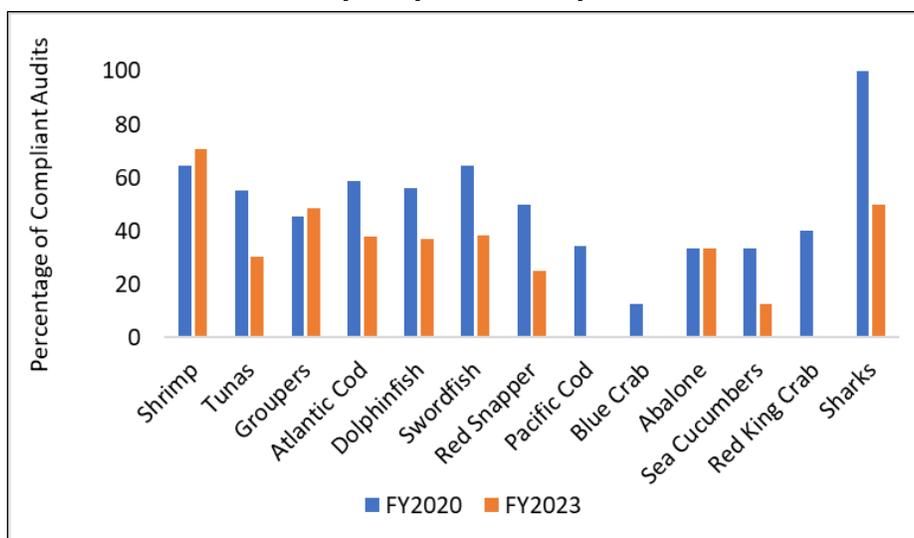
<sup>36</sup> NOAA, NMFS, *Report on the Seafood Import Monitoring Program—FY2023*.

<sup>37</sup> NOAA, NMFS, *Report to Congress: Efforts to Prevent Importation of Seafood Harvested Through Illegal, Unreported, and Unregulated Fishing and Address Imported Seafood Fraud*, August 2021, [https://media.fisheries.noaa.gov/2021-08/SIMP%20Report%20to%20Congress\\_Efforts%20to%20Prevent%20Seafood%20Harvested%20through%20IUU%20fishing.pdf](https://media.fisheries.noaa.gov/2021-08/SIMP%20Report%20to%20Congress_Efforts%20to%20Prevent%20Seafood%20Harvested%20through%20IUU%20fishing.pdf) (hereinafter NOAA, NMFS, *Report to Congress*, 2021); and NOAA, NMFS, *Report on the Seafood Import Monitoring Program—FY2023*.

<sup>38</sup> NOAA, NMFS, *Report to Congress*, 2021; and NOAA, NMFS, *Report on the Seafood Import Monitoring Program—FY2023*.

With respect to the seafood audited in FY2020 and FY2023, NMFS reported that approximately 57% of all audited seafood during FY2020 and 42% of all audited seafood during FY2023 complied with SIMP traceability requirements.<sup>39</sup> Given that a small percentage of seafood covered by SIMP is audited, it is unclear whether these results are broadly applicable. According to NMFS, compliance with SIMP requirements per species varied in FY2020 and FY2023 (Figure 1).

**Figure 1. Percentage Compliance of SIMP Audits During FY2020 and FY2023, per Species Group**



**Source:** Congressional Research Service (CRS), using data from National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries Service (NMFS), *Report to Congress: Efforts to Prevent Importation of Seafood Harvested Through Illegal, Unreported, and Unregulated Fishing and Address Imported Seafood Fraud*, August 2021, [https://media.fisheries.noaa.gov/2021-08/SIMP%20Report%20to%20Congress\\_Efforts%20to%20Prevent%20Seafood%20Harvested%20through%20IUU%20fishing.pdf](https://media.fisheries.noaa.gov/2021-08/SIMP%20Report%20to%20Congress_Efforts%20to%20Prevent%20Seafood%20Harvested%20through%20IUU%20fishing.pdf); NOAA, NMFS, *Report on the Seafood Import Monitoring Program—FY2023*, May 2024, <https://www.fisheries.noaa.gov/s3/2024-05/SIMP-Report-to-Congress-FY2023.pdf>; and from NOAA Office of Legislative and Intergovernmental Affairs on December 10, 2024.

**Notes:** Percentage compliance refers to the percentage of audits that complied with SIMP requirements. Species groups are arranged from largest to smallest in terms of the number of audits conducted per species in FY2020 (i.e., 448 audits for shrimp; 1 audit for sharks in FY2020).

Reported values are based on the number of audits per species group conducted each year, which may vary among species groups. Decreases in audit percentage compliance were observed for a number of species in FY2023 compared with FY2020 (e.g., sharks, tunas), while increases in percentage compliance were observed for shrimp and groupers.<sup>40</sup> NMFS found that incomplete chain-of-custody information and misreported harvest weight were the most frequent reasons for noncompliance in FY2023.<sup>41</sup> In light of these findings, some stakeholders have pointed out that noncompliance detected by SIMP is “largely clerical.”<sup>42</sup> Given the above factors, Congress may

<sup>39</sup> NOAA, NMFS, *Report to Congress*, 2021; and NOAA, NMFS, *Report on the Seafood Import Monitoring Program—FY2023*.

<sup>40</sup> NOAA, NMFS, *Report to Congress*, 2021; and NOAA, NMFS, *Report on the Seafood Import Monitoring Program—FY2023*.

<sup>41</sup> NOAA, NMFS, *Report on the Seafood Import Monitoring Program—FY2023*.

<sup>42</sup> National Fisheries Institute, “Modern-Day Lawn Dart.”

wish to consider further directives to NMFS regarding its reporting on SIMP audits and their compliance,<sup>43</sup> or with respect to the overall effectiveness of the program in preventing or detecting IUU fishing.

In FY2023, NMFS reported that the majority of SIMP-conducted investigations occurred in the Pacific Islands region and Long Beach, CA.<sup>44</sup> NMFS also refused some shrimp imports from Vietnam, China, Senegal, and Mexico that year, in addition to some imports of abalone from South Africa and shark meat of unknown origin.<sup>45</sup> The greatest incidence of import noncompliance in FY2023 was from Japan (80% of all audits for the country; out of n = 20 total audits for the country), Venezuela (100% of all audits for the country; out of n = 10 total audits for the country), and international waters (79% of all audits for the region; out of n = 28 total audits for the country). In contrast, audits for India, Thailand, and Vietnam were found to have compliance rates above 75%.<sup>46</sup>

In cases of noncompliance, a small number of audits typically warrant enforcement action by NMFS OLE that results in civil penalties.<sup>47</sup> Some SIMP investigations (including in collaboration with CBP, FDA, and FWS, among other partners) have led to identification of misrepresented seafood.<sup>48</sup>

## Seafood Import Monitoring Program Appropriations and Congressional Directives

Congress increased appropriated funds to NOAA in support of SIMP from FY2017 to FY2023 (Table 3). Most recently, in FY2025, Congress appropriated \$6.2 million to NOAA to support the program (i.e., the same nominal funding level as in FY2023-FY2024). Prior to enactment of the Full-Year Continuing Appropriations and Extensions Act, 2025 (P.L. 119-4), the Senate Committee on Appropriations had proposed this same funding level for FY2025.<sup>49</sup> Congress passed a continuing resolution in March 2025 (P.L. 119-4) in which funding levels for SIMP were the at same amount as in FY2024.

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<sup>43</sup> 16 U.S.C. §1885a.

<sup>44</sup> In FY2023, NMFS reported that commercial import inspections for SIMP species also occurred in Oakland, CA; Miami, FL; Savannah, GA; Newark, NJ; the U.S.-Mexico border; and “other” major U.S. ports. NOAA, NMFS, *Report on the Seafood Import Monitoring Program—FY2023*; and NOAA, NMFS, “Pacific Islands,” <https://www.fisheries.noaa.gov/region/pacific-islands>.

<sup>45</sup> NOAA, NMFS, *Report on the Seafood Import Monitoring Program—FY2023*.

<sup>46</sup> These data are only available for FY2023, as NMFS did not report this information during previous years. NOAA, NMFS, *Report on the Seafood Import Monitoring Program—FY2023*.

<sup>47</sup> NOAA, NMFS, *Report on the Implementation of the U.S. Seafood Import Monitoring Program*; and NOAA, NMFS, *Report to Congress*, 2021; and NOAA, NMFS, *Report on the Seafood Import Monitoring Program—FY2023*.

<sup>48</sup> NOAA, NMFS, *Report on the Implementation of the U.S. Seafood Import Monitoring Program*; and NOAA, NMFS, *Report to Congress*, 2021; and NOAA, NMFS, *Report on the Seafood Import Monitoring Program—FY2023*.

<sup>49</sup> U.S. Congress, Senate Appropriations Committee, *Department of Commerce and Justice, Science, and Related Agencies Appropriations Bill, 2025*, report to accompany S. 4795, 118<sup>th</sup> Cong., 2<sup>nd</sup> sess., July 25, 2024, S.Rept. 118-198, p. 53.

**Table 3. Appropriated Funds to the National Oceanic and Atmospheric Administration (NOAA) in Support of the Seafood Import Monitoring Program (SIMP)**

(in millions of USD)

| Fiscal Year | Appropriated Amount<br>(in millions of USD) | FY2024 USD Equivalent<br>(in millions) |
|-------------|---|--|
| FY2017      | 1.0   | 1.3                                    |
| FY2018      | 2.2   | 2.7                                    |
| FY2019      | 3.6   | 4.4                                    |
| FY2020      | 3.6   | 4.3                                    |
| FY2021      | 3.6   | 4.3                                    |
| FY2022      | 5.2   | 5.8                                    |
| FY2023      | 6.2   | 6.4                                    |
| FY2024      | 6.2   | 6.2                                    |
| FY2025      | 6.2   | 6.2                                    |

**Sources:** Congressional Research Service (CRS), from congressional explanatory statements accompanying P.L. 115-31, P.L. 115-141, P.L. 116-6, P.L. 116-93, P.L. 116-260, P.L. 117-103, P.L. 117-328, and P.L. 118-42; P.L. 119-4; U.S. Congress, House Appropriations Committee, *Commerce, Justice, Science, and Related Agencies Appropriations Bill, 2021*, report together with minority views (to accompany H.R. 7667), 116<sup>th</sup> Cong., 2<sup>nd</sup> sess., July 16, 2020, H.Rept. 116-455, p. 36; U.S. Congress, House Appropriations Committee, *Commerce, Justice, Science, and Related Agencies Appropriations Bill, 2023*, report together with minority views to accompany H.R. 8256, 117<sup>th</sup> Cong., 2<sup>nd</sup> sess., June 30, 2022, H.Rept. 117-395, p. 38; NOAA, NMFS, *Report on the Implementation of the U.S. Seafood Import Monitoring Program*, April 2021, <https://media.fisheries.noaa.gov/2021-05/SIMP%20Implementation%20Report%202021.pdf?null>; and U.S. Bureau of Labor Statistics, “Databases, Tables & Calculators by Subject – Consumer Price Index for All Urban Consumers (CPI-U),” [https://data.bls.gov/timeseries/CUUR0000SA0?years\\_option=all\\_years](https://data.bls.gov/timeseries/CUUR0000SA0?years_option=all_years).

**Notes:** Reported appropriations values are adjusted for inflation using the Consumer Price Index and expressed as 2024 USD. According to the National Marine Fisheries Service (NMFS), in FY2020, an agreement between the United States, Mexico, and Canada provided NMFS with an additional \$8 million to combat illegal, unregulated, and unreported fishing, including funds for SIMP; as those funds were not related solely to SIMP, they are not included in the FY2020 appropriated amount.

Since FY2018, Congress has, at times, included directives to NOAA in appropriations laws and accompanying language regarding the administration of SIMP, as follows:<sup>50</sup>

- In the Consolidated Appropriations Act, 2018 (P.L. 115-141, Division B, Title V, §539), Congress directed the Secretary of Commerce to lift the stay on the final rule regarding SIMP species groups (see “Seafood Import Monitoring Program Origins, Objectives, and Requirements”) and to establish a traceability program for United States inland, coastal, and marine aquaculture of shrimp and abalone from the point of production to entry into U.S. commerce.<sup>51</sup> Congress also

<sup>50</sup> In appropriations language, Congress also has included directives to agencies such as CBP and the U.S. Food and Drug Administration regarding seafood imports; these directives do not directly reference SIMP.

<sup>51</sup> In the final rule for the SIMP (published December 2016), NMFS stated that the effective date of the rule for imported shrimp and abalone products would be stayed indefinitely because data collection for U.S. aquacultured shrimp and abalone was not equivalent to collection of data that would be reported for imports. The stay was lifted in April 2018. NOAA, NMFS, 81 *Federal Register* 88975-8898, 2016; 16 U.S.C. §1885; NOAA, NMFS, 83 *Federal Register* 17762-17765, 2018; and 50 C.F.R. §300.324(a)(3).

- required the Secretary of Commerce to promulgate regulations for SIMP “as are necessary and appropriate to establish and implement.”
- S.Rept. 115-139 and S.Rept. 115-275,<sup>52</sup> referenced in the explanatory statements accompanying the Consolidated Appropriations Act, 2018 (P.L. 115-141),<sup>53</sup> and the Consolidated Appropriations Act, 2019 (P.L. 116-6),<sup>54</sup> respectively, stated, “NOAA is directed to continue strengthening its efforts to detect and deter illegally harvested and improperly documented seafood, including working with other U.S., international, and foreign agencies to ensure fair competition of our country’s domestic fishermen and safety for American consumers.” Both reports also encouraged NOAA to work with CBP to improve and expand the identification of high-risk shipments and to collect “critical import data” to increase the enforcement of import restrictions on IUU-associated seafood products.
  - The explanatory statement accompanying the Consolidated Appropriations Act, 2020 (P.L. 116-93),<sup>55</sup> directed NOAA to evaluate SIMP’s effectiveness in preserving global at-risk species for IUU fishing around the world and in protecting U.S. consumers from seafood fraud. Congress directed NMFS to report on the metrics the agency would use for these evaluations.<sup>56</sup> The explanatory statement also directed NOAA to examine any gaps identified in a report by the Task Force on Human Trafficking in Fishing in International Waters regarding human trafficking and related labor abuses in the commercial seafood supply chain.<sup>57</sup>
  - The explanatory statement accompanying the Consolidated Appropriations Act, 2021 (P.L. 116-260),<sup>58</sup> directed NOAA to produce a report on IUU fishing and on SIMP activities, which NOAA published in August 2021 (see “Seafood Import Monitoring Program Reporting”).<sup>59</sup> H.Rept. 116-455, also referred to in the

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<sup>52</sup> U.S. Congress, Senate Appropriations Committee, *Departments of Commerce and Justice, Science, and Related Agencies Appropriations Bill, 2018*, report to accompany S. 1662, 115<sup>th</sup> Cong., 1<sup>st</sup> sess., July 27, 2017, S.Rept. 115-139, pp. 34-35; and U.S. Congress, Senate Appropriations Committee, *Departments of Commerce and Justice, Science, and Related Agencies Appropriations Bill, 2019*, to accompany S. 3072, 115<sup>th</sup> Cong., 2<sup>nd</sup> sess., June 14, 2018, S.Rept. 115-275, pp. 36-37.

<sup>53</sup> “Explanatory Statement Submitted by Mr. Frelinghuysen, Chairman of the House Committee on Appropriations, Regarding the House Amendment to Senate Amendment on H.R. 1625,” *Congressional Record*, vol. 164, part 50—Book II (March 22, 2018), p. H2084.

<sup>54</sup> U.S. Congress, House Appropriations Committee, “Explanatory Statement Submitted by Mrs. Lowey, Chairwoman of the House Committee on Appropriations Regarding H.J. Res. 31,” *Making Further Continuing Appropriations for the Department of Homeland Security for Fiscal Year, 2019, and for Other Purposes*, Conference report to accompany H.J.Res. 31, 116<sup>th</sup> Cong., 1<sup>st</sup> sess., February 13, 2019, H.Rept. 116-9, p. 608.

<sup>55</sup> “Explanatory Statement Submitted by Mrs. Lowey, Chairwoman of the House Committee on Appropriations Regarding H.R. 1158, Consolidated Appropriations Act, 2020,” *Congressional Record*, vol. 165, part 204—Book II (December 17, 2019), p. H10963.

<sup>56</sup> NOAA published the report on SIMP evaluation metrics in April 2021. NOAA, NMFS, *Report to Congress. Metrics for Evaluating the Seafood Import Monitoring Program*, April 2021, pp. 1-7, [https://media.fisheries.noaa.gov/2021-05/RTC\\_%20Metrics%20for%20Evaluating%20SIMP.pdf?null](https://media.fisheries.noaa.gov/2021-05/RTC_%20Metrics%20for%20Evaluating%20SIMP.pdf?null).

<sup>57</sup> Task Force on Human Trafficking in Fishing in International Waters, *Report to Congress*, January 2021, pp. 1-51, <https://www.state.gov/report-on-human-trafficking-in-fishing-in-international-waters/>.

<sup>58</sup> U.S. Congress, House Appropriations Committee, *Consolidated Appropriations Act, 2021, H.R. 133/P.L. 116-260 [Legislative Text and Explanatory Statement]*, *Explanatory Statement Submitted by Mrs. Lowey, Chairwoman of the House Committee on Appropriations Regarding H.R. 133, Consolidated Appropriations Act, 2021*, committee print, 117<sup>th</sup> Cong., 1<sup>st</sup> sess., March 2021, 43-749, pp. 221-222.

<sup>59</sup> NOAA, NMFS, *Report to Congress*, 2021.

- explanatory statement, included directives for NOAA to develop a priority list of other species for inclusion in SIMP and for NMFS to increase coordination with CBP to develop additional analytical tools for the program.<sup>60</sup>
- The explanatory statement accompanying the Consolidated Appropriations Act, 2022 (P.L. 117-103)<sup>61</sup> encouraged NOAA to “pursue the most efficient, effective, and sustainable mechanisms to determine a chain of custody for fish or fish products, and to improve systems used to identify and bar fish or fish products sourced using convict, child, forced, or indentured labor.” The explanatory statement also encouraged NOAA to consult with the Department of Homeland Security, Department of Labor, and other relevant agencies to develop a strategic plan for applying artificial intelligence and machine learning technologies to detect seafood imports at risk of being associated with IUU fishing.
  - The explanatory statement accompanying the Consolidated Appropriations Act, 2023 (P.L. 117-328),<sup>62</sup> stated that effective implementation of SIMP was necessary to enforce the ban on imports of Russian seafood.<sup>63</sup> H.Rept. 117-395,<sup>64</sup> referred to in the explanatory statement, encouraged NOAA to “pursue the most efficient, effective, and sustainable mechanisms to determine a chain of custody for fish or fish products, and to improve systems used to identify and bar fish or fish products sourced using convict, child, forced, or indentured labor.” Additionally, the report encouraged NOAA to consult with the Departments of Homeland Security and Labor, and with other relevant agencies, to develop a strategic plan for the use of artificial intelligence and machine learning technologies to detect IUU-associated seafood imports.
  - S.Rept. 118-62,<sup>65</sup> referenced in the explanatory statement accompanying the Consolidated Appropriations Act, 2024 (P.L. 118-42),<sup>66</sup> expressed concerns that shrimp imports continue to be associated with IUU fisheries, forced labor, and

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<sup>60</sup> U.S. Congress, House Appropriations Committee, *Commerce, Justice, Science, and Related Agencies Appropriations Bill, 2021*, 116<sup>th</sup> Cong., 2<sup>nd</sup> sess., July 16, 2020, 116-455, p. 36 (hereinafter U.S. Congress, *Commerce, Justice, Science, and Related Agencies Appropriations Bill, 2021*, 2020).

<sup>61</sup> “Explanatory Statement Submitted by Ms. DeLauro, Chair of the House Committee on Appropriations, Regarding the House Amendment to the Senate Amendment to H.R. 2471, Consolidated Appropriations Act, 2022,” *Congressional Record*, vol. 168, no. 42—Book III (March 9, 2022), p. H1778 (hereinafter *Congressional Record*, vol. 168, no. 42, 2022, p. H1778).

<sup>62</sup> “Explanatory Statement Submitted by Mr. Leahy, Chair of the Senate Committee on Appropriations, Regarding H.R. 2617, Consolidated Appropriations Act, 2023,” *Congressional Record*, vol. 168, part 198 (December 20, 2022), p. S7910.

<sup>63</sup> This import ban on Russian seafood was established in Executive Order 14068. Executive Office of the President, “Prohibiting Certain Imports, Exports, and New Investment with Respect to Continued Russian Federation Aggression,” 14381-14383 *Federal Register*, March 15, 2022.

<sup>64</sup> U.S. Congress, House Appropriations Committee, *Commerce, Justice, Science, and Related Agencies Appropriations Bill, 2023*, to accompany H.R. 8256, 117<sup>th</sup> Cong., 2<sup>nd</sup> sess., June 30, 2022, H.Rept. 117-395, p. 38.

<sup>65</sup> U.S. Congress, Senate Appropriations Committee, *Departments of Commerce and Justice, Science, and Related Agencies Appropriations Bill, 2024*, report to accompany S. 2321, 118<sup>th</sup> Cong., 1<sup>st</sup> sess., July 13, 2023, S.Rept. 118-62, p. 34.

<sup>66</sup> “Explanatory Statement Submitted by Mrs. Murray, Chair of the Senate Committee on Appropriations, Regarding H.R. 4366, Consolidated Appropriations Act, 2024,” *Congressional Record*, vol. 170, part 39 (March 5, 2024), p. S1398.

illegal use of antibiotics, among other activities. It directed NOAA to ensure the agency’s activities do not promote the U.S. consumption of imported seafood.<sup>67</sup>

Since 2023, Congress also has required the Secretary of Commerce to produce annual reports on SIMP, including on NMFS efforts to prevent the import of seafood associated with IUU fishing and forced labor into the United States, among other requirements for the program.<sup>68</sup> In May 2024, NMFS published an annual report for FY2023 (see “Seafood Import Monitoring Program Reporting”).<sup>69</sup>

## Planned Next Steps for the Seafood Import Monitoring Program

NOAA has considered potential expansions and refinements to SIMP’s implementation, including an evaluation of the program. In December 2022, NMFS issued a proposed rule to expand SIMP in accordance with directives in the June 2022 White House “Memorandum on Combatting IUU Fishing and Associated Labor Abuses.”<sup>70</sup> NMFS proposed adding species or groups of species beyond the 13 currently associated with SIMP.<sup>71</sup> In November 2023, NMFS withdrew the proposed rule in light of the public comments it received and announced that the agency would conduct a comprehensive program review “to strengthen the impact and effectiveness of SIMP.”<sup>72</sup> In 2024, NMFS completed its program review, which included outreach and engagement with stakeholders from the seafood industry, academia, nongovernmental organizations, and other entities in addition to public comment solicitations and interagency consultations.<sup>73</sup>

Recommendations to NMFS during the program review included consideration of the following:<sup>74</sup>

- Transforming SIMP to be a government-to-government program (i.e., between U.S. and international governments) to place greater responsibility for

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<sup>67</sup> FY2025 funding occurred through a series of continuing resolutions that did not have accompanying congressional direction on SIMP-related matters.

<sup>68</sup> Congress included these directives in the Don Young Coast Guard Authorization Act of 2022 (P.L. 117-263, Division K, Title CXIII); and 16 U.S.C. §1885a.

<sup>69</sup> NOAA, NMFS, *Report on the Seafood Import Monitoring Program—FY2023*.

<sup>70</sup> NOAA, NMFS, “Magnuson-Stevens Fishery Conservation and Management Act; Seafood Import Monitoring Program,” 87 *Federal Register* 79836-79848, December 28, 2022 (hereinafter NOAA, NMFS, 87 *Federal Register* 79836-79848, 2022); and White House, “Memorandum on Combating Illegal, Unreported, and Unregulated Fishing and Associated Labor Abuses,” National Security Memorandum/NSM-11, June 27, 2022.

<sup>71</sup> These species and species groups would have included all species of snappers (family Lutjanidae); several additional tuna species; and new species groups of cuttlefish, squid, octopus, eels (*Anguilla* sp.), queen conch (*Aliger gigas*), and Caribbean spiny lobster (*Panulirus argus*). NOAA, NMFS, 87 *Federal Register* 79836-79848, 2022.

<sup>72</sup> NOAA, NMFS, “Magnuson-Stevens Fishery Conservation and Management Act; Seafood Import Monitoring Program,” 88 *Federal Register* 78714-78715, November 16, 2023; and NOAA, NMFS, “NOAA Fisheries Announces Comprehensive Review of Its Seafood Import Monitoring Program to Strengthen Its Impact and Effectiveness,” <https://www.fisheries.noaa.gov/feature-story/noaa-fisheries-announces-comprehensive-review-its-seafood-import-monitoring-program>.

<sup>73</sup> NOAA, NMFS, “Updates on the Seafood Import Monitoring Program Comprehensive Review,” <https://www.fisheries.noaa.gov/international-affairs/updates-seafood-import-monitoring-program-comprehensive-review>; and NOAA, NMFS, *U.S. Seafood Import Monitoring Program Review*, 2024.

<sup>74</sup> According to NMFS, the agency “incorporated, where relevant, feedback from more than 2,000 public comments and 10 additional inter-agency consultations collected during the 2022 public comment period.” NOAA, NMFS, *U.S. Seafood Import Monitoring Program Review*, 2024.

- compliance onto foreign governments, introduce additional enforcement mechanisms, and create less burden on U.S. seafood importers.
- Amending the list of species groups covered by SIMP, with suggestions encompassing the removal of certain species, moving away from a species-focused program, including only a few priority species, or expanding the program to cover all imported seafood to the United States.
  - Expanding data-sharing capabilities to facilitate improved collaboration across the U.S. government and sharing SIMP data with foreign nations to improve international seafood traceability and the identification of IUU fishing and seafood fraud.
  - Evaluating data input requirements from seafood importers to enable more accurate identification of IUU fishing, potential forced labor in the seafood supply chain, and industry compliance with SIMP. Additionally, consider harmonizing data requirements across other U.S. agencies and potentially other nations.
  - Including additional risk factors in SIMP risk criteria, such as country of origin, to determine which seafood imports are subject to SIMP requirements and selected for audit. Additionally consider a nation's fisheries regulations, efforts to combat IUU fishing, and history of compliance with SIMP when conducting risk evaluations of seafood imports.<sup>75</sup>

Based on this feedback, NMFS developed an action plan in November 2024 with the goal of improving SIMP.<sup>76</sup> Key action plan goals include (1) enhancing SIMP traceability and risk detection; (2) addressing forced labor in the global seafood supply chain through government-wide efforts; (3) promoting fair global seafood trade practices to strengthen global seafood supply chains; and (4) improving SIMP implementation, including capacity building to maintain and grow the program, all through multiple actions.<sup>77</sup>

NMFS planned actions to enhance SIMP traceability and risk detection include expanding SIMP traceability requirements to all U.S. seafood imports. In 2024, NMFS indicated its intent to develop a proposed rule that would consider establishing a two-tiered system to cover all U.S. seafood imports.<sup>78</sup> The first tier would encompass all currently included SIMP species and species groups, as well as any species or species groups determined to be at high risk for IUU fishing and seafood fraud. The second tier would include all other seafood imports. NMFS also plans to publish proposed rules to consider requiring seafood importers to submit SIMP-required data in advance of import entry into U.S. commerce (i.e., allowing for pre-entry screening) and for the establishment of a pilot program for voluntary government-to-government import data sharing by partner nations.<sup>79</sup>

For the second goal of addressing forced labor in the global seafood supply chain through government-wide efforts, NMFS planned to strengthen partnerships with CBP and the Department of Labor. These efforts involve data-sharing arrangements and collaboration in

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<sup>75</sup> NOAA, NMFS, *U.S. Seafood Import Monitoring Program Review*, 2024.

<sup>76</sup> NOAA, NMFS, *Action Plan to Improve the U.S. Seafood Import Monitoring Program*, November 2024, pp. 1-4, [https://www.fisheries.noaa.gov/s3/2024-11/SIMP-Action-Plan\\_final.pdf](https://www.fisheries.noaa.gov/s3/2024-11/SIMP-Action-Plan_final.pdf) (hereinafter NOAA, NMFS, *Action Plan*, 2024).

<sup>77</sup> NOAA, NMFS, *Action Plan*, 2024.

<sup>78</sup> NOAA, NMFS, *Action Plan*, 2024.

<sup>79</sup> NOAA, NMFS, *Action Plan*, 2024, p. 2.

investigations and enforcement. NMFS also has planned to collect additional data to address forced labor risks in seafood supply chains, including the publication of a proposed rule to consider collecting new data on fishing vessel trips and transshipment activities (i.e., the transfer of fish or fish products between vessels) for first-tier species.<sup>80</sup>

NMFS has several planned actions to promote fair global seafood trade practices to strengthen global seafood supply chains. These actions include issuing proposed rules that would consider updates to permitting and reporting procedures and modifying current data requirements (e.g., including standardized catch area inputs and other data points to simplify reporting, requiring certain data only for audits). Additional potential actions include providing U.S. importers, exporters, and customs brokers with training and education on SIMP program requirements; updating and improving SIMP compliance materials; modernizing the IFTP application and National Permit System;<sup>81</sup> and allowing for an exemption from certain SIMP requirements on seafood products not intended for commercial use (e.g., research specimens) and under a certain value.<sup>82</sup>

Finally, NMFS had been seeking to improve SIMP implementation through stabilizing and expanding the SIMP team by hiring additional federal staff, increasing NMFS International Trade Data System capacity, and increasing NMFS analytical capacity to evaluate SIMP data and risk assessments.<sup>83</sup>

Concurrently with this action plan implementation, NMFS intended to update its current audit procedures to incorporate automated screening for increased effectiveness, including models that incorporate artificial intelligence and machine learning approaches, as encouraged by Congress.<sup>84</sup>

The action plan and its intended actions were developed during the Biden Administration. Whether the Trump Administration adopts, rejects, or revises the plan and the intended actions is to be seen. In April 2025, President Trump issued Executive Order (E.O.) 14276, “Restoring American Seafood Competitiveness,” requiring multiple federal actions with respect to the U.S. seafood trade.<sup>85</sup> Among its contents, the E.O. directed the Secretary of Commerce, in consultation with the Secretary of Health and Human Services, the Secretary of Homeland Security, and other relevant agencies, to consider “revising or rescinding recent expansions” of SIMP and to “further improve” SIMP’s effectiveness.<sup>86</sup>

## Issues and Considerations for Congress

Some stakeholders and Members of Congress continue to focus their attention on SIMP’s ability to scrutinize seafood imports in combination with existing customs enforcement measures and

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<sup>80</sup> NOAA, NMFS, *Action Plan*, 2024, pp. 2-3.

<sup>81</sup> NOAA, NMFS, “NOAA Fisheries Permits,” [https://fisheriespermits.noaa.gov/npspub/pub\\_cmn\\_login/index\\_live.jsp](https://fisheriespermits.noaa.gov/npspub/pub_cmn_login/index_live.jsp) (hereinafter NOAA, NMFS, “NOAA Fisheries Permits”).

<sup>82</sup> NOAA, NMFS, *Action Plan*, 2024, p. 3.

<sup>83</sup> NOAA, NMFS, *Action Plan*, 2024, p. 4.

<sup>84</sup> NOAA, NMFS, *Report to Congress*, 2021; NOAA, NMFS, *Report on the Seafood Import Monitoring Program—FY2023*; and “Explanatory Statement Submitted by Ms. DeLauro, Chair of the House Committee on Appropriations, Regarding the House Amendment to the Senate Amendment to H.R. 2471, Consolidated Appropriations Act, 2022,” *Congressional Record*, vol. 168, part 42—Book III (March 9, 2022), p. H1778.

<sup>85</sup> Executive Office of the President, “Executive Order 14276 of April 17, 2025, Restoring American Seafood Competitiveness,” 90 *Federal Register* 16993-16995, April 22, 2025 (hereinafter Executive Office of the President, “Restoring American Seafood Competitiveness,” *Federal Register*, 2025).

<sup>86</sup> Executive Office of the President, “Restoring American Seafood Competitiveness,” *Federal Register*, 2025.

other efforts related to IUU fishing. Members may wish to consider comments and concerns raised by stakeholders and during previous Congresses, together with actions proposed by NMFS in its 2024 SIMP action plan, when evaluating whether to retain, dismantle, or make changes to SIMP. The below sections include perspectives from stakeholders and Members of Congress related to SIMP, as well as potential options that Congress may consider regarding the program's implementation.

## Selected Stakeholder and Congressional Commentary on the Seafood Import Monitoring Program

Although some stakeholders and entities have welcomed NMFS's recent program review and other efforts regarding SIMP, others have criticized aspects of SIMP's implementation.<sup>87</sup> Entities such as the Stimson Center (a nonprofit think tank) have noted the "inclusive, public-led approach" to NMFS's program review, arguing that the center's ongoing collaborations with NMFS could allow the agency "to achieve a more holistic vision for SIMP."<sup>88</sup> Alternatively, some conservation groups criticized NMFS's ability to lead the SIMP program review during its operation, raised concerns about the transparency of the SIMP program review process, and requested that the White House take over administration of the program review.<sup>89</sup> Some experts and stakeholders have characterized NMFS's implementation of SIMP as "a good start," while recommending additional international coordination and broader expansions of the program beyond those proposed by NMFS.<sup>90</sup> For example, organizations such as the Natural Resources Defense Council have recommended that NMFS additionally include "swimming crab, all salmon, and all mackerel to SIMP" at a minimum and have called for the agency to make public its methodology for including and excluding species in SIMP.<sup>91</sup> Further, some stakeholders suggest refining SIMP to move it away from a species-focused program, while others recommend increased prioritization of certain species or expansion of the program to cover all imported fish and fish products.<sup>92</sup> Some opponents to a full expansion of the program note the burden that expanding SIMP could cause to seafood importers.<sup>93</sup> Other organizations, such as the National Fisheries Institute, have expressed concerns about current administrative burdens and other issues with the program, including whether to "scrap it and start over."<sup>94</sup>

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<sup>87</sup> Stimson Center, press release, November 14, 2024; and Amelia Davidson, "NOAA Announces Crackdown on Illegal Seafood Imports," *E&E News—Greenwire*, November 15, 2024, <https://subscriber.politicopro.com/article/eenews/2024/11/15/noaa-announces-crackdown-on-illegal-seafood-imports-00189830>.

<sup>88</sup> Stimson Center, "Stimson Center Applauds NOAA Fisheries' Program Review of Seafood Import Monitoring Program (SIMP)," press release, November 16, 2024, <https://www.stimson.org/2023/stimson-center-applauds-noaa-fisheries-program-review-of-seafood-import-monitoring-program-simp/>.

<sup>89</sup> Nathan Strout, "Conservation Groups Ask White House to Take Over SIMP Review," *Seafood Source*, February 20, 2024, <https://www.seafoodsource.com/news/environment-sustainability/conservation-groups-ask-white-house-to-take-over-simp-review>.

<sup>90</sup> Jessica A. Gephart, Halley E. Froehlich, and Trevor A. Branch, "Opinion: To Create Sustainable Seafood Industries, the United States Needs a Better Accounting of Imports and Exports," *Proceedings of the National Academy of Sciences*, vol. 116, no. 19 (2019), pp. 9142-9146; and Natural Resources Defense Council, *Strengthening U.S. Leadership to Deter Illegal Seafood: Implementation Challenges and Recommendations for the Seafood Import Monitoring Program*, January 2023.

<sup>91</sup> Natural Resources Defense Council, "NOAA's Proposed Seafood Rule: Too Weak to Improve Conditions," <https://www.nrdc.org/bio/rebecca-ramirez/noaas-proposed-seafood-rule-fails-stop-illegal-fishing-human-ig>.

<sup>92</sup> NOAA, NMFS, *U.S. Seafood Import Monitoring Program Review*, 2024, p. 1.

<sup>93</sup> NOAA, NMFS, *U.S. Seafood Import Monitoring Program Review*, 2024.

<sup>94</sup> Cheney, "What Is the Seafood Import Monitoring Program?," 2022; and National Fisheries Institute, "Modern-Day Lawn Dart."

Others have raised ongoing concerns that SIMP fails to address human rights violations in the seafood industry and that gaps in traceability from the point of import to the final point of sale persist.<sup>95</sup> However, some experts contend that SIMP was not designed to increase seafood supply chain traceability, or to communicate that information to consumers, but was created to block the importation of IUU-associated seafood.<sup>96</sup> Additional stakeholders have questioned the overall effectiveness of SIMP, as seafood associated with IUU fishing remains in the U.S. market.<sup>97</sup> They also point to administrative burdens, costs, and inefficiencies with the program regarding compliance and reporting requirements and note that most violations are reporting errors rather than premeditated fraud.<sup>98</sup> Further, some stakeholders and experts also identify a need for greater domestic enforcement capacity and harmonization with similar foreign traceability programs (e.g., the European Union [E.U.] Fisheries Control System, the E.U. Catch Certificate Scheme<sup>99</sup>) for SIMP to be effective in preventing IUU-fished products from entering national markets.<sup>100</sup>

Some Members of Congress have expressed similar concerns regarding how comprehensive and effective SIMP may be under its current framework. As part of their oversight of NMFS, some Members of Congress have questioned the agency about how it allocates funding for, and solicits industry feedback on, SIMP; raised concerns about the number of SIMP audits and how they are conducted; and inquired about the status of congressional directives to harmonize import data standards among federal agencies.<sup>101</sup> In 2023, some U.S. Senators expressed concerns about NMFS's proposed rule to expand SIMP, noting it was "far too narrow in scope" and citing an ongoing "need to include all imported seafood."<sup>102</sup> These Senators stated that the proposal represented "merely a 5-10% increase in the SIMP's coverage by volume."<sup>103</sup> The Senators further requested that the agency issue a revised proposed rule and noted a "lack of interagency and stakeholder consultation, the failure to disclose the method used for additional species selection," and a failure to meet SIMP requirements in the Don Young Coast Guard Authorization Act of 2022 (P.L. 117-263) and the 2022 White House "Memorandum on Combatting IUU Fishing and Associated Labor Abuses" when developing the rule.<sup>104</sup> Other Members have asserted

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<sup>95</sup> Cheney, "What Is the Seafood Import Monitoring Program?," 2022.

<sup>96</sup> Cheney, "What Is the Seafood Import Monitoring Program?," 2022.

<sup>97</sup> Cheney, "What Is the Seafood Import Monitoring Program?," 2022; and National Fisheries Institute, "Modern-Day Lawn Dart." See also CRS Report R48215, *Illegal, Unreported, and Unregulated (IUU) Fishing: Frequently Asked Questions*, by Caitlin Keating-Bitonti and Anthony R. Marshak.

<sup>98</sup> Cheney, "What Is the Seafood Import Monitoring Program?," 2022; and National Fisheries Institute, "Modern-Day Lawn Dart."

<sup>99</sup> European Commission, "EU Fisheries Control System," [https://oceans-and-fisheries.ec.europa.eu/fisheries/rules/enforcing-rules/eu-fisheries-control-system\\_en](https://oceans-and-fisheries.ec.europa.eu/fisheries/rules/enforcing-rules/eu-fisheries-control-system_en); and European Union IUU Fishing Coalition, "The Catch Certificate Scheme," <https://www.iuuwatch.eu/the-iuu-regulation/catch-certification/>.

<sup>100</sup> Cheney, "What Is the Seafood Import Monitoring Program?," 2022; Gilles Hosch, *Trade Measures to Combat IUU Fishing: Comparative Analysis of Unilateral and Multilateral Approaches*, International Centre for Trade and Sustainable Development, October 2016, pp. 1-70, [https://www.bloomassociation.org/wp-content/uploads/2016/10/trade\\_measures\\_to\\_combat\\_iuu\\_fishing.pdf](https://www.bloomassociation.org/wp-content/uploads/2016/10/trade_measures_to_combat_iuu_fishing.pdf); and Francisco Blaha, "The Modus Operandi and Data Requirements of EU CCS vs. the U.S. SIMP," April 22, 2019, <https://www.franciscoblaha.info/blog/2019/4/22/the-modus-operandi-and-data-requirements-of-eu-ccs-vs-the-us-simp>.

<sup>101</sup> Letter from Representatives Grijalva and Huffman, October 2023.

<sup>102</sup> Office of Senator Jeff Merkley, "Merkley, Colleagues Urge Greater Action to Tackle Illegal, Unregulated, and Unreported Fishing," press release, May 22, 2023, <https://www.merkley.senate.gov/merkley-colleagues-urge-greater-action-to-tackle-illegal-unregulated-and-unreported-fishing/> (hereinafter Merkley, press release, May 2023); and NOAA, NMFS, 87 *Federal Register* 79836-79848, 2022.

<sup>103</sup> Merkley, press release, May 2023.

<sup>104</sup> Merkley, press release, May 2023.

that the current program “only requires catch documentation and traceability” for less than half of seafood imports.”<sup>105</sup>

In January 2024, some Members of Congress raised concerns about NMFS’s decision to withdraw its proposal to expand SIMP and stated that the decision further exposed U.S. consumers to seafood sourced from IUU fishing practices.<sup>106</sup> These Members called for NMFS to expand and strengthen SIMP using existing evidence of IUU fishing practices; to establish clear criteria and standards for including species in SIMP; to include forced labor as a criterion for species’ inclusion in SIMP; and to strengthen federal coordination with other nations, among other recommendations, such as improved audits.<sup>107</sup> Other Members wrote to the Biden Administration commending its progress on addressing IUU fishing and urging NMFS to fully implement directives in the White House “Memorandum on Combatting IUU Fishing and Associated Labor Abuses,” including expanding SIMP’s scope and further identifying and negatively certifying nations that fail to address IUU fishing and forced labor concerns.<sup>108</sup> Additionally, they identified that “the ineffectiveness of SIMP is due to its limited application, particularly concerning species coverage,” and noted a need to “enhance its implementation and broaden its scope to encompass a wider array of species.”<sup>109</sup> Some Members of Congress also have raised concerns regarding progress by NOAA and CBP in developing a strategy to improve data from SIMP,<sup>110</sup> as well as with NOAA’s ability to meet deadlines to improve SIMP and its auditing.<sup>111</sup>

## Considerations for Congress

Members of Congress could consider several options with respect to SIMP, if they sought to address the issues raised above. As detailed below, these options may include acting or deliberating on program recommendations; conducting oversight of certain agency activities, including additional directives to agencies regarding SIMP’s implementation; evaluating funding levels for the program; requiring additional agency reporting and further evaluation studies of SIMP and its effectiveness; and enacting customs enforcement efforts. Congress also may consider options of whether to enhance, retain, revise, or dismantle SIMP, or certain elements of the program, including in light of April 2025 presidential directives for the Secretary of

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<sup>105</sup> Letter from Jared Huffman, Member of Congress, and Jimmy Panetta, Member of Congress, to The Honorable Gina M. Raimondo, Secretary of Commerce, Richard W. Spinrad, Ph.D., Under Secretary of Commerce for Oceans and Atmosphere, and Ms. Janet Coit, Assistant Administrator for Fisheries, March 27, 2023, [https://huffman.house.gov/imo/media/doc/simp\\_proposed\\_rule\\_comment\\_letter\\_-\\_03-27-2023.pdf](https://huffman.house.gov/imo/media/doc/simp_proposed_rule_comment_letter_-_03-27-2023.pdf).

<sup>106</sup> Letter from Jeffrey A. Merkley, United States Senator, Benjamin L. Cardin, United States Senator, and Martin Heinrich, United States Senator, et al. to The Honorable Gina M. Raimondo, Secretary of Commerce, Richard W. Spinrad, Ph.D., Under Secretary of Commerce for Oceans and Atmosphere, and Ms. Janet Coit, Assistant Administrator for Fisheries, January 12, 2024, <https://www.merkley.senate.gov/wp-content/uploads/2024/01/23.11.09-INC3-Letter.pdf> (hereinafter Letter from Senator Merkley et al., January 2024).

<sup>107</sup> Letter from Senator Merkley et al., January 2024.

<sup>108</sup> Letter from Raúl M. Grijalva, Member of Congress, Jared Huffman, Member of Congress, and Frank Pallone, Jr., Member of Congress, et al. to The Honorable Joseph R. Biden, Jr., President of the United States, March 11, 2024, [https://democrats-naturalresources.house.gov/imo/media/doc/2024-03-11\\_moc\\_letter\\_to\\_president\\_biden\\_re\\_iuu\\_fishing.pdf](https://democrats-naturalresources.house.gov/imo/media/doc/2024-03-11_moc_letter_to_president_biden_re_iuu_fishing.pdf) (hereinafter Letter from Representative Grijalva et al., March 2024).

<sup>109</sup> Letter from Representative Grijalva et al., March 2024.

<sup>110</sup> Letter from Representative Grijalva et al., March 2024.

<sup>111</sup> U.S. Congress, House Appropriations Committee, *Commerce, Justice, Science and Related Agencies Appropriations Bill, 2025*, 118<sup>th</sup> Cong., 2<sup>nd</sup> sess., July 11, 2024, H.Rept. 118-582, p. 31.

Commerce to evaluate and “further improve” SIMP.<sup>112</sup> Congress also may consider broader actions, such as increasing customs enforcement at the U.S. border and at ports of entry.

Congress may wish to build on actions identified in the November 2024 NMFS action plan with respect to seafood traceability, forced labor, seafood trade, and/or SIMP capacity building.<sup>113</sup> For example, Congress could specify in statute which species are to be covered under SIMP and the requirements for their inclusion.<sup>114</sup> Congress also could determine which species comprise first- or second-tier species in SIMP, as currently proposed for classification by NMFS.<sup>115</sup> In addition, Congress could direct specific resources for the auditing of particular species;<sup>116</sup> alternatively, Congress could continue to leave these specifications and determinations to the discretion of the agency, or further clarify in statute the agency’s discretion related to identifying species. Some stakeholders may welcome additional direction from Congress to NMFS regarding SIMP’s implementation, whereas others may prefer that certain decisions be informed by agency priorities and by public comments for rulemakings.

Congress could amend statutory requirements regarding SIMP and its reporting to require information about forced labor or the additional screening of seafood associated with nations suspected of forced labor practices. In 2022, Congress directed the Secretary of Commerce to implement procedures for SIMP audits that would ensure audited samples are representative of all SIMP-covered seafood imports.<sup>117</sup> Congress also directed the Secretary of Commerce to use predictive analytics to inform whether those procedures should be revised to prioritize audits of nations associated with human trafficking or forced labor, among other factors.<sup>118</sup> Congress could expand upon those directives, for example by establishing additional mandatory audits for certain negatively certified nations under the High Seas Driftnet Moratorium Protection Act (Moratorium Protection Act),<sup>119</sup> or by establishing certain screening thresholds for nations or seafood products identified as most vulnerable to IUU fishing and forced labor. Further, Congress may wish to more closely align IUU fishing-related provisions in the Moratorium Protection Act, and NMFS’s implementation of the statute, with SIMP’s implementation. Congress also may consider additional directives to NMFS regarding the use of artificial intelligence and machine learning for these purposes and, in future screening, including statutory language regarding the use and prioritization of these technologies. These directives also could align with IUU fishing-related efforts and approaches in the January 2025 Trade Strategy to Combat Forced Labor (e.g., NOAA’s Collaborative Accelerator for Lawful Maritime Conditions in Seafood).<sup>120</sup> Additionally,

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<sup>112</sup> Executive Office of the President, “Restoring American Seafood Competitiveness,” *Federal Register*, 2025.

<sup>113</sup> NOAA, NMFS, *Action Plan*, 2024.

<sup>114</sup> For example, both S. 1008 in the 116<sup>th</sup> Congress and S. 1372 in the 117<sup>th</sup> Congress would have required the Secretary to include rays and skates as covered species in SIMP regulations.

<sup>115</sup> NOAA, NMFS, *Action Plan*, 2024, p. 2.

<sup>116</sup> As proposed in S. 3533 in the 118<sup>th</sup> Congress for imported shrimp and red snapper.

<sup>117</sup> P.L. 117-263, Division K, Title CXIII, §11332(a); and 16 U.S.C. §1885 note.

<sup>118</sup> Additional factors include nations identified pursuant to the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. §§1826j(a), 1826k(a)) that have not yet received a subsequent positive certification pursuant to that act and nations identified by an appropriate regional fishery management organization as being associated with IUU fishing. P.L. 117-263, Division K, Title CXIII, §11332(c); and 16 U.S.C. §1885 note.

<sup>119</sup> 16 U.S.C. §§1826j, 1826k.

<sup>120</sup> United States Trade Representative, *U.S. Government Trade Strategy to Combat Forced Labor: Making Trade a Force for Good by Addressing Forced Labor in Global Supply Chains*, January 13, 2025, pp. 1-34, <https://ustr.gov/sites/default/files/U.S.%20Government%20Trade%20Strategy%20to%20Combat%20Forced%20Labor.pdf>.

they may align with directives in the April 2025 E.O. for the Secretary of Commerce to consider other technological options for identifying “foreign fishery-related violations.”<sup>121</sup>

Congress may choose to clarify or codify some of its previous direction for SIMP, and it may evaluate whether resources are sufficient for the program’s ongoing implementation and planned refinement. Many SIMP directives have been included in appropriations language, with most statutory authorizations for SIMP relating to NMFS’s annual reporting on the program.<sup>122</sup> Some legislative proposals have included additional specific authorizations regarding SIMP and its implementation.<sup>123</sup> Congress also may consider directing NOAA to incorporate elements of the November 2024 NMFS action plan into strategies and actions for SIMP that were assigned to NOAA in the Don Young Coast Guard Authorization Act of 2022.<sup>124</sup> Congress also may wish to evaluate whether the amount of resources provided to SIMP has resulted in effective documentation or prevention of IUU fishing and if further refinements, including increasing, retaining, downscaling, or dismantling of the program, may be warranted in light of the number of audits and reporting trends. In addition, Congress may wish to consider SIMP’s ability to prevent or detect IUU fishing and the degree to which certain factors may influence prevention or detectability at various scales. For example, trends and dynamics regarding the volume and types of seafood imports from certain nations, time of year, fishing effort, and the ability to detect IUU fishing at various stages of the supply chain, including specific limitations, may warrant further examination.

In addition, Congress may consider codifying elements of the November 2024 NMFS action plan or may wish to address aspects of stakeholder and interagency feedback provided to NMFS during the SIMP program review or in other fora. For example, Congress may provide directives to NMFS, CBP, and partners in response to program review recommendations for enhanced government-to-government coordination regarding SIMP compliance and enforcement. The Maritime Security and Fisheries Enforcement Act (Maritime SAFE Act; P.L. 116-92, Division C, Title XXXV, Subtitle C) requires NMFS and its partners to provide assistance to certain nations to improve the capacity and effectiveness of their IUU fishing enforcement, including on techniques to identify seafood used in trade.<sup>125</sup> Congress may consider directing NMFS to incorporate elements of SIMP in agencies’ implementation of the Maritime SAFE Act. For example, Congress might include directives for increased harmonization of data collection approaches with the international community, such as those suggested by nongovernmental participants in the Global Dialogue on Seafood Traceability.<sup>126</sup>

Congress may consider coordination and harmonization priorities for SIMP through interagency directives. Such actions also may align with recommendations by GAO and congressional directives regarding enhanced coordination and information transfer between NOAA and CBP in their implementation of SIMP (e.g., through the CBP Commercial Targeting and Analysis

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<sup>121</sup> Executive Office of the President, “Restoring American Seafood Competitiveness,” *Federal Register*, 2025.

<sup>122</sup> 16 U.S.C. §1885a.

<sup>123</sup> For example, H.R. 3075 in the 117<sup>th</sup> Congress would have included specific statutory language regarding SIMP to more directly codify the program and would have directed NMFS to expand the program to all U.S. imports of seafood and seafood products. Additionally, the bill would have stipulated further requirements for SIMP data collection, including with respect to forced labor; would have included specific directives regarding SIMP audits; and would have directed that U.S. efforts on seafood traceability, international fisheries management, and combatting human trafficking also be consistent with SIMP’s implementation.

<sup>124</sup> P.L. 117-263, Division K, Title CXIII, §§11330-11335.

<sup>125</sup> 16 U.S.C. §8013.

<sup>126</sup> Global Dialogue on Seafood Traceability, “Global Dialogue on Seafood Traceability,” <https://thegd.org/>.

Center).<sup>127</sup> Congress may consider broadening these directives regarding information transfer to include additional agencies. For example, Congress could establish a subgroup of the U.S. Interagency Working Group (IWG) on IUU Fishing (established by the Maritime SAFE Act)<sup>128</sup> or a separate IWG related to SIMP. Additionally, or alternatively, Congress could direct NMFS to ensure its efforts related to SIMP align with efforts undertaken by the IWG on IUU Fishing, given NOAA's role as a rotating cochair for the IWG.<sup>129</sup> SIMP is not explicitly mentioned in the IWG's work plan.<sup>130</sup> Likewise, Congress could specifically require NMFS to ensure SIMP's potential intersections with forced labor align with the efforts of the Forced Labor Enforcement Task Force.<sup>131</sup> Congress may consider further expanding on these directives to include the intergovernmental level as well, such as in alignment with conservation-related efforts addressing the import of seafood associated with marine mammal entanglements.<sup>132</sup> Alternatively, Congress may wish to incorporate elements of SIMP into these other programs, or consider whether certain programs are aligned with or more effective than SIMP's present operation.

Another consideration related to interagency coordination is increased customs and NMFS OLE enforcement, including whether additional resources would benefit efforts to limit IUU fished seafood from entering the United States. Increased efforts to trace seafood can serve multiple purposes under the purview of several agencies, such as improving seafood safety, stopping seafood fraud, and identifying seafood production related to human trafficking. Moreover, Congress may explore ways to improve interagency coordination regarding seafood traceability, including with respect to the origin, processing, and route of imported seafood, before its entry into the United States.

Congress also may evaluate whether current funding levels for SIMP are sufficient to allow for effective screening and identification of imported seafood by NMFS and CBP. Congress may wish to consider stakeholders' perceptions regarding the overall effectiveness of the program when accounting for any future funding or adjustments to appropriations. Congress also may wish to consider NMFS's planned efforts to implement its November 2024 action plan, and directives for SIMP in the April 2025 E.O., with respect to providing resources for SIMP.<sup>133</sup> Further, Congress may consider aligning or substituting funding for SIMP with other efforts by NMFS OLE regarding IUU fishing prevention, including in support of training and technical assistance to foreign countries to address IUU fishing and auditing of seafood.<sup>134</sup>

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<sup>127</sup> U.S. Government Accountability Office, *Combating Illegal Fishing*, GAO-23-105643, May 2023, pp. 1-24, <https://www.gao.gov/assets/d23105643.pdf>; U.S. Congress, *Commerce, Justice, Science, and Related Agencies Appropriations Bill, 2021*, 2020; and CBP, "Commercial Targeting and Analysis Center," <https://www.cbp.gov/trade/priority-issues/import-safety/ctac>.

<sup>128</sup> 16 U.S.C. §8031.

<sup>129</sup> 16 U.S.C. §8031(b)(1).

<sup>130</sup> Maritime Safe Act Interagency Working Group on IUU Fishing, *Work Plan*, October 29, 2020, pp. 1-12, [https://s3.amazonaws.com/media.fisheries.noaa.gov/2020-11/InteragencyWorkPlan\\_asof10.29.2020.pdf?null](https://s3.amazonaws.com/media.fisheries.noaa.gov/2020-11/InteragencyWorkPlan_asof10.29.2020.pdf?null).

<sup>131</sup> The Forced Labor Enforcement Task Force is chaired by the Department of Homeland Security, to which CBP is an observer agency. Department of Homeland Security, "Forced Labor Enforcement Task Force," <https://www.dhs.gov/forced-labor-enforcement-task-force>; and 19 U.S.C. §4681.

<sup>132</sup> Daniel Cusick, "U.S. to End Seafood Imports from Countries Without Marine Mammal Protections," *E&E News Greenwire*, January 17, 2025, <https://subscriber.politicopro.com/article/eenews/2025/01/17/us-to-end-seafood-imports-from-countries-without-marine-mammal-protections-00198982>.

<sup>133</sup> NOAA, NMFS, *Action Plan, 2024*; and Executive Office of the President, "Restoring American Seafood Competitiveness," *Federal Register*, 2025.

<sup>134</sup> NOAA, NMFS, "Countering Illegal, Unreported, and Unregulated Fishing: Capacity Building and Technical Assistance," <https://www.fisheries.noaa.gov/enforcement/countering-illegal-unreported-and-unregulated-fishing-capacity-building-and-technical>.

Congress could direct external organizations, such as the National Academies of Sciences, Engineering, and Medicine, to evaluate the effectiveness of SIMP and to develop recommendations. Some groups, such as the Stimson Center, have conducted workshops on SIMP with seafood industry stakeholders and government representatives to consider refinements to SIMP.<sup>135</sup> Congress could consider whether such an evaluation or additional recommendations regarding the program may be warranted, including with respect to the time evaluation studies may take to complete. Given the dynamics and ongoing evolution of the seafood industry, such a study may complement recent efforts by NMFS to modernize and revise its implementing regulations for the NMFS Seafood Inspection Program,<sup>136</sup> which provides inspection services to the seafood industry (e.g., sanitation inspection, laboratory analyses, export certification).<sup>137</sup> Congress also could consider additional reporting requirements for SIMP, such as those proposed in S.Rept. 118-198.<sup>138</sup> Additionally, Congress may consider whether further revisions to or retention of SIMP may be necessary, given its multiple previous directives for the program (e.g., directives regarding automated seafood screening approaches) and ongoing concerns regarding its effectiveness.<sup>139</sup>

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<sup>135</sup> Stimson Center, “Reimagining the Seafood Import Monitoring Program,” <https://www.stimson.org/event/reimagining-the-u-s-seafood-import-monitoring-program/>.

<sup>136</sup> NOAA, NMFS, “Inspection and Certification of Establishments, Fishery Products, and Other Marine Ingredients,” 89 *Federal Register* 101501-101514, December 16, 2024; 50 C.F.R. §§260.1-260.104; and NOAA, NMFS, “NOAA Fisheries Seafood Inspection Program Revises Regulations to Modernize and Improve Inspection Procedures,” <https://www.fisheries.noaa.gov/feature-story/noaa-fisheries-seafood-inspection-program-revises-regulations-modernize-and-improve>.

<sup>137</sup> NOAA, NMFS, “NOAA’s Seafood Inspection Program,” <https://www.fisheries.noaa.gov/insight/noaas-seafood-inspection-program>.

<sup>138</sup> Proposed directives to NOAA regarding SIMP include providing “a report outlining enforcement actions to date along with a strategic plan for creating a more dynamic, effective and efficient program.” U.S. Congress, Senate Appropriations Committee, *Departments of Commerce and Justice, Science, and Related Agencies Appropriations Bill, 2025*, report to accompany S. 4795, 118<sup>th</sup> Cong., 2<sup>nd</sup> sess., July 25, 2024, S.Rept. 118-198, p. 53.

<sup>139</sup> For example, *Congressional Record*, vol. 168, no. 42, 2022, p. H1778.

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