

**FINDING NEMO'S FUTURE:
CONFLICTS OVER OCEAN RESOURCES**

HEARING
BEFORE THE
SUBCOMMITTEE ON COAST GUARD, MARITIME,
AND FISHERIES
OF THE
COMMITTEE ON COMMERCE,
SCIENCE, AND TRANSPORTATION
UNITED STATES SENATE
ONE HUNDRED NINETEENTH CONGRESS

FIRST SESSION

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JUNE 12, 2025
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SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED NINETEENTH CONGRESS

FIRST SESSION

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FINDING NEMO'S FUTURE: CONFLICTS OVER OCEAN RESOURCES

THURSDAY, JUNE 12, 2025

U.S. SENATE,
SUBCOMMITTEE ON COAST GUARD, MARITIME, AND FISHERIES,
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,
Washington, DC.

The Subcommittee met, pursuant to notice, at 10:02 a.m., in room SR-253, Russell Senate Office Building, Hon. Dan Sullivan, Chairman of the Subcommittee, presiding.

Present: Senators Sullivan [presiding], Cruz, Moreno, Blunt Rochester, Cantwell, and Whitehouse.

OPENING STATEMENT OF HON. DAN SULLIVAN, U.S. SENATOR FROM ALASKA

Senator SULLIVAN. Good morning. The Subcommittee on Coast Guard, Maritime and Fisheries will now come to order. The Subcommittee is meeting today for our inaugural hearing of the newly created subcommittee on the Coast Guard, Maritime and Fisheries.

I am honored to be chairing this subcommittee, and excited to be serving with my Ranking Member, colleague, Senator Blunt Rochester, as the Ranking Member of this important subcommittee. I look forward to working with Senator Blunt Rochester and her team, and all the members of this subcommittee in the 119th Congress.

Today's hearing will focus on international conflict, criminal activity, and yes, even slave labor associated with the ocean. We are particularly focused on the fight for fisheries' resources, geopolitical flashpoints, where conflict is likely to arise in the role of both state and non-state actors involved in conflict with criminal activity in the fishing sector. And of course, we want sustainable, lasting fisheries.

Additionally, we will discuss measures being taken to address the growing challenges and criminal activity surrounding these resources and conflicts, and what more can be done. Illegal, unreported, and unregulated fishing, also known as IUU fishing, poses a significant threat to global marine ecosystems, economies, sustainable fisheries, and food security.

It is estimated that IUU fishing accounts for up to 20 percent of the global catch, which translates to global losses between \$10 billion and \$50 billion annually for fishing fleets that actually fish legally, like ours in America. The scale of IUU fishing varies by region, with some areas experiencing more severe impacts due to lax enforcement, corruption, and high demand for seafood.

Of course, the Chinese Communist Party in China plays a significant role in this problem in the global fishing industry and is the worst offender of IUU fishing by far—no surprise. The Chinese government has provided billions of dollars in subsidies to its distant water fishing fleets, gray fleets as we sometimes call them, enabling their fishing sector to grow exponentially.

According to Global Fishing Watch, China operates approximately 57,000 fishing vessels, 57,000, which accounts for 44 percent of the world's total fishing activity. Operating in tandem with the Chinese military to protect its fishing fleet, the Chinese fishing boats benefit from the protection of the Chinese coast guard and navy, ensuring their ability to pilfer resources around the globe.

And if you care about environment and healthy ecosystems, this should be a top concern of yours, China ravaging our oceans. The scale of China's fishing activities raises concerns about the sustainability of global fish stocks around the world and the geopolitical tensions that can arise from maritime disputes.

China is a concern, but Russia is as well. Close to Alaska, Russia and other vessels conduct IUU fishing near our exclusive economic zone, our EEZ. And although Russia banned imports of U.S. seafood into Russia over 10 years ago, Russia has been able to bring their seafood into the U.S., sometimes using loopholes through China, as recently as the late 2023—in late 2023.

IUU fishing is not an issue just for the United States. U.S. fisheries are the most sustainable fisheries in the world. But sustainably sourced, legally caught, high-quality seafood can't compete with illegally sourced seafood that is being plundered from our oceans.

And I might add, due to some great reporting, and I am going to reference it here in this hearing from Politico Magazine, *The New Yorker*, China also uses slave labor on many of its fishing vessels. Pretty hard to compete against slave labor if you are an American fisherman. IUU fishing not only distorts the true cost of seafood sold in markets, but it is often linked overseas with transnational crime, forced and slave labor, and even human and drug trafficking.

So, the key to preventing IUU fishing is to lead international efforts to address the issues at its sources globally. And through the years, Congress and the Executive Branch, Democrats and Republicans, have worked together with global partners and have focused on IUU fishing. I am proud to see my colleague and friend, Senator Whitehouse, here.

He and I recently introduced our Fighting Foreign Illegal Seafood Harvest, also known as the FISH Act, a bipartisan bill that just recently in this committee passed unanimously. It puts IUU fishing vessels on a blacklist, raises costs for IUU vessel owners and importers, and supports increased Coast Guard enforcement and work with our partners.

It builds on previous bipartisan legislation that this committee has championed, particularly Senator Wicker's Maritime Safe Act. In April, President Trump signed an Executive Order entitled, "Restoring American Seafood Competitiveness".

My office, and my team and I, were proud to work closely with the Trump Administration on this important Executive Order. This

order aims at strengthening measures to combat IUU fishing, including preventing IUU seafood from entering the U.S. market and supporting international efforts to address the issue at its source.

We look forward to working with the Administration on these efforts. But it is not all bad news. This is, after all, the Subcommittee in charge of the Coast Guard, and I believe we are going to be embarking on a golden age for our Coast Guard.

In the budget reconciliation bill, right now there is \$22 billion focused on the Coast Guard of the United States. That will likely be the biggest investment in the Coast Guard in the history of the United States of America. So there are a lot of good things happening with regard to our Coast Guard.

The U.S. has a vital role to play, a leading role to play in combating IUU fishing through regulatory measures, international cooperation, consumer awareness, and passing the FISH Act. By preventing IUUC seafood from entering our market, the U.S. can help protect legitimate fishermen, some of whom we will hear from today, and promote sustainable fishing practices worldwide.

With that, I want to thank all of our four witnesses for being here today. And I am going to recognize my Ranking Member, but I see the Chairman of the Commerce Committee has arrived. And perhaps, Mr. Chairman, I don't know if you want to say a few words.

The CHAIRMAN. I will defer to the Ranking Member.

Senator SULLIVAN. OK. Now over to my colleague, Senator Blunt Rochester.

**STATEMENT OF HON. LISA BLUNT ROCHESTER,
U.S. SENATOR FROM DELAWARE**

Senator BLUNT ROCHESTER. Thank you, Chairman Sullivan. I am looking forward to serving with you on this very important committee—subcommittee. And I am also glad that you are holding this very important hearing, and for the Chairman's dedication to these issues, particularly through the introduction of the FISH Act, along with Senator Whitehouse who joins us today.

This bill reflects the seriousness and the urgency of illegal, unreported, and unregulated fishing. And I look forward to working with you as we move this bill forward. I also want to thank our witnesses for being here today and sharing their expertise, and for the critical work that you do each and every day to protect our oceans and our economy. Illegal, unreported, and unregulated fishing is a serious and growing global threat.

Not only does it harm American fishermen and coastal communities—which Delaware actually is a coastal community and has many coastal communities—but it destabilizes marine ecosystems, and even has national security implications. In my home state, the mislabeling of Chesapeake blue crab undermines the livelihoods of thousands of Delawareans.

It is reported in a 2015 study, in an investigation they found that fraudulent labeling of domestic crab occurred in about 48 percent of mid-Atlantic crab cakes. The good news is we have experts at NOAA's National Marine Fisheries Service that collect data on this industry to enable enforcement of science-backed regulations.

Unfortunately, the Administration has fired about 18 percent of NOAA's fisheries staff and is looking to cut the budget by 30 percent. To make matters worse, cuts to the rest of the agency are undermining this work even further.

NOAA fisheries relies on the NOAA fleet to conduct stock assessment and surveys. A fleet that requires skilled credentialed civilian mariners to operate. And due to the ongoing hiring freeze, 30 percent of NOAA's research ships will not leave the dock this summer. Fewer research ships in the water will result in fewer assessments and surveys, opening the door for illegally caught and fraudulently labeled products to flood the market, which would undercut our own domestic seafood industry and threaten consumer safety.

Illegal fishing is also increasingly connected to criminal activity like forced labor, human trafficking, and organized smuggling operations. Forced labor is rampant in China's seafood industry and processing plants, where many reports detail how Uyghurs are forcibly moved and made to work in unsafe conditions to satisfy market needs.

These violations underscore the need for more transparency with the seafood supply chain. Protecting American consumers and business, that is the goal, but we can't achieve that goal without the expertise, enforcement, and data from NOAA fisheries. Now I would like to pivot to the role of the U.S. Coast Guard and what it plays in our country.

I too am really proud to be on this subcommittee as a Ranking Member, and to work with our incredible Coast Guard. Their presence deters bad actors and signals to the world that the United States takes illegal fishing seriously.

Unfortunately, the Administration has shifted limited Coast Guard resources away from the coastal communities who need them most. And I am especially concerned about the redirection of the Coast Guard aircraft and ships away from core mission priorities, like fisheries enforcement and search and rescue, to be used for alien expulsion flights on behalf of ICE.

This is not their mission, and we should be working together to ensure the Coast Guard maintains access to the resources they need to do their jobs. Illegal, unreported, and unregulated fishing is an environmental issue, an economic issue, a national security issue, and a moral issue, and it is time for us to invest in the policies, agencies and personnel NOAA and the Coast Guard need to protect American fishermen and the consumers that rely on access to quality, ethically sourced seafood.

I look forward to today's discussion, and to continuing the incredible bipartisan work of this subcommittee and this committee, and our work to address this global challenge. Thank you, and I yield back.

Senator SULLIVAN. Thank you, Senator Blunt Rochester. I am honored that the Chairman of the Commerce Committee, Senator Cruz, my good friend, is also here. So, Mr. Chairman, some remarks from you would be very welcomed.

**STATEMENT OF HON. TED CRUZ,
U.S. SENATOR FROM TEXAS**

The CHAIRMAN. Thank you, Mr. Chairman. And I want to thank Chairman Sullivan for holding this hearing to discuss the ongoing threat to America's economic and maritime security, which is illegal, unreported, and unregulated fishing. This problem is global, but its effects are being felt right here at home, especially in my home state of Texas.

For years, Mexican fishermen have brazenly crossed into U.S. waters off the Texas coast to poach red snapper in the Gulf of America. Some of these illegal boats have hauled in thousands of pounds of red snapper at a time, stripping our waters of one of the Gulf's most iconic and economically valuable fish.

They set long lines and nets, hauling out tons of snapper, only to export many of those fish back to the United States. These actions are illegal and flat out theft. This isn't just about fish. Some of the very same vessels crossing into U.S. waters to steal red snapper also support Mexican cartels involved in smuggling drugs and smuggling people.

These poachers are robbing from hardworking Texas fishermen who play by the rules and rely on fishing to support their families and their communities. The U.S. Coast Guard, the Drug Enforcement Administration, and NOAA are all grappling with this complex issue, trying to maintain the integrity of our waters.

Last year, the Coast Guard seized more than 18 tons of illegally caught fish from Mexican lanchas, a dramatic increase from just under 3.5 tons in 2017. And already this year, The Coast Guard has arrested more than 50 Mexican fishermen and seized thousands of pounds of illegally caught fish, further underscoring the need for additional measures to protect our resources.

Earlier this year, this committee advanced the bipartisan Illegal Red Snapper and Tuna Enforcement Act, which I introduced, along with Senator Schatz of Hawaii, to give NOAA and law enforcement the tools they need to identify fish stolen from our waters. I also continue to support better tools and increased resources for the Coast Guard, including maritime surveillance platforms at South Padre Island, which I helped authorize, to strengthen our ability to monitor and stop illegal fishing and smuggling along our Southern maritime border.

Globally, we must also confront the threat posed by China's use of its fishing fleet as part of a maritime militia. Many of these Chinese vessels exploit crews through forced labor, unsafe conditions, and wage theft. Crew members are held against their will, denied basic human rights, and even subjected to physical violence. This is not competition. It is barbaric economic warfare.

Let me be clear, our waters are not open to poachers. Texas and U.S. fishermen deserve a free and fair market for their seafood. And Americans deserve to know the seafood on their dinner plate wasn't caught by criminal actors or Mexican cartels violating U.S. law.

I look forward to hearing from today's witnesses on how we can strengthen our enforcement, close legal loopholes, and restore order and accountability to our offshore waters. Together, we must en-

sure that American fisheries and American sovereignty are defended.

Senator SULLIVAN. Thank you, Mr. Chairman. And this is the sign of a hearing that is already producing results. I was very unaware of the challenges with Mexican IUU fishing, and that is something that we will focus on in this subcommittee as well.

Now, it is my goal to introduce our witnesses for today. And I want to begin with recognizing Senator Whitehouse for his opening remarks on the good bipartisan work that we have all been doing on IUU fishing.

**STATEMENT OF HON. SHELDON WHITEHOUSE,
U.S. SENATOR FROM RHODE ISLAND**

Senator WHITEHOUSE. Thanks, Chairman. It is good to be here with you. It is good work with you on the FISH Act. Congratulations on getting it successfully through the Commerce Committee, and I hope we can find a good vehicle like the NDAA to get it passed into law quickly. You very properly used the word “plunder” about what is happening with the illegal fishing fleet. You can kind of divide the illegal fishing behavior in the high seas into two general categories.

One is the pirate fishing fleet, which is just renegades out there, very often using slave labor, very often not going into national waters, very often operating with very bad environmental conditions. And that fleet needs to be regulated, needs to be reined in, needs to be brought to heel. It is doing immense damage.

The other is the Chinese fishing fleet, which is doing a lot more than fishing out there. We believe that they have been conducting, for instance, intelligence operations and things like that. Having these fleets out there contributes to other forms of smuggling, we believe, human smuggling, arms smuggling, drug smuggling.

When you open up this vector of illegal behavior, then other lawbreakers will find it, and that is another reason for shutting it down. I think all of us here, whether from Texas, or Alaska, or Delaware, or Rhode Island have coasts, and it is important to our fishing communities to stand up to the effect that all of this pirate and Chinese predatory fishing has on our fishing markets and on the well-being of our fishing community.

It is also good to help protect our oceans. We have pelagic species that have been crashed 90 percent and more in their population, and illegal fishing is a big contributor to that. So, for healthy oceans and healthy markets, this is also an important topic.

And then Chairman Sullivan and I both spent a lot of time with our friend Senator McCain, and we did a lot traveling, and I was often the one who brought up the question of fishing as we traveled around.

And in the Pacific, every place we went together that had a coast, when we brought up the question of illegal fishing, our local interlocutors lit up.

It was a big issue for them, particularly with respect to the often violent behavior of the Chinese fishing fleet and the Chinese navy vessels that support and defend that aggressive fishing fleet. When we were in Munich together, you will remember Senator Sullivan, we had a briefing from the AFRICOM Commander.

And without provocation by either of us said, oh, you know, one thing that would really help us would be to be able to support our allies under my command in Africa to make sure that they can identify that there is illegal fishing going on in their waters, identify whose illegal fishing is going on in their water, and do what they can to try to defend against the illegal fishing going on in their waters.

That woke up the Navy, because it was an Army General who was now starting to look at ocean stuff.

Senator SULLIVAN. Actually, it was a Marine——

Senator WHITEHOUSE. It was a Marine. You are right. Sorry, you are absolutely right. And so it was——

The CHAIRMAN. The Chairman is liable to hold you in contempt, Senator Whitehouse.

[Laughter.]

Senator WHITEHOUSE. I know. I know. You don't mess with a Marine ever. And very often, what was also brought up was China.

So in terms of creating soft power opportunities with our allies, we have a great opportunity here to help them against the Chinese fishing fleet, which is deeply annoying to countries all around the world.

So, thank you for giving me the chance to be here with you, and I look forward to working with you to get the FISH Act passed into law. And that is it.

Senator SULLIVAN. Great. Well, I appreciate you being here. I appreciate your hard work on these and other issues. Our Save Our Seas Act bills have been helping clean up the oceans in America and around the world, and we are working closely now with President Trump and his team on those bills to implement them. So a lot of good things happening.

Senator WHITEHOUSE. Forgive me if I have to get over to Finance now. We have the Treasury Secretary——

Senator SULLIVAN. No problem. Well, I want to thank you again, Senator Whitehouse——

Senator WHITEHOUSE. And thank you also to the Chairman of the Committee and the Ranking Member.

Senator SULLIVAN. I want to welcome our witnesses now. We have first Gregory Poling, who is the Director and Senior Fellow for the Southeast Asia Program and Asia Maritime Transparency Initiative at CSIS.

So thank you, Mr. Poling. Nathan Rickard, who is a Partner at Picard Kentz & Rowe. And especially I want a welcome Gabriel Prout, who is a fellow Alaskan. President of the Alaska Bearing Sea Crabbers Association. I believe a third generation Alaskan out of Kodiak Island.

So, Mr. Prout, we are very honored that you are here. I think you definitely win the award for traveling the furthest for this important hearing.

And then finally, Dr. Saumweber who is the Director of the Stevenson Ocean Security Project, CSIS, and Professor of Marine Studies at the University of Rhode Island. So a constituent of Senator Whitehouse.

You will each have 5 minutes to deliver an oral statement, and a longer written statement will be included in the record if you so desire. So we will start with Mr. Poling.

STATEMENT OF GREGORY B. POLING, DIRECTOR AND SENIOR FELLOW, SOUTHEAST ASIA PROGRAM AND ASIA MARITIME TRANSPARENCY INITIATIVE, CENTER FOR STRATEGIC & INTERNATIONAL STUDIES

Mr. POLING. Thank you very much, Chairman Sullivan and Ranking Member Blunt Rochester. It is a real honor to testify today. Before I begin, I should note that my institution, CSIS, does not take policy positions, so my views are mine alone. I saved Dr. Saumweber the difficulty of having to say the same thing as a fellow CSISer. IUU fishing is not just an economic, or food security, or an environmental issue.

As we have already heard, this is a national security threat. One that over the last decade, the U.S. and partners and allies have woken up to. There is the direct cost that organized criminal networks and illicit networks that engage in IUU fishing also engage in other forms of illegality. What is often called fisheries crime. Be that trafficking of drugs, weapons, people, forced labor and modern-day slavery, money laundering, tax evasion.

They also indirectly contribute to piracy, as we have seen in the Gulf of Guinea or Somalia over the last two decades. And in some cases, even to insurgency and terrorism, as was the case in the Sri Lankan civil war in the 90s and 2000s. So vessels that engage in one type of illegal activity do not generally only engage in that one type of illegal activity.

There is also the indirect threat. IUU fishing undermines governance and opens states up to coercion. That is particularly true given the fact that China has the world's largest distant water fleet and engages in the most IUU fishing in the world.

I would particularly highlight the effects in the Pacific Islands. Other than Western Africa, the Pacific islands probably suffer from the second largest amount of IUU phishing in the world as a percentage of their total catch.

They are also as if not more reliant on the revenues from fishing, both their own and the sale of fishing rights to other states like the U.S. who do follow the rules for things like the South Pacific Tuna Treaty, as anywhere on Earth. And so, when you have a Chinese fleet, the largest in the Pacific, also engaged in the largest amount of IUU, it denies these states the revenues they need.

It undermines their governance. It takes away livelihoods and fish protein from their communities. It opens them up to all kinds of illegality. Also opens them up to potential elite capture and influence operations as China engages in checkbook diplomacy across the region. This is not a distant concern for the United States.

We are a Pacific power, a resident in the region, be it the State of Hawaii or the territories of Guam, the Commonwealth of Northern Mariana and American Samoa. We have millions of Americans who live in the Pacific. Most of our exclusive economic zone is in the Pacific.

We also have our unique legal and moral obligations to defend the three freely associated states of Palau, the freely associated

states of Micronesia, and the Marshall Islands. In the Pacific, we have seen a now years long effort by Beijing to increase its role as a blue water navy and global power by seeking access, military, law enforcement, and dual-use access across the Pacific Islands.

That has been most successful in the case of the Solomon Islands, where we saw China sign a landmark security agreement that now allows both Chinese law enforcement, but also potentially Chinese navy vessels to access the Solomons in ways that are not clear. China has also sought similar access in places like Papua New Guinea, Fiji, Vanuatu, and even Kiribati, the closest Pacific Island state to Hawaii.

Those have been less successful, but China will not stop trying. And the more that China, or China's illegal fishing fleet, whether intentional or not, deprives these small island states of their number one or number two source of revenue in most cases, undermining their governance, it opens these states up more and more to Chinese economic coercion.

It reduces their options, reduces their resilience, makes elite capture of their businesspeople, their thought leaders, and even their government officials far more likely, and therefore increases the long-term challenge of the U.S. who, in cooperation with our allies, Australia, New Zealand, France, have been the undisputed resident power in the Pacific since World War II of this newcomer that threatens our national security.

I would highlight three areas that we have significant resources to confront this. A great deal has already been said about the Coast Guard. The U.S. has been the top partner for the Pacific Islands recently, along with Australia, in patrol interdiction and domain awareness capabilities. We have shipwright agreements for the Coast Guard with almost every state in the region.

We have the Navy doing the same through the Ocean and Maritime Security Initiative. But these are vast waters, and the number one need of the Pacific Islands is better maritime domain awareness. That will not be accomplished using just crude vessels on the water. It is too much space to cover, and it is too expensive.

They need more low-earth orbit, and they need more uncrewed platforms, particularly through things like the Quad's Indo-Pacific Partnership for Maritime Domain Awareness, which has been very slow to roll out in the Pacific. Second, we have the diplomatic and legal angle.

China just a month and a half ago finally acceded to the Port State Measures Agreement. I don't think anybody actually believes that China is going to enforce the rules of the PSMA, particularly for Chinese flagged vessels who are bringing illegal catch back to China. But it gives the U.S. a great tool to name and shame Beijing and try to hold its feet to the fire internationally.

And finally, we need to exercise the market power. The U.S. is one of the largest seafood consumer markets in the world, particularly for imports, and American consumers would much rather eat sustainably and legally caught seafood, but they need to be empowered to know the difference.

And as a native Baltimorean, Ranking Member, I greatly appreciate you pointing out that even in our region, it is almost impossible to know where our seafood comes from. Thank you.

[The prepared statement of Mr. Poling follows:]

PREPARED STATEMENT OF GREGORY B. POLING, SENIOR FELLOW AND DIRECTOR,
SOUTHEAST ASIA PROGRAM AND ASIA MARITIME TRANSPARENCY INITIATIVE,
CENTER FOR STRATEGIC AND INTERNATIONAL STUDIES

Chairman Sullivan, Ranking Member Blunt Rochester, distinguished Members of the Subcommittee, I am honored to share my views with you on the topic of illegal, unregulated, and unreported (IUU) fishing as a national security threat. CSIS does not take policy positions, so the views represented in this testimony are my own and not those of my employer. In my testimony, I would like to reflect on the direct and indirect ways in which IUU fishing undermines national security, the scale of IUU—particularly by Chinese-owned vessels—in the Pacific, and the resources the U.S. has to confront this challenge.

IUU fishing is most often treated as an economic and environmental challenge but it is also an underappreciated nontraditional security threat. IUU fishing affects national security in two ways. First, it directly supports illicit networks engaged in the trafficking of narcotics, weapons, wildlife, and people, along with other maritime crimes. Second, IUU fishing deprives coastal and small island developing state governments of desperately needed revenue while undermining local livelihoods and food security. This combination creates more fertile recruiting grounds for piracy, organized crime, armed insurgency, and terrorism, and increases vulnerability to economic coercion and elite capture by depriving officials of viable economic alternatives. This is a particular concern in the Pacific, where China seeks to use economic leverage to increase access and affect local decisionmaking.

Support for Illicit Networks

IUU fishing supports, both directly and indirectly, non-state actors engaged in organized crime, piracy, and armed insurgency and terrorism. It has become a part of the portfolio of illegal criminal organizations, directly and indirectly supporting their other illicit activities. Since 2009, the UN General Assembly has expressed “concern about possible connections between transnational organized crime and illegal fishing.”¹ This linkage between IUU fishing and other criminal activities has given rise over the last decade to the concept of “fisheries crime,” or illegal fishing combined with “crimes such as tax evasion, human rights abuse, including human trafficking, drug, wildlife, diamond and arms smuggling, fraud and pollution.”²

Nearly a decade ago, Cathy Haenlein of the Royal United Services Institute explained the inevitability of illicit actors becoming more involved in IUU fishing:

As demand increases and supplies dwindle, the corresponding rise in profits explains a further set of drivers . . . Indeed, the vastness of the high seas and law-enforcement capacity mean that the chances of being apprehended are low, while fish can be laundered easily into legitimate catches. Even where enforcement is effective, penalties are small . . . The result is a low-risk, high-reward environment perfectly tailored to the interests of criminal actors.³

One of the most infamous examples comes from 2016, when Italian authorities arrested a crime boss known as “Fish King” Franco Muto and 56 others for organized crime. Muto controlled most of the fishing vessels along Italy’s Tyrrhenian coast but also engaged in drug trafficking, extortion, and robbery. And in 2014, TRAFFIC International alleged that coastal South Africa had “transformed from a network of small fishing communities, [t]o outposts of international organized crime battling for the opportunity to harvest and export abalone,” which in many cases local gangs traded to Chinese triads for drugs, guns, and other contraband.⁴

The connection between IUU fishing and human trafficking has been widely documented and, while reliable statistics are impossible to come by, the scale of the problem is clearly enormous. Modern slavery is pervasive and hard to combat among IUU fishing fleets because many vessels stay out at sea for months, illegally transferring catches without ever entering a port to avoid scrutiny, hide the source

¹UN General Assembly, Resolution Adopted by the General Assembly on 4 December 2009, A/RES/64/72, 19 March 2010, para 61.

²Stop Illegal Fishing, “FISH-i Africa,” 13, cited in Cathy Haenlein, *Below the Surface: How Illegal, Unreported and Unregulated Fishing Threatens Our Security* (London: Royal United Services Institute, 2017), 14.

³Haenlein, *Below the Surface*, 8.

⁴Kimon De Greef and Serge Raemaekers, *South Africa’s Illicit Abalone Trade: An Updated Overview and Knowledge Gap Analysis* (Cambridge: TRAFFIC International, 2014), cited in Haenlein, *Below the Surface*, 28.

of their catches, and keep crews in often-brutal conditions without any hope of escape.⁵ The Thai fishing industry became the poster child for modern-day slavery in 2015 when the AP undertook a series of investigations into the Thai fishing industry, which earned the paper the Pulitzer Prize. The AP documented how Thai fishing vessels relied upon migrants from neighboring Southeast Asian states tricked on board with promises of productive employment and then kept in modern day slavery.⁶ The outcry from the AP investigations led to the eventual release of more than 2,000 slaves.⁷ The United States and European Union threatened sanctions against imports of Thai seafood unless authorities acted to crack down on human traffickers and better regulate the fishing industry, which proved a successful intervention as Bangkok has vastly improved oversight of its fishing industry and cracked down on abuses over the last decade, though plenty of work remains to be done. Unfortunately the problem remains pervasive among global fleets, and especially China's distant water fishing vessels, as evidenced by Customs and Border Protection's recent banning of the *Zhen Fa 7* from U.S. ports for forced labor abuses after a years-long investigation by Ian Urbina's *Outlaw Ocean*.⁸

IUU fishing vessels also play a significant role in other forms of trafficking, particularly of drugs. The UN Office on Drugs and Crime (UNODC) and the U.S. Justice Department have documented numerous cases of illicit fishing ships involved in trafficking cocaine from South America to the United States, as well as heroine and cannabis.⁹ In addition to organized crime, trafficking, and modern slavery, IUU fishing has been used to support insurgent and terrorist groups. For example, during the Sri Lankan civil war in the 1990s and 2000s, the Liberation Tigers of Tamil Eelam, which the U.S. government labeled a terrorist organization, used IUU fishermen who were already adept at avoiding the authorities to smuggle contraband through Indian and Sri Lankan waters.¹⁰

Undermining Governance; Facilitating Threats

IUU fishing deprives governments in coastal and small island developing states of funds needed for social services, infrastructure, and other necessary spending.¹¹ At the same time, it undercuts local livelihoods leading to economic displacement and desperation. The combination of these two effects directly undermines stability and security, and indirectly contributes to the spread of threats from non-state actors.

Tens of millions of people work in the fishing industry worldwide, mostly in developing Asia and Africa, and more than 1 billion people, clustered disproportionately in coastal regions, rely on fish as their primary source of animal protein. Communities that have traditionally relied on the fishing industry often have few options to replace their damaged livelihoods, leading to the kind of desperation on which pirates, criminal gangs, terrorist groups, and other nefarious non-state actors thrive.¹²

An academic study of 2,600 piracy incidents reported to the International Maritime Bureau between 2004 and 2013 found that "states with reduced values of fisheries production are more likely to experience piracy," suggesting that "changes in labor opportunities in the fishing section—driven primarily by overfishing—increases the number of potential pirate recruits."¹³ For example, a surge in illegal fishing by Chinese trawlers in the Gulf of Guinea since 2008 has made it difficult for local fishermen to make a living. Attacks on fishing boats, tankers, and cargo ships in the gulf soared in the 2010s and remain a persistent problem.¹⁴

Some studies have also suggested a more direct, and ironic, link between IUU fishing and piracy in the case of Somalia. According to a 2016 report from the U.S. National Intelligence Council,

IUU fishing also contributed to the increase in piracy off Somalia in the 2000s because many Somali fishers, who had learned to seize vessels in order to pre-

⁵ Haenlein, *Below the Surface*, 26.

⁶ Robin McDowell, Margie Mason, and Martha Mendoza, "AP Investigation: Slaves May Have Caught the Fish You Bought," AP, March 25, 2015, <https://www.ap.org/explore/seafood-from-slaves/ap-investigation-slaves-may-have-caught-the-fish-you-bought.html>.

⁷ Haenlein, *Below the Surface*, 26.

⁸ Ian Urbina and Austin Brush, "Federal Authorities Take Action on China's Fishing Fleet," *Outlaw Ocean*, May 29, 2025.

⁹ UNODC, *Transnational Organized Crime*, cited in Haenlein, *Below the Surface*, 27.

¹⁰ U.S. National Intelligence Council (NIC), "Global Implications of Illegal, Unreported, and Unregulated (IUU) Fishing," September 19, 2016, 14.

¹¹ Haenlein, *Below the Surface*, 36.

¹² NIC, "Global Implications of IUU Fishing," 9, 12, 14–15.

¹³ *Ibid.*, 16.

¹⁴ *Ibid.*, 16–17.

vent illegal fishing in their historic fisheries transferred these initially defensive skills to piracy, according to scholars. As Somali fishers' incomes decreased as stocks diminished, they applied their newfound ship-seizing skills to piracy.¹⁵

The Pacific Islands region is likely second only to West Africa in the proportion of seafood catch via IUU fishing, and this is driven almost entirely by distant water fleets. China is the predominant distant water fishing actor both globally and in the region, and is the worst offender for IUU fishing according to the Global Illegal Fishing Index. IUU fishing by Chinese vessels and to a lesser degree those of other states primarily take the form of illegal transshipment of catch. Transshipment vessels are large, refrigerated motherships which operate under flags of convenience and through which smaller vessels offload their catch to be shipped into port. Transshipment vessels are highly associated with IUU fishing, and provide an opportunity to bypass international and Federal fisheries management, import, and trade regulations. Transshipment is in most cases prohibited by the management guidelines of the Western and Central Pacific Fisheries Commission (WCPFC), which covers the exclusive economic zones (EEZs) and high seas of the Pacific Islands, focused primarily on the lucrative tuna fisheries. Nevertheless, utilization of transshipment vessels via loopholes in the WCPFC rules has become the de facto method of distant water fleets landing their fish catch in the Pacific, as this allows the fish to be shipped into ports of convenience which have less regulatory and enforcement capabilities to comply with domestic and international law.

All transshipment vessels operating in the WCPFC area must be registered with the commission and report each time they take on catch from another vessel. But research by Pew has shown that far more transshipment occurs than is reported to the commission.¹⁶ This is particularly true in the high seas pockets between EEZs. These transshipment hotspots are vast and under the rules of the WCPFC responsibility for monitoring and enforcement within them is divided up among the neighboring small island states, which have little hope of enforcing the law within them. IUU fishing destabilizes the region, both in terms of sustainability and security. Many of these islands rely on their fisheries as a primary source of protein, therefore IUU fishing in these regions jeopardizes their fisheries management and food security.

The small-islands states of the Pacific are more reliant on well-regulated fishing than anywhere else on earth. For most, with the exceptions of Papua New Guinea and Fiji, local economies and government revenue rely overwhelmingly on tourism (including ocean tourism) and fishing or the sale of fishings rights to distant water fleets. Communities rely on fish catch for a huge proportion of animal protein. And Pacific Island governments view IUU fishing and fisheries crime as the second most important national security challenge they face, trailing but interconnected with climate change. This was codified in the 2018 Boe Declaration, in which the leaders of all Pacific Island states included human security, environmental and resource security, and transnational crime as top priorities.

The United States is a resident power in the Pacific Islands—the state of Hawaii and the territories of Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands are home to millions of American citizens. Most of the U.S. EEZ and continental shelf are in the Pacific, including areas bordering on the WCPFC waters being pillaged by overfishing. The United States is a party to the South Pacific Tuna Treaty which was just renewed last year with the Pacific Island Forum Fisheries Agency, and the U.S. fleet follows the rules therein. The United States also has a unique and legally binding commitment to the defense of the three freely associated states of Palau, the Marshall Islands, and the Federated States of Micronesia. The other major resident powers of the Pacific Islands—Australia, New Zealand, and France—are U.S. treaty allies, as is Japan, traditionally a major external partner and donor.

China, by contrast, is a newcomer in the Pacific Islands. It has growing leverage thanks to its checkbook diplomacy and has used that for political ends, including peeling away several of Taiwan's remaining diplomatic allies in recent years (the Solomon Islands, Kiribati, and Nauru), and to seek logistical access as it builds out a blue water navy. The most worrying example of the latter is the Solomons, where a 2023 security agreement gives Chinese law enforcement and potentially military vessels access to the country's land and waters. China has also tried, so far unsuccessfully, to secure access to military or dual-use infrastructure in Papua New Guin-

¹⁵ Ibid, 17.

¹⁶ Pew Charitable Trusts, "Transshipment in the Western and Central Pacific," September 12, 2019, <https://www.pew.org/en/research-and-analysis/issue-briefs/2019/09/report-finds-transshipments-in-western-and-central-pacific-likely-underreported>.

ea, Fiji, Vanuatu, and reportedly Kiribati, which approaches closest to Hawaii and in which foreign military access should be constrained by the 1979 U.S.-Kiribati Treaty of Tarawa. In each of these cases, China relies in part on elite capture, using economic inducements to leverage local government, business, and thought leaders to fulfill Beijing's wishes. This is effective in the Pacific Islands because of the severe resource constraints facing regional governments and societies; resource constraints that are made worse by the significant IUU fishing, primarily by Chinese-owned vessels, across the region.

U.S. Tools to Meet the Challenge

The United States is not without considerable resources to confront the challenge of IUU fishing, especially in the Pacific. Three types of U.S. tools are of particular importance: military/law enforcement, diplomatic, and commercial.

The United States has the most advanced naval and coast guard capabilities in the world and has leveraged them particularly well in partnership with Pacific Island states. This is an enormous comparative advantage for the United States in the strategic competition with China. By supporting maritime domain awareness (MDA) and patrol capabilities in the region, the United States presents itself as a partner in what regional states have identified as one of their top national security challenges, and it allows those states to identify the bad actor, which tend to be Chinese vessels, thereby undermining trust in Beijing.

The U.S. has negotiated ship rider agreements with nearly every state in the region, allowing the U.S. Coast Guard to assist with fisheries patrols and interdiction by putting local law enforcement officers aboard USCG vessels on patrol. The Navy has also leveraged its assets through the Oceania Maritime Security Initiative, by which Navy vessels transiting the Pacific also take on shipriders and engage in fisheries patrol. And the United States has over the last decade invested considerably in the capacity of local partners through efforts like provision of the U.S. Navy/Department of Transportation's SeaVision platform for maritime domain awareness (MDA) and the deployment of U.S. MDA experts to Fiji and Papua New Guinea to assist local officials. The deployment of USCG national security cutters to Guam is further enhancing U.S. capabilities both within its own EEZ and those of its partners. But there is more that can be done. In particular, the effort to work with Australia, Japan, and India to provide more space-based MDA capabilities through the Indo-Pacific Partnership on Maritime Domain Awareness has so far produced little results in the Pacific Islands.

On the diplomatic front, the United States has been a champion of global efforts to combat IUU fishing, including by being an early adopter of the Port State Measures Agreement (PSMA) and launching the annual Our Oceans Conference. PSMA has been particularly important as the only global treaty specifically targeting IUU fishing, and today it has more than 100 party states (the European Union having acceded on behalf of all its members). The treaty reached a major milestone in April when China finally became a party. But there is reason to be skeptical that Beijing will fully implement the terms of the treaty. PSMA is mainly seen as a way to prevent foreign vessels from offloading illegally caught fish in port, but China's ports almost exclusively offtake fish from Chinese-flagged vessels, including much of its distant water fleet. PSMA does include provisions requiring flag states to investigate and punish their own vessels suspected of engaging in IUU.¹⁷ But China has not been proactive in enforcing its flag-state obligations, as evidenced by that fact that it still operates the largest IUU fleet in the world. The United States and partners should leverage Beijing's entry into PSMA to ratchet up the diplomatic pressure on China to get its own house in order.

Commercially, the United States has power courtesy of its vast market. U.S. consumers account for a significant portion of global consumption and that gives the United States leverage to set terms in the global seafood market. U.S. consumers would much rather purchase sustainably and legally caught seafood, but must be empowered to do so through clear tracing and labelling. This was the impetus for the Seafood Import Monitoring Program. And though that program has been criticized as ineffective, it can be built upon to ensure that U.S. consumers know what lands on their plates. Removing the profit motive from IUU fishing is ultimately the only way to solve the problem and secure U.S. economic and national security interests.

¹⁷Elaine Young, "China Joins Treaty to Fight Illegal Fishing, a Major Milestone for Ocean Governance," Pew, April 17, 2025, <https://www.pew.org/en/research-and-analysis/articles/2025/04/17/china-joins-treaty-to-fight-illegal-fishing-a-major-milestone-for-ocean-governance>.

Senator SULLIVAN. Great. Excellent testimony. Mr. Poling, I really appreciate it. Mr. Rickard, please.

STATEMENT OF NATHANIEL MAANDIG RICKARD, CO-MANAGING PARTNER, PICARD KENTZ & ROWE LLP

Mr. RICKARD. Mr. Chairman and Ranking Member, thank you for inviting me to participate in this hearing. I am Nathaniel Rickard, Co-Managing Partner of the law firm Picard Kentz & Rowe, and I have worked on international trade issues with the U.S. commercial fishing industry for over 20 years.

Four years ago, the U.S. International Trade Commission investigated the economic impact of IUU seafood on U.S. commercial fisheries, estimating that roughly 11 percent of the value of all seafood imported into the United States was IUU seafood. In light of their significance, the agency concluded that the elimination of IUU imports “would have a positive effect on U.S. commercial fishers, with estimated increases in U.S. prices, landings, and operating income for all species.”

The ITC estimated that prohibiting IUU imports would increase the fishing industry’s operating income by nearly \$61 million annually, benefiting a broad range of segments. The shrimp industry, largely operating in the Gulf and South Atlantic, would see a \$13 million a year boost. The salmon industry on the West Coast and in Alaska would see income grow by \$12 million a year.

Blue crab watermen in the mid-Atlantic and Gulf would receive another \$6 million a year, while lobstermen in the Northeast would see \$4 million annual increase. Our commercial fishermen need all the help they can get. On Sunday, to commemorate World Oceans Day, The USTR observed that over 90 percent of the seafood Americans consume comes from overseas.

The USTR also explained that “tens of billions of dollars are estimated to be lost annually from IUU fishing, with U.S. industry bearing a significant portion of that loss.” This has resulted in the deterioration of America’s maritime industry, while those in other countries, particularly China, have massively expanded.

Applying the ITC’s estimate to current circumstances, we would have imported roughly \$2.7 billion worth of IUU seafood last year. That is over half the total value of all U.S. commercial seafood landings. This level of imports has devastated some of our commercial fishing sectors.

The Gulf and South Atlantic shrimp industry, for example, saw the value of its harvest cut in half between 2021 and 2023, losing over \$250 million in value on close to the same catch volume. And it is not just coastal communities. American catfish growers experienced a 21 percent reduction in their sales value last year, losing nearly \$100 million in revenue.

As with coastal fishermen, catfish farmers in Arkansas are being driven out of business by illegal seafood imports. And it is not just U.S. seafood producers. Americans should be eating more fish.

The per-pound value of U.S. commercial landings and U.S. seafood imports have both declined significantly over the past few years. But the volume of domestic landings and imports have also fallen. This means that in a time characterized by significant infla-

tion, the cost of seafood is going the other way, and yet Americans are consuming less seafood.

It is reasonable to conclude that Americans' demand for seafood has been harmed by consumer concerns as to how fish in our market has gotten from hook or net to plate. Although Americans can comfortably assume that if they purchase U.S. wild caught or farmed raised seafood, it has been produced in an ethical and sustainable manner, what can any consumer really know about fish harvested by a foreign distant water fishing fleet?

Foreign seafood supply chains are opaque and non-transparent. In my private practice, we worked to stop trading networks through which Chinese farm raised shrimp was transshipped, given a false designation of origin, and then imported into the United States.

Over time, we documented how seafood products associated with increased risk, such as chum salmon or Alaska pollock, would be run through supply chains designed to limit disruption in the event that any Trojan horse exporter or paper importer fell under scrutiny. Still today, a quick review of shipment information confirms the continued operation of these networks, facilitating the large volume of IUU seafood believed to be in our market. There are things that can and should be done.

For example, the FISH Act of 2025 would meaningfully improve the market position of our domestic seafood producers, it would effectively counter important practices in foreign fisheries, and it would restore American consumer confidence in the seafood sold in our market.

The FISH Act does so by prohibiting the importation of any seafood caught, processed, or transported by foreign vessels on the IUU vessel list, and by requiring that CBP develop a strategy to identify imports of seafood harvested using forced labor. In furtherance to the latter objective, the FISH Act appropriately recognizes the central importance of data collection, data sharing, and data analysis to ensure that IUU seafood is kept out of the U.S. market.

President Trump's April Executive Order on seafood competitors reinforced the vital nature of the domestic seafood producers to the American economy, declaring that "the United States should be the world's dominant seafood leader." And "the erosion of American seafood competitiveness at the hands of unfair foreign trade practices must end."

I believe that the FISH Act advances those twin goals and appreciate the opportunity to speak in support of this legislation. Thanks. I look forward to any questions that you have.

[The prepared statement of Mr. Rickard follows:]

PREPARED STATEMENT OF NATHANIEL MAANDIG RICKARD, CO-MANAGING PARTNER,
PICARD KENTZ & ROWE LLP

Mister Chairman and Members of the Subcommittee, thank you for inviting me to participate in this hearing. I am Nathaniel Rickard, co-managing partner of the law firm of Picard Kentz & Rowe LLP.

I have worked with the U.S. commercial fishing industry on international trade issues for over twenty years and I appreciate the opportunity to describe how illegal, unreported, and unregulated (IUU) fishing adversely impacts Americans.

Four years ago, the U.S. International Trade Commission (ITC) issued a report of its investigation on the economic impact of imports of IUU seafood on U.S. commercial fisheries. Using 2019 import figures, the ITC estimated that 10.7 percent

of the value of all seafood imported into the United States was from IUU seafood, totaling roughly \$2.4 billion.¹ Based on the significance of IUU seafood imports and how they competed for sales in the U.S. market, the ITC concluded that the elimination of these imports from our market “would have a positive effect on U.S. commercial fishers, with estimated increases in U.S. prices, landings. . . , and operating income for all species. . . .”²

At base, the Federal agency found that removing IUU seafood imports would increase the total annual operating income of the U.S. commercial fishing and seafood processing industry as a whole by nearly \$61 million. These benefits were not concentrated in any particular fishing industry or region of the United States.

The shrimp industry, largely operating in the Gulf and South Atlantic, would see a \$13 million a year boost. The salmon industry on the west coast and in Alaska would see income grow by \$12 million each year. The American tuna industry operating in the Pacific would gain another \$8.5 million annually. Watermen in the blue crab industry in the mid-Atlantic and Gulf would receive another \$5.6 million in yearly revenue. And lobstermen in the northeast would have another \$4.1 million injected into their fishery each year.

The table below summarizes the ITC’s estimate of the specific economic benefit to a wide range of U.S. commercial fishing and seafood processing industries that would result from the removal of IUU seafood imports from the U.S. market.

Eliminating IUU Seafood Imports Would Increase the Commercial Fishing and Seafood Processing Industry’s Operating Income by \$60 Million Annually

U.S. Commercial Fishing Sector	Estimated Increase in Annual Operating Income ³
Shrimp	\$13,149,400
Salmon (farmed & wild-caught)	\$11,831,700
Tuna	\$8,482,000
Blue crab (swimming crab)	\$5,630,000
Squid & Octopus	\$4,127,500
Lobster (warm-and cold-water)	\$4,115,400
Reef fish (Grouper & Red Snapper)	\$3,709,500
Cod & Pollock	\$2,755,200
Sardines, Herring, Anchovies, & Mackerel	\$2,464,900
King crab & Snow crab	\$1,794,700
Mahi Mahi	\$1,746,700
Swordfish	\$838,700

An additional \$60 million a year in income would be significant for the thousands of small, family-owned businesses that comprise our domestic commercial fisheries. But it is also important in the context of the existential threat commercial fishermen are facing from import competition.

On Sunday, to commemorate World Oceans Day, the United States Trade Representative (USTR) noted that over 90 percent of the seafood consumed in this market is imported and that our trade deficit in seafood products has now reached \$20 billion a year.⁴ The USTR observed that “[t]ens of billions of dollars are estimated to be lost annually from [IUU] fishing, with U.S. industry bearing a significant portion of that loss.”⁵ In result, the USTR described how America’s maritime industry has been deteriorating while those in other countries, particularly China, have massively expanded.⁶

¹ See U.S. International Trade Commission, *Seafood Obtained via Illegal, Unreported, and Unregulated Fishing: U.S. Imports and Economic Impact on U.S. Commercial Fisheries*, Inv. No. 332–575, USITC Pub. 5168 (Feb. 2021) at 79.

² *Id.* at 11.

³ See *id.* at 290–318.

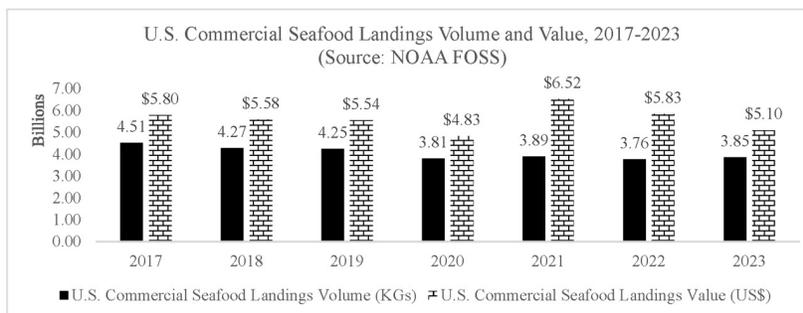
⁴ See <https://x.com/USTradeRep/status/1931033156347384221>.

⁵ See <https://x.com/USTradeRep/status/1931809450253291921>.

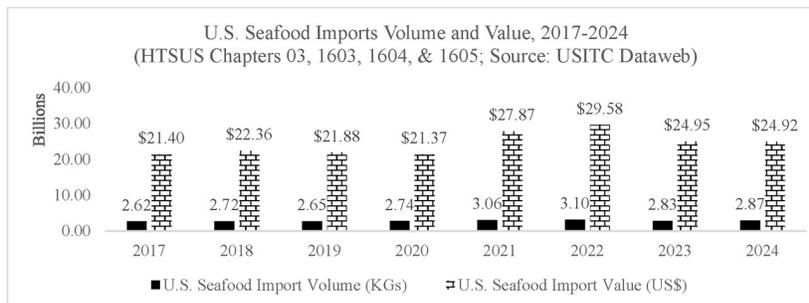
⁶ See <https://x.com/USTradeRep/status/1931033156347384221>.

The USTR's comments are fully supported by trade data.

In 2017, the American commercial fishing industry harvested 4.5 million metric tons of seafood with a landed value of \$5.8 billion. In 2023, the volume of the industry's harvest fell 15 percent to 3.9 million metric tons, while the value of those landings fell by 12 percent to \$5.1 billion. As shown in the table below, although the value of commercial landings is above what the industry experienced in 2020, over \$1.4 billion has disappeared from the sector since 2021.



Over the same time period, seafood imports have grown at close to the same pace as U.S. commercial seafood landings have declined. In 2017, the United States imported roughly 2.6 billion pounds of seafood worth \$21.4 billion. By 2023, the volume of our seafood imports had grown by 9.4 percent in volume to 2.8 billion pounds and by 16.6 percent in value to \$25.0 billion.



The increased volume of seafood imports has had a devastating impact on some domestic commercial fisheries. The commercial shrimp industry in the Gulf and South Atlantic, for example, saw the value of its harvest cut in half between 2021 and 2023, dropping from \$521.8 million to \$268.7 million, while the volume of its landings declined by just 7.4 percent over the same time period.

The scope of illegally-traded IUU seafood imports is clearly significant. Using the ITC's estimate, we would have imported approximately \$2.7 billion worth of IUU seafood last year. That is over half the total value of all U.S. commercial seafood landings.

Moreover, the economic harm caused by this massive amount of illegal seafood imports is not only felt in coastal communities. The United States also has significant aquaculture operations in ponds and tanks located far away from our oceans and these food producers have also been adversely impacted by illegal imports. For example, U.S. catfish growers had \$358 million in sales last year, down 21 percent from their \$454 million in sales in 2023.⁷ Since 2017, the total acreage in the United States used for growing catfish has fallen by 14.3 percent, from 60.8 thousand acres on January 1, 2017 to 52.1 thousand acres on January 1, 2025.⁸ As with their commercial fishing brethren on the coastline, catfish farmers in Arkansas believe that

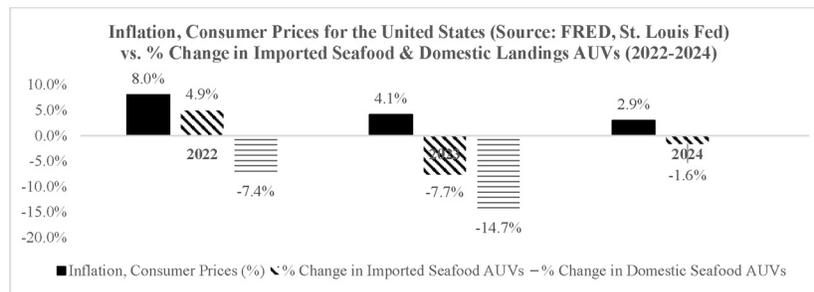
⁷ See U.S. Department of Agriculture, *Catfish Production*, ISSN: 1948-271X (Feb. 10, 2025).

⁸ Compare *id.* with U.S. Department of Agriculture, *Catfish Production*, ISSN: 1948-271X (Feb. 2, 2018).

illegal seafood imports are driving them out of business and pushing domestically-raised catfish out of the marketplace.

In this respect, American seafood producers throughout the country have enthusiastically welcomed the *Restoring American Seafood Competitiveness Executive Order*, which declares it to be the policy of the United States to “combat illegal, unreported, and unregulated (IUU) fishing; and protect our seafood markets from the unfair trade practices of foreign nations.”⁹ As the Executive Order recognizes, the presence of IUU seafood in the global market constitutes an unfair trade practice that has inappropriately curbed domestic seafood production.

But the harm from IUU seafood is not limited to U.S. seafood producers. Americans should be eating more fish. The *Scientific Report of the 2025 Dietary Guidelines Advisory Committee* appropriately emphasizes how much more seafood Americans should be consuming in order to promote a healthy lifestyle.¹⁰ Nevertheless, one of the more stunning things about the U.S. seafood market right now is that the average per unit value of seafood is falling dramatically at the same time as apparent consumption is declining. The value of U.S. commercial landings fell by nearly 22 percent between 2021 and 2023, while the volume of those landings dropped by less than one percent. The value of U.S. seafood imports fell by 16 percent between 2022 and 2024, while the volume of these imports fell by 6 percent over the same time-frame. In other words, as shown in the table below, in a time characterized by significant inflation, the cost of seafood is declining and, yet, Americans are consuming less seafood.



There are many possible explanations for this phenomenon. However, because imports comprise over 90 percent of the volume of seafood consumed annually in the United States,¹¹ imports must play a central role in any explanation offered.

In the context of our existing seafood market, it is reasonable to conclude that American demand for seafood has been harmed by consumer concerns as to how the fish offered for sale has gotten from hook or net to plate. Americans can comfortably assume that if they purchase U.S. wild-caught or farm-raised seafood it has been produced with the oversight of our large, expansive, and complicated regulatory system. This means that environmental harms are mitigated and that workers have rights in line with all other American industries.

But what can any consumer really know about fish harvested by a foreign distant water fishing fleet? What confidence can any American have that the fishermen aboard those vessels are not toiling under inhuman conditions, that the boats are not decimating the environment, or that the workers in the foreign seafood processing plant are not being subjected to forced labor?

⁹ See Executive Order 14276 of April 17, 2025, *Restoring American Seafood Competitiveness*, 90 Fed. Reg. 16,993 (Presidential Documents Apr. 22, 2025).

¹⁰ See generally U.S. Department of Agriculture and U.S. Department of Health and Human Services, *Scientific Report of the 2025 Dietary Guidelines Advisory Committee*, Advisory Report to the Secretary of Health and Human Services and the Secretary of Agriculture (Dec. 2024).

¹¹ See NOAA Fisheries, *Improving International Fisheries Management: 2019 Report to Congress* (Sept. 2019) at 41, 47, and 65 (observing that the U.S. market plays a substantial role in the international trade of seafood, as it represents the second largest seafood import market in the world, and seafood imports “currently represent[] approximately 90 percent of U.S. seafood supplies. . .”); NOAA Fisheries, *Report on the Implementation of the U.S. Seafood Import Monitoring Program* (Apr. 2021) at 4–5 (“the United States imports more than 85 percent of its seafood. . .”); and Government Accountability Office, *Food Safety: FDA Should Strengthen Inspection Efforts to Protect the U.S. Food Supply*, GAO–25–107571 (Jan. 8, 2025) p. 21 n.3 (noting that the FDA estimates that 94 percent of the seafood Americans consume annually is imported).

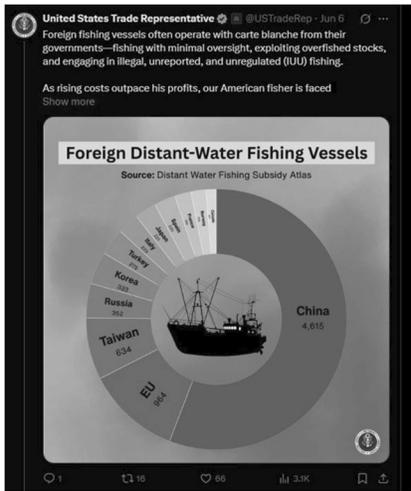
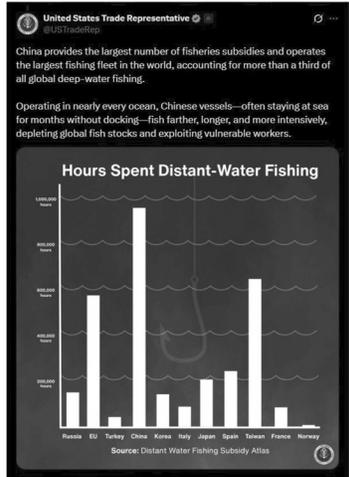
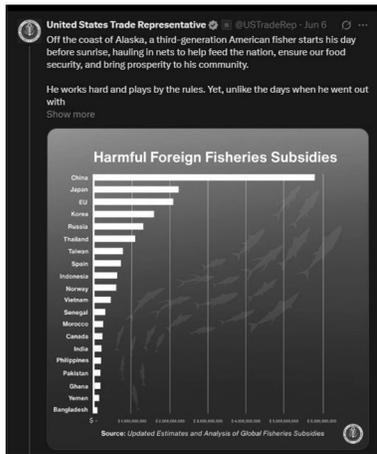
To the extent this may be on consumers' minds, I believe that there is valid reason to be concerned. In my private practice, I spent nearly a decade working to shut down trading networks through which Chinese farm-raised shrimp was transhipped through other countries, given a false designation of origin, and then imported into the United States. This usually involved foreign companies that would suddenly ship large quantities of shrimp to the United States to a consignee with a limited range of imported products. Some of these consignees would import just frozen shrimp and honey or just frozen shrimp and canned mushrooms or, at its most absurd, frozen shrimp and wooden bedroom furniture. Others would specialize in a limited set of seafood products, encompassing frozen shrimp, chum salmon, and pollock. Over time, we were able to document how importers would isolate seafood products associated with increased risk and run these through designed, specialized networks intended to limit disruptions to their business in the event that any one of its trojan horse exporters or paper importers come under scrutiny. Still today, a review of bill of lading information confirms that seafood continues to enter the United States through these opaque networks, facilitating the large volume of IUU seafood believed to be in our market.

For these reasons, the *Fighting Foreign Illegal Seafood Harvests Act of 2025* represents a crucial opportunity to improve the market position of our domestic seafood producers, effectively counter abhorrent practices in foreign fisheries, and restore American consumer confidence in the seafood offered for sale in our market. Of particular importance is the *FISH Act's* prohibition of the importation of any seafood caught, processed, or transported by foreign vessels on the IUU vessel list and the requirement that U.S. Customs and Border Protection develop a strategy to identify imports of seafood harvested on foreign vessels using forced labor.

In furtherance of the latter objective, the *FISH Act* appropriately recognizes the central importance of data collection, data sharing, and data analysis in ensuring that IUU seafood, including seafood produced through forced labor, is kept out of the United States market. Traceability information is essential for distinguishing between legitimately harvested foreign seafood and illegal imports and thereby avoiding the imposition of additional burdens on imported seafood not harvested through IUU fishing. Similarly, the *FISH Act's* call for a study of the costs to the United States and global economy of IUU fishing, including the use of forced labor, will provide a necessary update to the ITC's Section 332 investigation and create a baseline by which interventions to counter IUU fishing may be evaluated.

President Trump's April Executive Order on seafood competitiveness reinforced the vital nature of domestic seafood producers to the American economy. As the Executive Order correctly observes, "[t]he United States should be the world's dominant seafood leader" and "[t]he erosion of American seafood competitiveness at the hands of unfair foreign trade practices must end." I believe that the *FISH Act* advances those twin goals and appreciate the opportunity to speak in support of this legislation.

Thank you for inviting me to share my experience here today and I look forward to answering questions.



United States Trade Representative @USTradeRep

Without help, our fisher fears his livelihood and way of life will drift away. His smaller boat cannot compete with massive, industrial, subsidized fishing vessels; he's forced to spend longer days at sea just to try to make ends meet. From 1995 to 2022, the value of inflation-adjusted U.S. seafood exports dropped by approximately 10%, while imports expanded by 130%.

For decades, America's maritime industry has been deteriorating while industry in China and the EU continues to expand. Small, local fishers are forced to compete against the floating cities that are China's heavily-subsidized industrial boats. Most Chinese ships are so large that the vessels scoop up as many fish in one week as a local boat might catch in a year, depleting already overfished stocks.

Meanwhile, there are nearly 70,000 fishing vessels registered in EU Member States, many of which operate under flags of convenience to evade oversight, undermining efforts to ensure accountability and prevent IUU fishing activities.

U.S. Seafood Trade Deficit Puts U.S. Producers Underwater

Note: A trade deficit exists when annual imports are greater than annual exports. Data includes fish, shellfish, and their products.
Source: USDA, Economic Research Service using data from U.S. Department of Commerce, Bureau of the Census, and U.S. Department of Labor, Bureau of Labor Statistics.

United States Trade Representative @USTradeRep

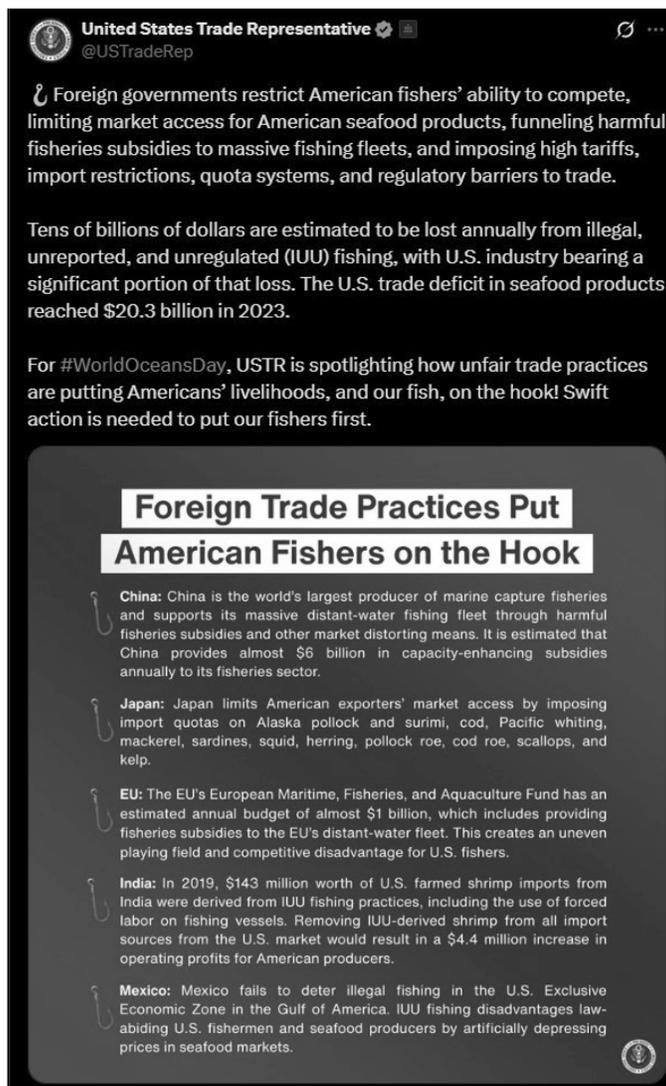
The result isn't just fewer fish—it's fewer hours for the crew, tighter margins at the dock, and growing doubt about whether there will be future generations of American fishermen. U.S. fishers cannot compete and stay afloat in these turbulent economic times.

With almost 90% of our seafood imported and a \$20 billion seafood trade deficit, @POTUS is leveraging trade tools to promote domestic fishing and ensure American seafood producers can compete fairly in global markets and on the high seas.

Pursuant to President Trump's Executive Order from April 17 on Restoring American Seafood Competitiveness, the Interagency Seafood Trade Task Force is developing a comprehensive seafood trade strategy to ensure American fishers can compete on a level playing field.

By bringing reciprocity and balance to the global seafood sector, we can stand up for American workers and communities, put American and not foreign fish on plates across the country, protect our food security, and make the ocean safe from rapacious fishing nations.

"The United States should be the world's dominant seafood leader . . . The erosion of American seafood competitiveness at the hands of unfair foreign trade practices must end."
—President Donald J. Trump



Senator SULLIVAN. Great. Thank you very much for that testimony. Mr. Prout.

**STATEMENT OF GABRIEL PROUT, PRESIDENT,
ALASKA BERING SEA CRABBERS**

Mr. PROUT. Chairman Sullivan, Ranking Member Blunt Rochester, and distinguished members of the Subcommittee, thank you for the opportunity to appear today to discuss the devastating impact of IUU, illegal, unreported, and unregulated crab fishing, and unfair Russian and Chinese trade practices on American crab fishermen and coastal communities.

I would like to first start by acknowledging and thanking Senator Sullivan, as well as Senator Cantwell, for their longstanding support of independent crab harvesters like myself. Thank you. My name is Gabriel Prout, and I am the President of Alaska Bering Sea Crabbers. I represent the majority of quota and vessel owners harvesting king, snow and barrette crab in the Bering sea.

I am also a third generation commercial fisherman and a vessel owner from Kodiak, Alaska, a seafood powerhouse where hundreds of millions of pounds of product cross the docks each year. For nearly 20 years, I have worked in the Bering Sea in the Gulf of Alaska with two of my brothers, continuing a livelihood passed down from our father and grandfather.

In recent years, the collapse of the snow crab and red king crab stocks hit us hard. Boats sat tied up, crews were out of work, and families like mine faced deep uncertainty. This fishery isn't just our livelihood, it is our identity. Crab stocks now appear to be rebounding, but we still need action to protect small fishing families like mine, especially from the harms of IUU fishing.

For over 20 years, Russian IUU crab has undercut the economic foundation of our industry. In 2021, a U.S. International Trade Commission report found that in 2019, over 20 percent of U.S. imports of snow and king crab from the Russian Far East came from IUU sources.

Fortunately, U.S. imports of Russian crab have largely ceased thanks to the embargo that began under President Biden, continued under President Trump, and was strengthened by Senator Sullivan's work to close the China trans-shipment loophole. Still, Russia's IUU crab continues entering global markets through other channels, suppressing prices, and creating unfair competition for U.S. harvesters who follow the law.

Russia's actions extend far beyond IUU. The following are just a few key points. It has heavily subsidized its seafood industry to deliberately undercut U.S. competitors. Flooded international markets with underpriced seafood following its 2022 invasion of Ukraine to help fund its war.

And contributed to an estimated \$1.8 billion in losses for the Alaska seafood industry during 2022 and 2023. There are also national security concerns. Russian crab is being funneled into the global market through North Korean smuggling networks where it is reprocessed and relabeled in China.

This collaboration between two sanctioned regimes undermines trade restrictions and raises serious concerns about enforcement and the global seafood supply chain integrity. Based on years of experience witnessing the impact of Russian IUU on Alaskan crabbers, I respectfully urge the following actions.

One, expand the seafood import monitoring program and ensure it focuses on species at highest risk for IUU fishing. Mandate country of origin labeling, also known as cool labeling, that also applies to cooked crab products.

Two, expand economic sanctions and trade restrictions, which would extend and strengthen sanctions on Russian origin seafood, and ensure enforcement on the ban of Russian seafood entering through third countries, especially China.

Expand intelligence sharing agreements with allies. This is under point three. Increase international cooperation and enforcement. Increase support for international bodies working to combat IUU fishing, and push for stronger enforcement of port state measure agreements, especially with countries still importing Russian crab around the world.

Four, provide economic relief to affected communities. Establish emergency relief similar to the Seafood Trade Relief Program and create low interest loans to help crabbers and fishing fleets modernize gear and remain competitive throughout the world. Prioritize support for small, independent, family owned fishing operations like those that I represent.

And five, strengthen U.S. enforcement against IUU fishing. Congress should pass Senate Bill 688, the FISH Act, and provide full funding and direction for the U.S. Coast Guard and NOAA to expand patrols, inspections, and enforcements targeting IUU threats. For over two decades, Russian IUU crab has undermined American fishermen who follow the rules, invest in sustainability, and support our coastal communities.

This isn't just about statistics. It is about lost livelihoods, struggling towns, and an industry fighting for survival. Congress has the opportunity to protect American harvesters and ensure global seafood is harvested legally and sustainably.

Thank you for your attention to this critical issue affecting thousands of American fishing families, and I look forward to your questions and working with the Committee on effective solutions. Thank you.

[The prepared statement of Mr. Prout follows:]

PREPARED STATEMENT OF GABRIEL PROUT, PRESIDENT,
ALASKA BERING SEA CRABBERS

Chairman Sullivan, Ranking Member Blunt Rochester, and distinguished members of the Subcommittee.

Thank you for the opportunity to appear before you today to discuss the devastating impact of illegal, unreported, and unregulated (IUU) crab fishing and unfair trade practices by Russia on American crab fishermen and coastal communities. I also want to thank both Senators Sullivan and Cantwell for their longtime support of independent crab harvesters. My name is Gabriel Prout, and I am the president of the Alaska Bering Sea Crabbers (ABSC), representing the majority of the quota and vessel owners who harvest king, snow, and bairdi crab in the Bering Sea.

I am also a third-generation commercial fisherman from Kodiak, Alaska—a seafood powerhouse that is known for the 100s of millions of pounds of product that come across its docks each year. For nearly two decades, I have worked in the Bering Sea and Gulf of Alaska alongside two of my brothers, continuing the livelihood passed down from our father and grandfather.

In recent years, the collapse of the snow and red king crab stocks has hit our community hard. Boats sat tied to the dock, crews were out of work, and families like mine were left facing deep uncertainty. This fishery is not just our livelihood—it is our identity. Today, I am happy to report that crab stocks appear to be making a recovery, but more is still needed to be done to help protect small fishing families like mine and those that I represent in the Bering Sea crab fleet, especially when it comes to IUU.

IUU Impact on U.S. Fishermen

The scale of economic losses from IUU fishing on American fishermen is staggering. U.S. fishermen are losing \$1 billion in revenue per year due to illegal seafood imports. This represents approximately 20 percent of what American fishermen should be earning under fair market conditions.

For over two decades, Russian IUU crab fishing has undermined the economic foundation of America's legitimate crab fishing industry. The economic impact on

Alaskan crab fishermen has been enormous. A 2021 report by the U.S. International Trade Commission estimated that in 2019, 20.8 percent of U.S. Imports of both snow and king crab in the Russian Far East were a product of IUU fishing. Thankfully, due to the trade embargo which began under President Biden and continued under President Trump, the U.S. imports of Russian crab has essentially ceased. This also was made possible by Senator Sullivan's work to close the loophole that allowed Russian seafood to enter the U.S. through China.

Despite Port State agreements aimed at curbing illegal fishing that Russia signed a decade ago with several trading partners, enforcement has been inconsistent and IUU fishing is still occurring according to recent media sources inside Russia. Russian fishing operations continue to impact global markets with illegally harvested crab, suppressing prices and creating unfair competition for law-abiding American fishermen who follow strict quotas, safety regulations, and sustainable fishing practices.

Unfair Trade Practices, Forced Labor, and Market Manipulation

Russia has engaged in systematic unfair trade practices and human rights abuses that go far beyond traditional IUU fishing. Russia has significantly increased government subsidies for its seafood industry as part of a deliberate strategy to undercut American competitors. These subsidies allow Russian producers to sell seafood below fair market prices.

Following Russia's invasion of Ukraine in February 2022, Russia began to flood the international market with underpriced seafood, including crab, to help fund its war effort. Fishermen have suffered amid cratering prices due to Russia flooding markets with artificially cheap seafood. This is a major contributing factor to unprecedented challenges faced by the Alaska seafood industry in recent years including an estimated \$1.8 billion in losses in 2022-2023.

According to a 2023 Financial Transparency Coalition report, Russia also ranked among the top countries with fishing vessels accused of forced labor. Forced labor in Russian fishing also represents a significant component of broader human rights abuses and another way in which the Russian fishing industry engages in IUU fishing.

National Security Concerns

There are numerous national security implications involving Russia's involvement in IUU fishing. Particularly concerning is the use of North Korean smuggling networks to launder Russian crab into global markets. North Korea has extensive experience in sanctions evasion, including seafood trafficking through China. These established smuggling routes and networks are now being exploited to move Russian crab through North Korea to China, where it can be reprocessed and relabeled as "product of China" before entering the global market.

The North Korean connection is particularly troubling because it involves collaboration between two sanctioned regimes to undermine trade restrictions. This represents a direct threat to U.S. national security interests beyond just economic competition.

Russian fisheries also present a significant national security threat through their dual-use capabilities that blur the lines between commercial fishing and state-sponsored espionage operations. Recent actions by a major Russian fishing company exemplifies this threat as its vessels exhibit suspicious movement patterns inconsistent with normal fishing activities, instead repeatedly loitering near critical infrastructure and military installations in the North and Baltic Seas. These activities are part of a broader Russian surveillance campaign that weaponizes civilian fishing vessels for espionage missions targeting both civilian and military infrastructure, potentially facilitating future sabotage operations. The vessels have been equipped with specialized technology for intelligence gathering, with at least one vessel banned from Dutch ports due to espionage concerns.

Recommendations

Based on years of experience witnessing the impact of Russian IUU fishing on Alaskan crab fishermen, I respectfully urge the following actions:

1. Strengthen Import Controls and Traceability

The Administration and Congress should mandate comprehensive seafood traceability systems that track crab products that include:

- Enhancing the capabilities of the Seafood Import Monitoring Program and ensuring that it only apply to the most at-risk species of IUU fishing.
- Enhanced screening for products from known transshipment routes, particularly those involving China.

- Mandatory country-of-origin labeling that applies to cooked crab and cannot be circumvented by processing in third countries.

2. Expand Economic Sanctions and Trade Restrictions

The Administration and Congress should expand economic and trade restrictions on Russian seafood and include:

- Continuing the prohibition on all Russian seafood imports, including those processed through third countries.
- Imposing secondary sanctions on entities that facilitate Russian seafood transshipment schemes.
- Imposing Section 301 tariffs on Russian seafood in the event that the Russian seafood ban is lifted.

3. Increase International Cooperation and Enforcement Congress should authorize and fund:

- Enhanced satellite monitoring of fishing activities in the Bering Sea and other shared waters.
- Intelligence sharing agreements with allied nations to track vessel movements and identify smuggling networks.
- Support for international bodies combating IUU fishing.

4. Provide Economic Relief for Affected Communities

Congress should establish:

- Emergency economic assistance for fishing communities impacted by unfair competition, similar to the Seafood Trade Relief Program.
- Loan programs to help fishing operations modernize and improve competitiveness.
- Market development initiatives to promote American-caught seafood.

5. Strengthen U.S. Fishery Legislation to Combat IUU Fishing

Congress should:

- Pass S. 688, the Fish Act, a bill that would direct the Administration to address IUU fishing in international agreements, establish an IUU vessel list, and develop new technologies to combat IUU fishing, among many other important provisions.
- Direct and fund the U.S. Coast Guard to increase efforts to combat IUU fishing.

Conclusion

For more than two decades, Russian IUU crab fishing has undermined American fishermen who play by the rules, invest in sustainable practices, and support coastal communities across Alaska. The economic losses documented by industry analysts represent more than statistics—they represent lost livelihoods, struggling communities, and an industry fighting for survival against unfair competition.

As more countries around the globe move to ban Russian seafood and implement seafood traceability systems, they are looking to the U.S. as a global leader. Congress has the opportunity to lead by example, protecting American fishermen while promoting sustainable fishing practices worldwide.

The time for half-measures has passed. American fishermen deserve a level playing field, and American consumers deserve confidence that the seafood on their tables was harvested legally and sustainably. I urge this Committee to take decisive action to address IUU fishing. The Committee has an opportunity to support the hardworking men and women who make their living from America's marine resources.

Thank you for your attention to this critical issue affecting thousands of American fishing families. I look forward to answering your questions and collaborating with the Committee to develop effective solutions.

Senator SULLIVAN. Thanks again, Mr. Prout. Great testimony. Great recommendations. And you know, for the audience here, these are some of the tough, great Alaska fishermen.

Some of you have seen the show *Deadliest Catch*. It is a dangerous business, and they bring in some of their best seafood, wild

seafood in the world and shouldn't have to compete against this kind of IUU activity.

So Dr. Saumweber, you will wrap it up, and then we will go to questions.

**STATEMENT OF WHITLEY SAUMWEBER, DIRECTOR,
STEPHENSON OCEAN SECURITY PROJECT, CSIS**

[Technical problems.]

Senator SULLIVAN. You need to turn your mic on.

Mr. SAUMWEBER. Thank you. Chairman Sullivan, Ranking Member Blunt Rochester, and distinguished members of the Committee, thank you for inviting me to participate in today's hearing. It is an honor to be here, and I commend you for focusing on the urgent, important, and evolving challenge of IUU fishing.

My name is Whitley Saumweber, and I am a Professor of Marine Affairs at the University of Rhode Island and the Director of the Stephenson Ocean Security Project at the Center for Strategic and International Studies, where we examine the intersection of ocean health and global security.

I would be remiss if I did not highlight our Ocean Security and Human Rights Forum that we held just last week in partnership with the U.S. IUU and Labor Rights Coalition, and which addressed many of the topics we are discussing here today. I also note, as Greg Poling did, that my comments at this hearing are my own and should not be attributed to either CSIS or to the University of Rhode Island.

I have been working on U.S. ocean governance and security policy for more than two decades, and during this time I have seen illegal, unreported, and unregulated fishing evolve from an important but secondary resource management issue, to one of the foremost and most complex ocean security challenges we face today.

It is important because of its centrality to questions of national wealth, sovereignty, and market stability in regions of the globe already beset by conflict, and to jobs and communities here at home in the U.S.. It is complex because of how the scale and nature of the challenge changes depending on the region and markets being considered.

Effective policy solutions are therefore also complex, but if successful, can support U.S. jobs, markets, and national security, while offering roadmaps for dealing with issues of global ocean governance and security that extend beyond just seafood.

For these reasons, IUU fishing is a prime example of a suite of emerging 21st century ocean security challenges that threaten norms of maritime governance and commerce, but which exist outside the bounds of more traditional security concerns.

Characteristics of these new ocean security threats include a link to competition for marine resources, using gray zone conflict, involvement in illicit and alternative trade economies, a multiplier effect with climate impacts on marine ecosystems, and impacts on human rights at sea.

IUU fishing has each of these characteristics, and I hope we get to discuss some of those in more detail later in the hearing. So how do we address this complex challenge? Successful strategies generally fall into one of four categories that should work in concert

with each other, market access control, operational interdiction, presence, and resource and governance.

The U.S. is the largest single importer of seafood in the world, and together with the EU and Japan, we control 60 percent of the total global market in seafood. This means that comparable market access control policies across these three traditional partners have the potential to reshape global supply chains in deep and meaningful ways.

To be effective, such programs must include a strong supply chain transparency mechanism, a risk assessment program based on that information, a validation program, and crucially, strategic enforcement cascades that allow for scalable and targeted penalties. Here in the U.S., NOAA's Seafood Import Modeling Program meets some of these criteria, but not all.

NOAA conducted a year-long review of the program in 2024 and released an action plan last November that had significant support from both industry and civil society groups. Implementation of the action plan would greatly advance the ability of SIMP to meet the requirements I have described.

Market access control is the counter IUU tool with the greatest potential global reach, but operational interdiction of IUU activity remains important for deterrence. The U.S. can support operational interdiction through direct action by expanding shipwright agreements with partner nations, and we can provide direct support from maritime domain awareness in critical areas through both material assistance and capacity building.

One example of such an arrangement is the Indo-Pacific Partnership for Maritime Domain Awareness, already mentioned by Greg Poling, between the Quad, that is U. S., India, Japan, and Australia, and our Indo-Pacific partners. This agreement is a prime example of the kind of partnership and soft power security guarantee that the U.S. alone can offer to much of the world, and which on our best days, is one of the key reasons U.S. leadership has been indispensable for the past 80 years.

We provide help and support to those who need it and are prepared to support our partners in their own efforts to claim sovereign identity and rights. These are things we can offer which our competitors, notably China and Russia, cannot, and it is why such partnerships have provided a bulwark in the continuing effort to support the growth of democracy worldwide.

To make this approach work, however, the U.S. must be present in international fora and development work in order to provide that alternative. In these efforts, three agencies in particular are crucial, U.S. Coast Guard, NOAA, and USAID. Each of these play irreplaceable roles in the soft power competition that is the foundation of counter IUU fishing work.

The dismantling of USAID has already caused widespread harm to ongoing efforts, and the threats to NOAA are deeply concerning. Just as the U.S. Government needs a positive presence with partners abroad, it also needs capacity at home. We are now entering the final year of the first national strategy from the interagency working group for combatting IUU fishing, and there is tremendous opportunity to build on initial efforts.

With strong support for its member agencies, the working group could form the foundation of coordinated enforcement action. Conversely, significant budget cuts to any of the key agencies will cripple counter IUU programs. Cuts to NOAA in particular will fatally harm the ability to coordinate, conduct supporting science, and be present in critical negotiations and partnerships abroad.

Every U.S. Administration since George W. Bush has established or endorsed national strategies to combat IUU fishing. Similarly, every Congress over that time has supported bipartisan legislation attempting to grapple with the issue, of which Senator Sullivan, your FISH Act is a fine example.

I hope that this discussion today will help all of us to take advantage of that momentum and work toward these solutions. Thank you, and I look forward to your questions.

[The prepared statement of Mr. Saumweber follows:]

PREPARED STATEMENT OF DR. WHITLEY SAUMWEBER, DIRECTOR, STEPHENSON OCEAN SECURITY PROJECT, CENTER FOR STRATEGIC AND INTERNATIONAL STUDIES

Chairman Sullivan, Ranking Member Blunt Rochester, and distinguished Members of the Committee, thank you for inviting me to participate in today's hearing. It's an honor to be here and I commend you for focusing on the urgent, important, and evolving challenge of IUU Fishing.

My name is Whitley Saumweber and I am both a Professor of Marine Affairs at the University of Rhode Island (URI) and the Director of the Stephenson Ocean Security Project at the Center for Strategic and International Studies (CSIS) where we examine the intersection of ocean health and global security and seek policy solutions that support sustainable development and reduce conflict. I would be remiss if I did not highlight our Ocean Security and Human Rights Forum¹ that we held just last week in partnership with the U.S. IUU and Labor Rights Coalition,² and which addressed many of the topics we are discussing here today. I also note that my comments at this hearing are my own and should not be attributed to either CSIS or URI.

1. Introduction

I have been working on U.S. ocean governance and security policy for more than two decades including work here in the Senate, at NOAA, the White House, and now in the private sector and academia. During this time, I have seen Illegal, Unreported, and Unregulated (IUU) fishing evolve from an important, but secondary, resource management issue to one of the foremost and most complex ocean security challenges we face today. It is important because of its centrality to questions of national wealth, sovereignty, and market stability in regions of the globe already beset by conflict and to jobs and communities here at home in the U.S. It is complex because of how the scale and nature of the challenge changes depending on the region and markets being considered. At one end of the spectrum, it involves nationalized distant water fleets, grey zone tactics, and soft power deployment as we see in the case of China and its large foreign fishing endeavors. At the other end of the spectrum, we may be discussing small, artisanal conflicts in the Caribbean that nonetheless have the potential to disenfranchise legal fishers and destabilize stocks. In both cases, the solution sets may have similar elements but also require some nuance to address specific regional needs. Finally, IUU fishing is a multifaceted challenge that is involved not just with the fish caught on a vessel somewhere at sea but is intertwined inextricably with global currents of peer competition, trade policy, market access control, supply chain transparency, and critically, human rights. Effective policy solutions are therefore equally complex and must address multiple mandates and capacities in ways that are politically challenging but, if successful, can support U.S. jobs, markets, and national security while offering roadmaps for dealing with issues of global ocean governance, trade, and security that extend beyond just seafood.

¹<https://www.csis.org/events/ocean-security-and-human-rights-forum>

²US IUULR Coalition Joint Statement

2. IUU Fishing as a 21st Century Security Threat

IUU Fishing is prime example of a type of emerging 21st century ocean security challenge that threatens norms of maritime governance and commerce. These challenges exist outside the bounds of traditional security concerns, involving such drivers as competition for living marine resources, gray zone conflict, alternative trade economies, climate impacts on marine ecosystems, and human rights at sea. None of these challenges are easily dealt with solely through traditional avenues of naval power and yet taken together pose as great a risk to global stability as other more kinetic threats. Rather these issues require a holistic approach to maritime statecraft that incorporates elements of domestic trade and market policies, foreign aid, and maritime domain awareness.

2.1 A highly competed resource

Approximately 3 billion people, more than a third of the global population, rely on fish for a critical portion of their daily protein intake.³ That number is expected to increase at a non-linear rate as both the world's population and the per capita consumption of fish continue to increase.⁴ This latter factor is a positive indicator of human health and well-being and is generally associated with the move out of extreme poverty with an increased access to highly nutritious foods. But ecosystems are already overtaxed. Global marine capture fisheries are essentially fully exploited with total catch remaining relatively flat since the 1990s at around 85 mmt. Total global fish consumption has continued to grow, with demand increasingly met by terrestrial or marine based aquaculture. But many aquaculture supply chains rely on wild capture sources of feed, putting pressure on keystone ecological stocks such as Antarctic krill, menhaden in the western Atlantic, and sardinella in west Africa.

Climate change is already impacting these stocks by reducing overall global productivity and causing broad geographic shifts in marine ecosystems. Fishery productivity under the worst climate scenarios is expected to decrease by as much as 50 percent in the tropics due to warming waters.⁵ This is also the region with the most direct dependence on marine resources for food and economic security and losses of such magnitude will be hugely destabilizing. Ecosystem shifts are generally poleward but, in some cases, like the western Pacific, stocks may shift east or west. No matter the direction, we are already seeing disruptions in both long standing economic and food security systems but also, importantly, the scientific and technocratic infrastructure that has been established to manage these systems sustainably.

All these challenges are further exacerbated by IUU Fishing. It has been estimated that 30 percent of global catch is not counted by the UN Food and Agriculture Organization with the potential undercount being as high as 60 percent.⁶ This discrepancy has huge implications for the sustainability of stocks but also for the ability to model and forecast impacts while disrupting legal markets.

2.2 An avenue for gray zone conflict

The concept of maritime gray zone conflict is a commonly accepted way of considering modern inter-state disputes in highly contested arenas, especially when those disputes involve nuclear armed states that wish to avoid actual war. Gray zone activity connotes plausible deniability, so that leaders on both sides can choose to interpret a provocative interaction in ways that are non-escalatory. There is a broad spectrum of actions that can fall under this rubric. Looking just at the South China Sea we have regular physical interventions by the Chinese Coast Guard which have resulted in harm to national assets and personnel of other nations.⁷ Framed as maritime enforcement activity, these activities can be coded as non-strategic. At the other end of the conflict spectrum in the region, China is using its fishing fleets, and even subsidizing their construction, as a maritime militia to present both a physical presence and barrier.⁸ Private actors—even with substantial support from their home states—can easily be disavowed by governments.

Both these examples, however, represent modes of direct conflict, even if they are 'gray' in nature. When considering 21st century ocean security threats, the category of 'gray' conflict should also be reflective of other kinds of competition. Any means of resource control is ultimately an expression of sovereignty or lack thereof by oth-

³2024 FAO *State of World Fisheries and Aquaculture*

⁴Boyd *et al.*, 2018: <https://doi.org/10.1007/s12571-021-01246-9>

⁵UN IPCC *Special Report on the Ocean and Cryosphere*

⁶Pauly *et al.*, 2016: <https://www.nature.com/articles/ncomms10244>

⁷<https://apnews.com/article/china-philippines-us-sea-clash-d08f4532c2a66047c6fa2833b76d7773>

⁸<https://www.csis.org/analysis/pulling-back-curtain-chinas-maritime-militia>

ers. Thus, distant water fishing fleets can serve both legitimate economic interests as well as strategic state needs by their presence in foreign waters and the pressure they may exert on local resources. Shore based infrastructure can also be considered part of this equation especially when it is under the control of non-local actors and allows for the isolation of local resources from local economies. For example, development of a private port and fish processing facilities that operate outside of local laws and without local employment.⁹ This type of control further erodes local resource sovereignty and can lead to closed supply chains that do not provide equitable benefits to host nations. In addition, these types of ventures may often be vehicles of corruption through opaque and uneven access agreements. These examples of conflict are ‘gray’ in that they use economic and legal mechanisms in a coercive, corrupt, or coopting way to seize control over resource supply chains for strategic ends.

2.3 External trade economies

Just as the rise of asymmetric gray zone conflict presents a growing challenge to the norms of ocean governance, so too does the emergence of asymmetric economic competition. By this I mean trade flows and economies that operate outside, and often in explicit and direct abeyance, of existing market rules and expectations. The clearest example of this phenomenon is the rise of the shadow fleet of oil and gas tankers and associated vessels being used to carry fossil fuels from sanctioned states such as Russia, Iran, and Venezuela to willing market nations such as China and India.^{10 11} At some point a market becomes large enough to go from being illegal to a competitor and we must ask ourselves what that point is and, as with asymmetric kinetic threats, how we approach it as it is normalized. All sanctioned commodities—not just oil—have the potential to enter this alternate economy depending on demand. Seafood can be sanctioned at both the state and corporate level and trade in IUU should be considered a trade in illicit commodities as much as sanctioned oil or arms or technology with as great a potential over the long term to destabilize key regions of the globe. Once again, we come back to the question of sovereignty and resource control. In this case the tools at hand are market access control and supply chain transparency.

2.4 Human Rights

In a fully competed ocean with emerging, unregulated trade flows the pressure to increase economic margins is intense. As has been the case throughout history, one of the most straightforward ways to do so is to reduce the costs of the labor force. In this case there is a large and exploitable population of migrant labor available, primarily in southeast Asia, at the same moment that new opaque supply chains are opening. We know that IUU Fishing goes hand in hand with forced labor at sea.¹² Distant water fishing fleets are especially primed for abuse with long voyages and isolation the norm. It is an easy conjecture to imagine that other supply chains in these alternative economies are also taking advantage of similar opportunities to exploit their labor force. With seafood we also know that we cannot isolate the maritime elements of the supply chain in dealing with this moral travesty. Illegal products at sea are often processed and packaged illegally on shore. The Outlaw Ocean Project has recently highlighted the abuse of North Korean and Uyghur populations in Chinese seafood processing facilities and of poor women in Indian shrimp plants.¹³ Once again, we must consider how market access and transparency can be used to combat this problem.¹⁴

3. IUU Fishing Solution Sets

Because of the complexity of the IUU challenge successful counter strategies must necessarily include elements that reach across individual agency mandates and, ideally, operate with intentional prioritization, coordination, and leveraging of capabilities within the U.S. government and between partners abroad. Broadly these activities fall into the following categories: (1) Market Access Control; (2) Operational Interdiction; (3) Partnerships and Presence; and (4) Resources and Governance.

⁹ <https://ocean.csis.org/commentary/distant-water-fishing-along-china-s-maritime-silk-road/>

¹⁰ <https://www.csis.org/analysis/russias-shadow-war-against-west>

¹¹ <https://www.csis.org/analysis/how-exorcise-russias-ghost-fleet>

¹² Selig *et al.*, 2022: <https://www.nature.com/articles/s41467-022-28916-2>

¹³ <https://www.theoutlawocean.com/>

¹⁴ <https://www.csis.org/analysis/streamlining-government-coordination-rights-conscious-supply-chains>

3.1 Market Access Control

The EU remains the largest common market for seafood in the world, accounting for approximately 35 percent of global imports but the U.S. is second and remains the largest single state market accounting for approximately 16 percent of global imports by value. If we also include Japan, the fourth largest market by import value, we reach nearly 60 percent of the total global market in seafood.¹⁵ This means that comparable market access control policies across these three traditional partners have the potential to reshape global supply chains in deep and meaningful ways. To be effective such programs must include: (1) strong supply chain transparency mechanisms; (2) a program of risk assessment based on those mechanisms; (3) a program of validation based on the risk assessment; and (4) a program of strategic enforcement cascades based on the validation that allow for scalable and targeted enforcement. These actions can and should range from denial of entry for individual shipments to criminal enforcement and economic sanctions on beneficial owners and supporting states.

Each of these individual programs can take different forms but the critical elements must each exist and work together to be effective. The EU maintains a requirement for state sponsored catch certificates and holds out the possibility of state level trade sanctions for failure to comply with anti-IUU fishing regulations through a red-yellow-green carding system. The U.S. requires individual importers of record to submit supply chain information to the National Oceanic and Atmospheric Administration's (NOAA) Seafood Import Monitoring Program (SIMP) with the potential for post-hoc administrative penalties should an audit find a violation. NOAA also maintains broad, though seldom used authority, to apply state level sanctions on vessels or nations listed in a biennial report to Congress on IUU activities as mandated by the High Seas Driftnet Moratorium Protection Act.¹⁶ Conceptually, SIMP remains an important part of U.S. market access control but broad dissatisfaction with NOAA's implementation of the program led to a yearlong review and subsequent action plan released in November 2024 that had significant support from both industry and civil society groups.¹⁷ Implementation of the action plan would greatly advance the ability of SIMP to meet the requirements of an effective market access control program as described above. Particularly important elements of the action plan included the commitments to require data submission prior to entry, implementation of an automated analysis of data for risk factors to better leverage resources and reduce costs, and to expand the definition of IUU fishing to align with the UNFAO definition¹⁸ and to expressly include human rights and labor abuses.

In addition to efforts to improve our own market access control program here in the U.S. and to bring it into alignment with other major market states, we should continue to support the development of other related measures abroad. These include implementation of the Port State Measures Agreement, the first counter-IUU multilateral instrument, and development of nascent access control programs in strong partner nations like Japan and the Republic of Korea which share the U.S.' concern about China's use of seafood trade for security purposes. Each of which also represent significant global markets. Both countries have just begun to implement their programs at the pilot stage.

3.2 Operational Interdiction

While market access control remains the counter-IUU tool with the greatest potential global reach, operational interdiction of IUU activity remains critical for deterrence and the demonstration of sovereign control over marine resources as well as a commitment to the norms and standards of ocean governance under the UN Convention on the Law of the Sea (UNCLOS). The stability and credibility of UNCLOS is a key foundation for ocean security, sustainability, and sovereignty. UNCLOS created the basic jurisdictional framework for ocean governance, drew a clear political geography for the ocean, and assigned specific rights and duties assigned to different categories of states. Its provisions represent the common set of rules that have supported relatively stable maritime sovereignty and commerce for the past 50 years. But this foundation is under threat by the unilateral actions of China, Russia, and others as noted above.

A recent report by the ocean conservation organization Oceana, using data from Global Fishing Watch, found that China's fishing fleets account for 30 percent of

¹⁵ UNFAO GLOBEFISH

¹⁶ <https://www.fisheries.noaa.gov/international/international-affairs/report-iuu-fishing-by-catch-and-shark-catch>

¹⁷ https://www.fisheries.noaa.gov/s3/2024-11/SIMP-Action-Plan_final.pdf

¹⁸ UNFAO IUU IPOA

global activity on the high seas and can be found fishing in the Exclusive Economic Zones (EEZs) of more than 90 nations worldwide.¹⁹ Understanding where such larger fleets are operating, whether they are doing so legally, and having the ability to appropriately interdict illegal operations once found remain significant challenges for many nations. Without these capabilities individual countries may be effectively seeding sovereign control of a national resource to a foreign nation and placing itself at national risk based on the value of that resource. Bilateral access agreements developed under such conditions are likely to be made under pressure and without transparency and may be avenues for corruption as a means of achieving unrelated geopolitical goals. It is these very concerns that led the U.S. Coast Guard²⁰ to declare IUU Fishing a greater maritime threat than piracy, the U.S. combatant commands SOUTHCOM²¹ and AFRICOM²² to identify IUU fishing as a significant source of maritime security threat in the southeastern Pacific and Gulf of Guinea respectively, and fostered the release of a 2022 National Security Memorandum²³ directing greater coordination on the issue all within the last five years.

The U.S. can support operational interdiction through direct action by pursuing ship-rider agreements with partner nations to enable U.S. vessels, most often from the USCG, to act to enforce the sovereignty of that partner's EEZ. We can also provide direct support for maritime domain awareness (MDA) in critical areas and work with partners to provide the technical capacity and training to use and distribute such information. One example of such an arrangement is the Indo-Pacific Partnership for Maritime Domain Awareness (IPPMDA) between the Quad (U.S., India, Japan, and Australia) and our Indo-Pacific partners.²⁴

3.3 Partnerships and Presence

The Indo Pacific Partnership for Maritime Domain Awareness described above is a prime example of the kind of partnership and soft power security guarantee that the U.S. alone can offer to much of the world and which, on our best days, is one of the key reasons U.S. leadership has been indispensable for the past 80 years. We provide help and support to those who need it and are prepared to support our partners in their own efforts to claim sovereign identity and rights.

These are things we can offer which our competitors, notably China and Russia, cannot and it is why such partnerships have provided a bulwark in the continuing effort to support the growth of democracy worldwide. No alliance is stronger than one freely given. One element above all others is crucial for this approach to work, however, and that is presence. The U.S. must be present in international fora and development work in order to provide that alternative. We must be active participants in Regional Fishery Management Organizations as well as foreign aid programs. We must be prepared to support capacity building through technical assistance and through the direct provision of aid, material, and assets. In this work three agencies in particular are crucial: the U.S. Coast Guard, NOAA, and USAID. Each of these play irreplaceable roles in the soft power competition that is the foundation of counter-IUU fishing work.

3.4 Resources and Governance

Just as the U.S. government needs a positive presence with partners abroad to effectively counter IUU fishing it also needs the capacity at home to work together, coordinate and support individual lines of effort, and to develop new, more efficient ways of identifying and acting on risk. The 2020 Maritime SAFE Act established the Interagency Maritime SAFE Working Group and charged it with developing a government wide roadmap for addressing IUU fishing. The working group, under the rotating chairmanship of the Department of State, NOAA, and USCG, succeeded in developing a five-year strategy for 2022–2026 that laid out approaches for priority regions and flag states in the work period.²⁵ Implementation of this first plan was uneven but contained much to build on and represents the only statutory mandate for such work. As we enter the final year of this first strategy there is the opportunity to build on initial efforts. With strong leadership and support from the Administration and Congress this working group could form the foundation of co-

¹⁹ *China's Global Fishing Footprint*

²⁰ *USCG IUU Fishing Strategic Outlook*

²¹ <https://www.southcom.mil/Media/Special-Coverage/SOUTHCOM-Support-to-Operation-Southern-Cross/>

²² <https://www.africom.mil/pressrelease/34377/africom-and-law-enforcement-cooperation-enhances-maritime-security-in-west-africa>

²³ *Memorandum on Combatting Illegal, Unreported, and Unregulated Fishing and Associated Labor Abuses*

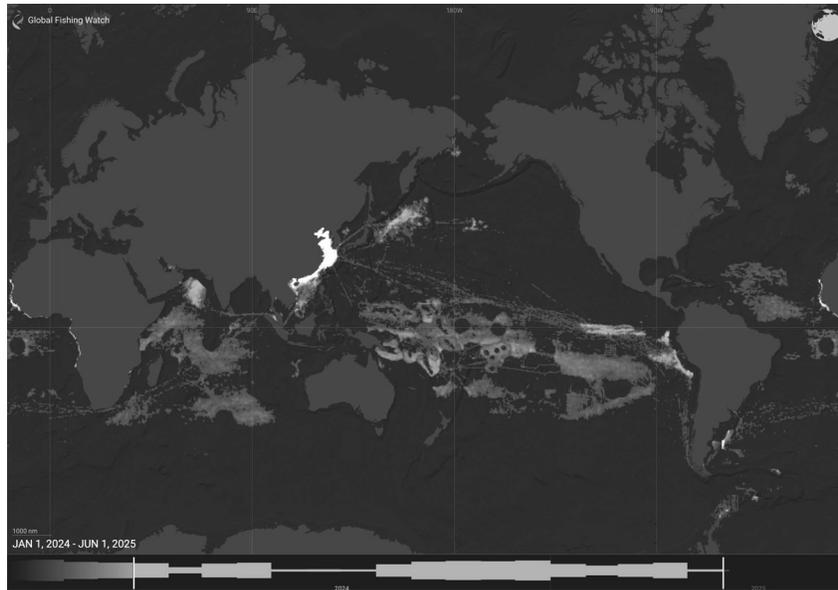
²⁴ *Indo-Pacific Partnership for Maritime Domain Awareness*

²⁵ *National 5 Year Strategy for Combatting IUU Fishing: 2022–2026*

ordinated enforcement action between NOAA, USCG, Department of State, DHS Customs and Border Protection (CBP), and Treasury. It could support more efficient transfer of information and targeted support for partners abroad. Conversely, significant budget cuts to any of these key agencies will cripple the ability to work together, share information and strategies, and create significant roadblocks to any meaningful counter IUU strategy by the U.S. government.

4. Conclusion

Every U.S. Administration since George W. Bush has established or endorsed national strategies to combat IUU fishing. Similarly, in every Congress over that time, there has been bi-partisan legislation attempting to grapple with the issue. I applaud the bi-partisan work here in the Senate demonstrating this commitment most notably through Chairman Sullivan's FISH Act that has recently marked up in this Committee. I also note that important bi-partisan legislation has previously been introduced in the House, specifically Representative Huffman's Illegal Fishing and Forced Labor Prevention Act which I understand may be reintroduced in this Congress. I hope that this discussion today will help all of us to take advantage of that momentum and work towards these solutions.



Senator SULLIVAN. Great. Excellent opening statements by all four, actually five of our witnesses. Senator Whitehouse is at another hearing. So, thank you on that. Let me begin with the basic question of this idea of whole of Government approach.

One of the things that I have been trying to do in my capacity, but I think we can do a better job of it. And Dr. Saumweber, your point about Japan, EU, and the United States, 60 percent of all imports in the world. That is huge power.

So after we finally got the U.S. Government to ban the importation of Russian seafood, took a long time, and then ban the, as Mr. Prout talked about, the kind of laundering of Russian seafood through China. They tried to cheat. Communist dictatorships are all working together to cheat, as they typically do.

I have been trying to get other countries, our allies, EU, Canada, Japan in particular, to do something similar. The Canadians, to their credit, have done a lot of banning of Russian seafood imports, but I would like to get all of your opinions very quickly on just

what you think some of the key things we could do with like-minded partners and allies to enhance international cooperation, which I think is really the key. It has kind of come out in all your testimony.

And importantly, also get the word out—the naming and shaming that Mr. Poling talked about. You know, China likes to, you know, pretend that it is a country that sticks up for developing countries in Africa, the Pacific Islands. And as your testimony showed, Mr. Poling, it is very much to the contrary.

Their activities are completely undermining the sovereignty, independence, economic capacity of these countries that China claims that it tries to favor. We need to get the word out on that much better.

So can I get any and all of your views on the need for deeper international cooperation and what specific recommendations you would make for us or the Trump Administration to do that? And I will just take any and of you guys to weigh in on that question. Go ahead, Dr. Saumweber.

Mr. SAUMWEBER. Sure. I will start. Thank you for that question. Yes, I absolutely—as I pointed out in my testimony and you noted, you know, we have these strong traditional partners in the EU and Japan, and we are together this huge block of the seafood market. That market power is—

Senator SULLIVAN. Is huge.

Mr. SAUMWEBER. It is tremendous. And it is really true that market access control offers the most far-reaching tool for controlling this problem—for getting at this problem. If we can work with those partners to set common standards, we can set the tenor for the market. We can set the direction that it goes. So it is really going to require us to work closely with the European Union—

Senator SULLIVAN. And in your experience, do the Europeans and the Japanese want to do this? I was a little disappointed. I tried to get the—when the Biden Administration was putting in a strong fish statement in the G8 summit agreement with the G8 leaders, my office actually drafted that statement. Sent it to the Biden team.

To their credit, they used it. The Japanese, who are good friends, good allies, they thwarted it. So if you are from Japan and you are watching this, you know, again, I am a strong supporter of the alliance. I think the Japanese are great on so many issues.

On this issue, they were weak, and they needed to step up and be stronger. I hope the people from the Japanese embassy are watching this here.

Mr. SAUMWEBER. I think Japan cares a great deal about IUU fishing. I think—

Senator SULLIVAN. Do they? OK—

Mr. SAUMWEBER. Yes, they do. From their perspective, they have a very serious problem with the Chinese in particular coming into their waters, and North Korea as well. And so, I think they are very concerned about it from a sovereignty standpoint, from illegal presence of—

Senator SULLIVAN. Because it hurts their fishermen, too.

Mr. SAUMWEBER. Yes, absolutely. And they have a very, very strong concern with it. The sort of particulars of it are a little bit

different than here in the United States, but they do have a market access control program, as does the EU.

The EU is in some ways further along than we are, and they take a slightly different approach in how they implement it, but they do you have a program, as do we. And if we can align standards, that would hugely powerful.

Senator SULLIVAN. Yes—

Mr. SAUMWEBER. The Japanese are just kind of at the start of getting it going, so we need to support them and to help them—

Senator SULLIVAN. So you think that would be a really important kind of outcome of this hearing to work on that?

Mr. SAUMWEBER. Absolutely.

Senator SULLIVAN. Good. Any other thoughts on that, Mr. Poling?

Mr. POLING. I would make two points. First, I think we could do a far better job collaborating with our most technologically advanced partners when it comes to supporting maritime domain awareness.

Senator SULLIVAN. Yes.

Mr. POLING. We are vanishingly close to a point in time when it will be all but impossible for a vessel that has a metal superstructure that is say five meters or longer to run dark anywhere in the world.

We know what the technology looks like to accomplish that. Combinations of low-earth orbit satellites collecting synthetic aperture radar, radio frequency protection, et cetera.

But most of that capability is in the private sector, and it is not all American. On synthetic aperture radar, we have got maybe two of the top four companies trying to develop low-Earth orbit constellations. The others are in Japan and Europe. When it comes to radiofrequency—

Senator SULLIVAN. But still our allies.

Mr. POLING. Our allies. But for a number of reasons, mostly around security sector assistance, our platforms that we provide to allies and partners only incorporate American technology.

To give one example, in the case of the Philippines, who is up against the most coercion from China's maritime militia, they have all but abandoned using preferred U.S. platforms in favor of Canada's platform. Now the dark vessel detection, or DVD system, because that can incorporate not just Canadian, but also American and European technology.

Whereas the American platforms only incorporate American companies. We need to understand that, of course, there is creative competition here among tech companies, but this is a global problem.

And we should not turn partners away from whether it is Japanese, European, Israeli, Korean alternatives that can do a good job. That we should be able to light up the entire ocean in the next 5 to 10 years, but we won't do it with just American tech.

The second point I would make is, on the legal front, yes, we are parties and champions of port state measures, of the Fish Stocks Act. We are still not a party to UNCLOS. And that gives China a free point in every debate in every international platform.

Senator SULLIVAN. OK, good. Senator Blunt Rochester.

Senator BLUNT ROCHESTER. Thank you, Mr. Chairman. I want to put a fine point on a comment that was said at the very end of your testimony, Dr. Saumweber, where you said this used to be a secondary issue.

I was just writing down different words from jobs, and the economy, and our small businesses, and mid-sized businesses that are impacted, our environment, as Senator Whitehouse mentioned, criminal activities, trade. I wrote down technology. I wrote down health.

Because we haven't really talked about the health impact of this, but when we are dealing with illegal products, we don't know what is in some of these things. So, even our health status. national security.

And we talked about Russia and China, and just the impact that they have not only on our national security, but also on their influence in other places around the world. And you know, and markets, our market power, piracy, international trade, technology. To me, this is a front and center issue.

And so, I want to start off with my first comment to say, I am excited to join the FISH Act. That is number one.

Senator SULLIVAN. There you go. Progress.

Senator BLUNT ROCHESTER. There you go.

[Laughter.]

Senator BLUNT ROCHESTER. And second, Dr. Saumweber, I wanted to ask your opinion. We know that NOAA National Marine Fisheries Service plays a vital role in combating IUU fishing.

From your experience, can you talk about what the impact of—the operational impact of a 30 percent budget cut to NOAA's enforcement activities, and can you describe how these cuts would affect NOAA's ability to conduct investigations into seafood fraud and mislabeling, which was another thing that we mentioned, issues that directly impact not only consumers but domestic fisheries?

Mr. SAUMWEBER. Yes, thank you for that question. A 30 percent cut in NOAA's budget would be devastating to these efforts on a number of fronts. First of all, among the first things to go with any budget cut, even a much smaller cut than 30 percent, is the kind of interagency coordination that is hard, difficult, requires time, but is sometimes seen as being outside of kind of the core day to day mission of good Federal workers.

And so they don't dedicate time to those kinds of things that are complicated but necessary to attack this kind of really difficult challenge. And so, right out the window, you would sort of lose that coordination capacity that is so fundamental to this effort.

Next, you are going to lose the ability to have supporting science, to have the necessary kind of research done to understand how these stocks are changing, to understand what critical limits may or may not be being passed, and to be thinking about how this is really impacting our fishermen here at home.

And then finally, and I think as important in any of those situations is the ability, as I mentioned, to be present, to be part of these international negotiations, to be at the regional fishery management organizations where we are negotiating with China, where we are negotiating with our competitors.

We need to be educated and speak in a way that is informed about the state of affairs in the world and about the nature of fish stocks and the health of the ocean. And with those cuts, it will fundamentally damage the ability to do that.

Senator BLUNT ROCHESTER. Thank you. Doctor—or Mr. Prout, in addition to the travel, I would also say you have the best lapel pin of everyone as well with that beautiful crab. Mr. Prout, thank you for being here today. I appreciate you highlighting IUU fishing as a national security threat, and I share that view.

I would like to focus on a particularly urgent issue raised in your testimony, and that is the use of North Korean smuggling networks to launder Russian crab into the global seafood supply chain. From your vantage point in the commercial seafood sector, how visible or traceable is this laundering activity, and what makes it hard to detect?

Mr. PROUT. Thank you, Senator Blunt Rochester. It is incredibly hard to detect because eventually it just lands as the name of another country. So there is no commitment to actually saying where it originally comes from, as cool would help with.

So once it goes through there and goes through those channels to get modified and then placed as a different country of origin, you essentially lose the original traceability.

And then of course, that is easier imported to these other countries around the world and possibly even back into the U.S. domestic market so that U.S. consumers are unaware of where the true source of their seafood and what they are supporting is actually coming from.

So it is incredibly difficult to really truly trace that. We know what is happening, but after it takes effect, it is hard to continue to follow it.

Senator BLUNT ROCHESTER. And what are the risks to U.S. fishermen, processors, consumers, if seafood from sanctioned regimes continue to enter the market undetected?

Mr. PROUT. Undetected—it is—one of the key components of it is the downward pressure it puts on prices for true fishermen who are held to a higher standard of safety, of responsibility, and sustainability for their fisheries.

So really, it is the downward pressure that that is putting on local fishermen. It is, you know, when those products enter the market, it puts a tremendous amount of that downward pressure on prices for U.S. fishermen.

Senator BLUNT ROCHESTER. Mr. Chairman, I had more questions than I will submit for the record, but could I ask one last question?

Senator SULLIVAN. Sure, sure. I am going to do another round.

Senator BLUNT ROCHESTER. Oh, OK.

Senator SULLIVAN. Or two, or three.

Senator BLUNT ROCHESTER. OK.

[Laughter.]

Senator SULLIVAN. This is very important. I think Senator Cantwell might be on her way, but we will keep asking questions.

Senator BLUNT ROCHESTER. Perfect. Mr. Prout, you also described Russian fishing vessels exhibiting behavior that suggests they may be engaged in intelligence gathering near critical infrastructure.

I think this is one of the biggest issues that we talk a lot about on this committee as well is critical infrastructure around the world and just any kind of surveillance, you know, vulnerabilities. How concerned are you that commercial fishing vessels could be used as cover for surveillance or sabotage, particularly in the U.S. waters or near allied infrastructure?

Mr. PROUT. Thank you, Senator Blunt Rochester, for the question. It is definitely of concern because we know what is happening with the monitoring that we have in place. These Russian vessels or Chinese vessels that are labeled as foreign fishing vessels are not exhibiting behavior or maneuvering that is typically associated with fishing behavior.

They are stationing at certain areas around the country typically, as you mentioned, to gather reconnaissance and possibly even sabotage for future operations. So it is definitely a major concern that they kind of use these fishing labels or fishing operations as a covert method for their sabotage and intel gathering capabilities and goals.

Senator BLUNT ROCHESTER. Thank you, Mr. Chairman. I will yield back.

Senator SULLIVAN. All right. It is great to have the Ranking Member here. Are you ready, Senator Cantwell or—I will now turn it over to Senator Cantwell for some questions.

**STATEMENT OF HON. MARIA CANTWELL,
U.S. SENATOR FROM WASHINGTON**

Senator CANTWELL. Well, thank you, Mr. Chairman. And thank you to my colleague for also the great work on the Subcommittee. And thank you, Senator Sullivan, just for the important discussion about illegally unreported, unregulated fisheries, and how much that causes harm in both Washington, and Alaska, and across the Nation. I am sure that has pretty much been the subject of this conversation.

Senator SULLIVAN. The world.

Senator CANTWELL. OK, good.

Senator SULLIVAN. Alaska, Delaware, Texas—the world.

Senator CANTWELL. So illegal fishing counts for up to one-third the world's total fishery. So about 11 percent, \$22 billion in seafood imports were caught illegally. So this really does—China and Russia are two of the worst actors in this space, and Russia in particular poses a direct threat to the livelihood of U.S. fishermen, including in my home state.

One study found that one-third of fish imported from China was actually Russian fish, and we need to keep up the pressure to stop this illegal Russian seafood from disrupting the markets here in the United States. So, in the 2022 defense bill, working with my colleague from Alaska, we included the largest ocean legislative package in decades, including provisions to expand NOAA's seafood traceability programs.

And we worked together with the NOAA Corps to expand their fleet of vessels and aircraft so that we can more and better affect stock assessments, and better science, and support for fishing families to stop the illegal fishing. So, the Administration though is calling for us to be seafood dominant.

That is great. They say they care about stopping illegal fishing, and yet they are gutting the core of NOAA programs and staffing, and that could have disastrous effects to our fisheries management, science, and enforcement. So far the Administration's action have led to 576 employees at the National Marine Fisheries Service being lost.

That is an 18 percent reduction in staff from January, and a 36 percent vacancy rate of normal staffing levels. NOAA told fishery managers not to expect basic survey data that they need to manage fisheries.

This is unacceptable. To make it worse, 30 percent of NOAA's research ships will be tied up at the docks this summer because the Administration is refusing to hire the credentialed mariners to sail, and that is very problematic.

But we all know that at least two pollock stock assessment surveys and salmon surveys on the West Coast are canceled. So, my question to you, Mr. Saumweber is—science is the foundation. How are these current NOAA budget cuts impacting on not being able to do stock assessments hurting us in our ability to combat illegal fishing?

Mr. SAUMWEBER. Thank you, Senator. So, budget cuts to NOAA are devastating to our ability to combat IUU fishing. You can't really combat the problem without understanding what is there. The challenge, as you noted, is to have a strong foundation, strong understanding of what is sustainable, of what it is possible to catch.

And without that understanding, we have a very limited ability to work to set appropriate boundaries, to work with our partners to combat IUU fishing. NOAA science is the foundation for all of these negotiations that we are doing in the international space, with our partners, and it is the foundation for the work that we do here at home to prevent illegal products from coming into the Nation.

Senator CANTWELL. Thank you for that. Mr. Prout, as a crabber, are you concerned about the NOAA fisheries workforce programs, and the cuts and impacts?

Mr. PROUT. Yes. Thank you, Ranking Member Senator Cantwell. Yes, absolutely. The NOAA surveys are an essential part of how we run our fisheries. They are essentially the backbone of our fisheries across the U.S.

So without them, we don't have the data set for safe and sustainable harvest levels to be set. These surveys guide our quotas, protect the resource, and they give regulators the essential data and confidence to know whether or not they should open, or in some cases close a fishery.

So if those surveys are underfunded or not funded at all or delayed and they are operating—it causes a tremendous amount of uncertainty for the processors involved, for the fishermen involved, for the communities that rely on those species.

Continued investments and funding of those of those surveys is not just good science in my opinion, it is also required for economic stability, so you still have these fisheries in a sustainable manner for the future.

Senator CANTWELL. Well, again, I apologize to my colleagues and others if I am repeating something that has been said, but we worked in a bipartisan base to secure Coast Guard funding and infrastructure investment.

We made massive upgrades to the Coast Guard infrastructure in Kodiak—your hometown, I guess. And we authorized new heavy weather boats needed for search and rescue for the fishermen off our coast.

And I am concerned that the Coast Guard has temporary re-assigned ships and aircraft away from those core missions without a concrete plan. So for example, a C-130 based in Kodiak is now being used to fly “alien expulsion missions” on behalf of ICE.

We need them to do the search and rescue, and to deter illegal fishing in the Bering Sea. So, you highlighted in your written statement that we should fund Coast Guard to increase to combat illegal fishing. How important is this presence in Kodiak for crabbers?

Mr. PROUT. Thank you, Ranking Member Cantwell. It is tremendously important.

When you start losing necessary infrastructure and pieces of equipment that are dedicated for those search and rescue efforts, those—the IUU efforts to deter IUU, and they start being allocated to different areas and then—when they originally attended, it makes it extremely difficult for fishermen to make safe and sound decisions when you know there is going to be less assets available for one of the most primary functions, which is search and rescue and protection of the fleet.

So it is very critical that we maintain those pieces of infrastructure for the local fishing communities throughout Alaska and the U.S.

Senator CANTWELL. Thank you. Thank you, Mr. Chairman. If I could just, Mr. Saumweber, for the record. I asked—you talked about surveys, but I think you probably believe the fishing patrols are also important. The fishing patrols are also important—

Mr. SAUMWEBER. Yes, of course.

Senator CANTWELL.—to the management council.

Mr. SAUMWEBER. Absolutely, yes.

Senator CANTWELL. Thank you. Thank you, Mr. Chairman.

Senator SULLIVAN. Thank you, Senator Cantwell. And look on stock assessments, I am adamant that we need to do it. To be honest, the Biden Administration was a fail on it. We had to not focus nearly enough on stock assessments. You may recall, I had the Deputy Secretary of Commerce here for his confirmation hearing just a couple of weeks ago with the Trump Administration, and I kind of read them the riot act on stock assessments, so it is a bipartisan abuse—

Senator CANTWELL. I don’t remember that.

[Laughter.]

Senator SULLIVAN. Oh, I think you remember that. More importantly, he remembers it, right.

Senator CANTWELL. I am joking. I am joking.

Senator SULLIVAN. But so, I agree. And as I mentioned earlier, if we get to the budget reconciliation bill, would love your guys’ vote on it. Maybe that is not going to happen.

But one thing that will happen is a massive historic investment in the Coast Guard, which is going to be, probably as I mentioned in my opening statement, the biggest investment in the Coast Guard in U.S. history. \$22 billion—it has never been seen, anything like that.

And it is all going to go into cutters, and icebreakers, and helicopters, and fixed-wing aircraft, and shoreside infrastructure in Kodiak and Juneau and Seattle. So, there is going to be a lot.

Senator CANTWELL. I so appreciate your leadership on this issue, and your forthright education of people who didn't quite understand how critical stock assessments were to our fisheries and to being able to manage and police.

But I do hope that in these resource allocations, that we will make these points about the resources being shifted and how we—I mean this is why I believe in a NOAA Organic Act, because I am tired of people coming in every two years—

Senator SULLIVAN. I agree.

Senator CANTWELL.—and giving us a different statement. So, thank you, Mr. Chairman.

Senator SULLIVAN. So let me ask for the Committee, we have had a mention of one bill, and Mr. Prout mentioned it. It was actually a bill that I got into a committee markup of a bigger bill here. Was dealing with the cool labeling that you mentioned, Mr. Prout.

And then I also had in last year's NDAA a provision saying no Chinese fish in any of our military commissaries, PXs, you know, chow halls. I mean, you think the Chinese Communist Party, PLA, is serving Alaskan crab in their Chinese military mess halls? They are not, OK.

So that bill was unfortunately stripped out of the NDAA last year by the then Speaker of the House. I have no idea why he was kind of pro-China, but can I just get the Committee's view very quickly, because I want to turn to some other issues, on those two bills. Mr. Prout, I am assuming the COOL Act, cooked crab labeling legislation that I got in that was actually the CHIPS and Science bill a couple of years ago, you and others are still very supportive of it. You mentioned it in your opening testimony.

And then I had a provision in the NDAA last year that passed as very bipartisan in the markup of the Armed Services committee, no Chinese fish in any U.S. military, PX, commissary, chow hall.

I mean, come on, why on earth would we or the U.S. military buy IUU fish from China when it can buy great Alaskan crab. So can I get just your views on that? This will be important as I press to get this legislation passed again this year. Mr. Poling, you have a view on either of those?

Mr. POLING. Well, on the second—

Senator SULLIVAN. No Chinese communist fish in commissaries and on U.S. military bases?

Mr. POLING. I won't speak to whether the fish are communist, but I do—

[Laughter.]

Mr. POLING. I do think it sends an important signal of the U.S.'s commitment to only import sustainably caught and legally caught fish.

Senator SULLIVAN. Good. Mr. Rickard.

Mr. RICKARD. I think the country of origin labor laws have been massively important for domestic fisheries. And being able—for consumers to be able to make choices at retail with more information is always better.

Senator SULLIVAN. Great. Mr. Prout.

Mr. PROUT. Thank you, Senator Sullivan. Yes, country of origin labeling is extremely important, especially when it comes to not only frozen live crab products but frozen cooked crab products.

Senator SULLIVAN. By the way, can you—because I tried to explain this to all my colleagues here. It took a while. You can do it probably in much better time. Why is the cooked issue important as well?

Mr. PROUT. It is one of the methods used to circumvent that. There is just different labeling enforcement for cooked products versus raw products that come into the state.

And ensuring that we have a country of origin labeling that also applies to the cooked product of the crab would help immensely in getting that applied the right way and letting people know what is actually going on for that country of origin.

And then as far as the Chinese fish and the food served, we just want to—we want—you know, Alaskan freedom fish is what we want.

Senator SULLIVAN. We want freedom fish to our service members, not commie fish to our service members.

Mr. PROUT. Absolutely.

Senator SULLIVAN. Mr. Saumweber, you agree with those bills? Because I am going to re-attack them and hopefully get these over the goal line.

Mr. SAUMWEBER. Thank you. I absolutely believe that country of origin labeling is a great idea. And also absolutely believe that the U.S. Government should be using its purchasing power in whatever way it can to support sustainability and traceability in our supply chains.

Senator SULLIVAN. I mean, the idea that we are buying—that our military is buying Chinese fish to serving to Soldiers, and Marines, and Sailors is just dumb, right. And I have no idea why the Speaker of the House last year stripped my bill out of the NDAA, but we will re-attack that.

Mr. Prout, let me go back to you on the Russian fishing industry and unfair competition with regard to U.S. fishermen, particularly in the crab area. You know, there was—I have stated it publicly. I don't have it in front of me. But there was a senior Russian official who publicly declared, we know we are at war with American fishermen, right. Just said it, right.

And their government is giving them resources, subsidies for their fleet. How did the banning of the importation of Russian seafood into U.S. markets help our crabbers, but helped the U.S. industry, all of our fishing communities, whether in Texas or Delaware, in Alaska? Help—and did that help your ability then to sell to the biggest market in the world, which is our market?

And what more should we be doing both with regard to the unfair competition with China and Russian fleets? We have talked about their IUU practices, their slave labor practices. Another

thing that happens is their governments heavily subsidize their fleet. We don't do that—hardly at all here.

So what are the other things we can be doing, and how has the ban on Russian seafood into the U.S. market, including the Chinese communist loophole that we also shut down, helped your industry and other fishermen throughout the country?

Mr. PROUT. Yes. Thank you, Senator Sullivan. So the effect of IUU and the importation of it into our markets has been nothing short of devastating. When Russia had originally—when they flood the market with illegal underpriced crab, or any other seafood commodity for that matter, it puts downward pressure on our prices and destabilizes the processors. So processors within Alaska especially rely on numerous revenue sources of different seafood commodities from multiple—

Senator SULLIVAN. And that is particularly the case in Kodiak, right?

Mr. PROUT. Correct. Yes, absolutely. Hundreds of millions of pounds of different—of products coming across the dock, and they use that method to stay afloat, kind of diversifying their portfolio a little bit.

But if they take a major loss on crab or salmon, it really destabilizes their efforts and it threatens their whole operation. And additionally, fishermen then are potentially looking at a loss of a place to deliver because the processor is unable to compete with the importation of IUU products just due to the price difference that is associated with it.

Senator SULLIVAN. It is hard to compete against slave labor.

Mr. PROUT. It is. I mean, I will just go ahead and say I do work for my father, though, so they have a little bit associated with that.

[Laughter.]

Mr. PROUT. But also, the new—the program—

Senator SULLIVAN. We might have to strike that lie.

[Laughter.]

Senator SULLIVAN. If your dad is watching, we apologize.

Mr. PROUT. But as far as the impact of your efforts, it has had a tremendous impact of banning the importation of Russian crab. One of the most notable products in Alaska, of course, is the Alaskan Red King Crab.

And this past season, myself and family, and all the rest of the fishermen who participated in that experienced, record prices at the dock for their catch. And I can confidently say that I believe that wouldn't have taken effect had there still been a large importation of Russian product coming into the domestic market.

So, your efforts to stem the flow of the IUU has been very obvious to my family and many of the fishermen within Alaska.

Senator SULLIVAN. And in terms of Government policies that we can undertake to combat IUU fishing, the heavily subsidized fleet—the one thing I want to talk about briefly, and actually I will save it for the next round because I want to be respectful to my colleague here. Well, I will just mention it.

And I am going to really, really compliment some of these reporters. This is Ian Urbina who wrote this incredible *New Yorker* piece, "The Crimes Behind the Seafood You Eat," and it was all about Chinese IUUs. It is really detailed investigative reporting. I would

like to submit that for the record for this hearing. Without objection.

[The information referred to follows:]

The New Yorker

THE CRIMES BEHIND THE SEAFOOD YOU EAT

China has invested heavily in an armada of far-flung fishing vessels, in part to extend its global influence. This maritime expansion has come at grave human cost.

By Ian Urbina

October 9, 2023

DANIEL ARITONANG GRADUATED from high school in May, 2018, hoping to find a job.

Short and lithe, he lived in the coastal village of Batu Lungun, Indonesia, where his father owned an auto shop. Aritonang spent his free time rebuilding engines in the shop, occasionally sneaking away to drag-race his blue Yamaha motorcycle on the village's back roads. He had worked hard in school but was a bit of a class clown, always pranking the girls. "He was full of laughter and smiles," his high-school math teacher, Leni Apriyunita, said. His mother brought homemade bread to his teachers' houses, trying to help him get good grades and secure work; his father's shop was failing, and the family needed money. But, when Aritonang finished high school, youth unemployment was above sixteen per cent. He considered joining the police academy, and applied for positions at nearby plastics and textile factories, but never got an offer, disappointing his parents. He wrote on Instagram, "I know I failed, but I keep trying to make them happy." His childhood friend Hengki Anhar was also scrambling to find work. "They asked for my skills," he said recently, of potential employers. "But, to be honest, I don't have any."

At the time, many villagers who had taken jobs as deckhands on foreign fishing ships were returning with enough money to buy motorcycles and houses. Anhar suggested that he and Aritonang go to sea, too, and Aritonang agreed, saying, "As long as we're together." He intended to use the money to fix up his parents' house or maybe to start a business. Firmandes Nugraha, another friend, worried that Aritonang was not cut out for hard labor. "We took a running test, and he was too easily exhausted," he said. But Aritonang wouldn't be dissuaded. A year later, in July, he and Anhar travelled to the port City of Tegal, and applied for work through a manning agency called PT Bahtera Agung Samudra. (The agency seems not to have a license to operate, according to government records, and did not respond to requests for comment.) They handed over their passports, copies of their birth certificates, and bank documents. At eighteen, Aritonang was still young enough that the agency required him to provide a letter of parental consent. He posted a picture of himself and other recruits, writing, "Just a bunch of common folk who hope for a successful and bright future."

For the next two months, Aritonang and Anhar waited in Tegal for a ship assignment. Aritonang asked Nugraha to borrow money for them, saying that the pair were struggling to buy food.

Nugraha urged him to come home: "You don't even know how to swim." Aritonang refused.

"There's no other choice," he wrote, in a text. Finally, on September 2, 2019, Aritonang and Anhar were flown to Busan, South Korea, to board what they thought would be a Korean ship. But when they got to the port they were told to climb aboard a Chinese vessel—a rusty, white-and-red-keeled squid ship called the *Zhen Fa 7*.

Satellite data from Global Fishing Watch show about a thousand ships from China's distant-water fishing fleet on September 2, 2019.

That day, the ship set out across the Pacific.

Aritonang had just joined what may be the largest maritime operation the world has ever known.

In the past few decades, partly in an effort to project its influence abroad, China has dramatically expanded its distant-water fishing fleet. Chinese firms now own or operate terminals in ninety-five foreign ports. China estimates that it has twenty-seven hundred distant-water fishing ships, though this figure does not include vessels in contested waters; public records and satellite imaging suggest that the fleet may be closer to sixty-five hundred ships. (The U.S. and the E.U., by contrast, have fewer than three hundred distant-water fishing vessels each.) Some ships that ap-

pear to be fishing vessels press territorial claims in contested waters, including in the South China Sea and around Taiwan. “This may look like a fishing fleet, but, in certain places, it’s also serving military purposes,” Ian Ralby, who runs I.R. Consilium, a maritime-security firm, told me. China’s preëminence at sea has come at a cost. The country is largely unresponsive to international laws, and its fleet is the worst perpetrator of illegal fishing in the world, helping drive species to the brink of extinction. Its ships are also rife with labor trafficking, debt bondage, violence, criminal neglect, and death. “The human-rights abuses on these ships are happening on an industrial and global scale,” Steve Trent, the C.E.O. of the Environmental Justice Foundation, said.

It took a little more than three months for the Zhen Fa 7 to cross the ocean and anchor near the Galápagos Islands. A squid ship is a bustling, bright, messy place. The scene on deck looks like a mechanic’s garage where an oil change has gone terribly wrong. Scores of fishing lines extend into the water, each bearing specialized hooks operated by automated reels. When they pull a squid on board, it squirts warm, viscous ink, which coats the walls and floors. Deep-sea squid have high levels of ammonia, which they use for buoyancy, and a smell hangs in the air. The hardest labor generally happens at night, from 5 p.m. until 7 a.m. Hundreds of bowling-ball-size light bulbs hang on racks on both sides of the vessel, enticing the squid up from the depths. The blinding glow of the bulbs, visible more than a hundred miles away, makes the surrounding blackness feel otherworldly. “Our minds got tested,” Anhar said.

The captain’s quarters were on the uppermost deck; the Chinese officers slept on the level below him, and the Chinese deckhands under that. The Indonesian workers occupied the bowels of the ship. Aritonang and Anhar lived in cramped cabins with bunk beds. Clotheslines of drying socks and towels lined the walls, and beer bottles littered the floor. The Indonesians were paid about three thousand dollars a year, plus a twenty-dollar bonus for every ton of squid caught. Once a week, a list of each man’s catch was posted in the mess hall to encourage the crew to work harder.

Sometimes the officers patted the Indonesian deckhands on their heads, as though they were children. When angry, they insulted or struck them. The foreman slapped and punched workers for mistakes. “It’s like we don’t have any dignity,” Anhar said.

The ship was rarely near enough to land to get cell reception, and, in any case, most deckhands didn’t have phones that would work abroad. Chinese crew members were occasionally allowed to use a satellite phone on the ship’s bridge. But when Aritonang and other Indonesians asked to call home the captain refused. After a couple of weeks on board, a deckhand named Rahman Finando got up the nerve to ask whether he could go home. The captain said no. A few days later, another deckhand, Mangihut Mejawati, found a group of Chinese officers and deckhands beating Finando, to punish him for asking to leave. “They beat his whole body and stepped on him,” Mejawati said. The other deckhands yelled for them to stop, and several jumped into the fray. Eventually, the violence ended, but the deckhands remained trapped on the ship. Mejawati told me, “It’s like we’re in a cage.”

ALMOST A HUNDRED YEARS before Columbus, China dominated the seas. In the fifteenth century, China’s emperor dispatched a fleet of “treasure ships” that included warships, transports for cavalry horses, and merchant vessels carrying silk and porcelain to voyage around the Indian Ocean. They were some of the largest wooden ships ever built, with innovations like balanced rudders and bulwarked compartments that predated European technology by centuries. The armada’s size was not surpassed until the navies of the First World War. But during the Ming dynasty political instability led China to turn inward. By the mid-sixteenth century, sailing on a multi-masted ship had become a crime. In docking its fleet, China lost its global preëminence. As Louise Levathes, the author of “When China Ruled the Seas,” told me, “The period of China’s greatest outward expansion was followed by the period of its greatest isolation.”

For most of the twentieth century, distant-water fishing—much of which takes place on the high seas—was dominated by the Soviet Union, Japan, and Spain. But the collapse of the U.S.S.R., coupled with expanding environmental and labor regulations, caused these fleets to shrink. Since the sixties, though, there have been advances in refrigeration, satellite technology, engine efficiency, and radar. Vessels can now stay at sea for more than two years without returning to land. As a result, global seafood consumption has risen fivefold.

Squid fishing, or jigging, in particular, has grown with American appetites. Until the early seventies, Americans consumed squid in tiny amounts, mostly at niche restaurants on the coasts.

But as overfishing depleted fish stocks the Federal government encouraged fishermen to shift their focus to squid, whose stocks were still robust. In 1974, a business-

school student named Paul Kalikstein published a master's thesis asserting that Americans would prefer squid if it were breaded and fried. Promoters suggested calling it "calamari," the Italian word, which made it sound more like a gourmet dish. ("Squid" is thought to be a sailors' variant of "squirt," a reference to squid ink.) By the nineties, chain restaurants across the Midwest were serving squid. Today, Americans eat a hundred thousand tons a year.

China launched its first distant-water fishing fleet in 1985, when a state-owned company called the China National Fisheries Corporation dispatched thirteen trawlers to the coast of Guinea-Bissau. China had been fishing its own coastal waters aggressively. Since the sixties, its seafood biomass has dropped by ninety per cent. Zhang Yanxi, the general manager of the company, argued that joining "the ranks of the world's offshore fisheries powers" would make the country money, create jobs, feed its population, and safeguard its maritime rights. The government held a grand farewell ceremony for the launch of the first ships, with more than a thousand attendees, including Communist Party élites. A promotional video described the crew as "two hundred and twenty-three brave pioneers cutting through the waves."

Since then, China has invested heavily in its fleet. The country now catches more than five billion pounds of seafood a year through distant-water fishing, the biggest portion of it squid. China's seafood industry, which is estimated to be worth more than thirty-five billion dollars, accounts for a fifth of the international trade, and has helped create fifteen million jobs. The Chinese state owns much of the industry—including some twenty per cent of its squid ships—and oversees the rest through the Overseas Fisheries Association. Today, the Nation consumes more than a third of the world's fish.

China's fleet has also expanded the government's international influence. The country has built scores of ports as part of its Belt and Road Initiative, a global infrastructure program that has, at times, made it the largest financier of development in South America, sub-Saharan Africa, and South Asia. These ports allow it to shirk taxes and avoid meddling inspectors. The investments also buy its government influence. In 2007, China loaned Sri Lanka more than three hundred million dollars to pay for the construction of a port. (A Chinese state-owned company built it.) In 2017, Sri Lanka, on the verge of defaulting on the loan, was forced to strike a deal granting China control over the port and its environs for ninety-nine years.

Military analysts believe that China uses its fleet for surveillance. In 2017, the country passed a law requiring private citizens and businesses to support Chinese intelligence efforts. Ports employ a digital logistics platform called logink, which tracks the movement of ships and goods in the surrounding area—including, possibly, American military cargo. Michael Wessel, a member of the U.S.-China Economic and Security Review Commission, told me, "This is really dangerous information for the U.S. to be handing over." (The Chinese Communist Party has dismissed these concerns, saying, "It is no secret that the U.S. has become increasingly paranoid about anything related to China.")

China also pushes its fleet into contested waters. "China likely believes that, in time, the presence of its distant-water fleet will convert into some degree of sovereign control over those waters," Ralby, the maritime-security specialist, told me. Some of its ships are disguised as fishing vessels but actually form what experts call a "maritime militia." According to research collected by the Center for Strategic and International Studies, the Chinese government pays the owners of some of these ships forty-five hundred dollars a day to remain in contested areas for most of the year.

Satellite data show that, last year, several dozen ships illegally fished in Taiwanese waters and that there were two hundred ships in disputed portions of the South China Sea. The ships help execute what a recent Congressional Research Service study called "gray zone" operations that use coercion short of war. They escort Chinese oil-and-gas survey vessels, deliver supplies, and obstruct foreign ships.

Sometimes these vessels are called into action. In December, 2018, the Filipino government began to repair a runway and build a beaching ramp on Thitu Island, a piece of land claimed by both the Philippines and China. More than ninety Chinese ships amassed along its coast, delaying the construction. In 2019, a Chinese vessel rammed and sank a Filipino boat anchored at Reed Bank, a disputed region in the South China Sea that is rich in oil reserves. Zhou Bo, a retired Chinese senior colonel, recently warned that these sorts of clashes could spark a war between the U.S. and China. (The Chinese government declined to comment on these matters. But Mao Ning, a spokesperson for its Ministry of Foreign Affairs, has previously defended her country's right to uphold "China's territorial sovereignty and maritime order.") Greg Poling, a senior fellow at C.S.I.S., noted that taking ownership of contested waters is part of the same project as assuming control of Taiwan.

“The goal with these fishing ships is to reclaim ‘lost territory’ and restore China’s former glory,” he said.

CHINA’S DISTANT-WATER FLEET is opaque. The country divulges little information about its vessels, and some stay at sea for more than a year at a time, making them difficult to inspect. I spent the past four years, backed by a team of investigators working for a journalism nonprofit I run called the Outlaw Ocean Project, visiting the fleet’s ships in their largest fishing grounds: near the Galápagos Islands; near the Falkland Islands; off the coast of the Gambia; and in the Sea of Japan, near the Korean Peninsula. When permitted, I boarded vessels to talk to the crew or pulled alongside them to interview officers by radio. In many instances, the Chinese ships got spooked, pulled up their gear, and fled. When this happened, I trailed them in a skiff to get close enough to throw aboard plastic bottles weighed down with rice, containing a pen, cigarettes, hard candy, and interview questions. On several occasions, deckhands wrote replies, providing phone numbers for family back home, and then threw the bottles back into the water. The reporting included interviews with their family members, and with two dozen additional crew members.

China bolsters its fleet with more than seven billion dollars a year in subsidies, as well as with logistical, security, and intelligence support. For instance, it sends vessels updates on the size and location of the world’s major squid colonies, allowing the ships to coordinate their fishing. In 2022, I watched about two hundred and sixty ships jigging a patch of sea west of the Galápagos. The armada suddenly raised anchor and, in near simultaneity, moved a hundred miles to the southeast. Ted Schmitt, the director of Skylight, a maritime-monitoring program, told me that this is unusual: “Fishing vessels from most other countries wouldn’t work together on this scale.” In July of that year, I pulled alongside the Zhe Pu Yuan 98, a squid ship that doubles as a floating hospital to treat deckhands without bringing them to shore. “When workers are sick, they will come to our ship,” the captain told me, by radio. The boat typically carried a doctor and maintained an operating room, a machine for running blood tests, and videoconferencing capabilities for consulting with doctors back in China. Its predecessor had treated more than three hundred people in the previous five years.

In February, 2022, I went with the conservation group Sea Shepherd and a documentary filmmaker named Ed Ou, who also translated on the trip, to the high seas near the Falkland Islands, and boarded a Chinese squid jigger there. The captain gave permission for me and a couple of my team members to roam freely as long as I didn’t name his vessel. He remained on the bridge but had an officer shadow me wherever I went. The mood on the ship felt like that of a watery purgatory. The crew was made up of thirty-one men; their teeth were yellowed from chain-smoking, their skin sallow, their hands torn and spongy from sharp gear and perpetual wetness. The scene recalled an observation of the Scythian philosopher Anacharsis, who divided people into three categories: the living, the dead, and those at sea.

When squid latched on to a line, an automated reel flipped them onto a metal rack. Deckhands then tossed them into plastic baskets for sorting. The baskets often overflowed, and the floor filled shin-deep with squid. The squid became translucent in their final moments, sometimes hissing or coughing. (Their stink and stain are virtually impossible to wash from clothes. Sometimes crew members tie their dirty garments into a rope, up to twenty feet long, and drag it for hours in the water behind the ship.) Below deck, crew members weighed, sorted, and packed the squid for freezing. They prepared bait by carving squid up, separating the tongues from inside the beaks. In the galley, the cook noted that his ship had no fresh fruits or vegetables and asked whether we might be able to donate some from our ship.

We spoke to two Chinese deckhands who were wearing bright-orange life vests. Neither wanted his name used, for fear of retaliation. One man was twenty-eight, the other eighteen. It was their first time at sea, and they had signed two-year contracts. They earned about ten thousand dollars a year, but, for every day taken off work because of sickness or injury, they were docked two days’ pay. The older deckhand recounted watching a fishing weight injure another crew member’s arm.

At one point, the officer following us was called away. The older deckhand then said that many of the crew were being held there against their will. “It’s like being isolated from the world and far from modern life,” he said. “Many of us had our documents taken. They won’t give them back.

Can we ask you to help us?” He added, “It’s impossible to be happy, because we work many hours every day. We don’t want to be here, but we are forced to stay.” He estimated that eighty per cent of the other men would leave if they were allowed.

Looking nervous, the younger deckhand waved us into a dark hallway. He began typing on his cell phone. “I can’t disclose too much right now given I still need to

work on the vessel, if I give too much information it might potentially create issues on board,” he wrote. He gave me a phone number for his family and asked me to contact them. “Can you get us to the embassy in Argentina?” he asked. Just then, my minder rounded the corner, and the deckhand walked away. Minutes later, my team members and I were ushered off the ship.

When I returned to shore, I contacted his family. “My heart really aches,” his older sister, a math teacher in Fujian, said, after hearing of her brother’s situation. Her family had disagreed with his decision to go to sea, but he was persistent. She hadn’t known that he was being held captive, and felt helpless to free him. “He’s really too young,” she said. “And now there is nothing we can do, because he’s so far away.”

IN JUNE, 2020, the Zhen Fa 7 travelled to a pocket of ocean between the Galápagos and mainland Ecuador. The ship was owned by Rongcheng Wangdao Deep-Sea Aquatic Products, a midsize company based in Shandong. On board, Aritonang had slowly got used to his new life. The captain found out that he had mechanical experience and moved him to the engine room, where the work was slightly less taxing. For meals, the cook prepared pots of rice mixed with bits of fish. The Indonesians were each issued two boxes of instant noodles a week. If they wanted any other food—or coffee, alcohol, or cigarettes—the cost could be deducted from their salaries. Crew photos show deckhands posing with their catch and gathering for beers to celebrate.

One of Aritonang’s friends on board was named Heri Kusmanto. “When we boarded the ship in the first weeks, Heri was a lively person,” Mejawati said. “He chatted, sang, and joked with all of us.” Kusmanto’s job was to carry hundred-pound baskets of squid down to the refrigerated hold.

He sometimes made mistakes, and that earned him beatings. “He did not dare fight back,” a deckhand named Fikran told me. “He would just stay quiet and stand still.” The ship’s cook often struck Kusmanto, so he avoided him by eating plain white rice in the kitchen when the cook wasn’t around. Kusmanto soon got sick. He lost his appetite and stopped speaking, communicating mostly through gestures. “He was like a toddler,” Mejawati said. Then Kusmanto’s legs and feet swelled and started to ache.

Kusmanto seemed to be suffering from beriberi, a disease caused by a deficiency of Vitamin B₁, or thiamine. Its name derives from a Sinhalese word, *beri*, meaning “weak” or “I cannot.” It is often caused by a diet consisting mainly of white rice, instant noodles, or wheat flour. Symptoms include tingling, burning, numbness, difficulty breathing, lethargy, chest pain, dizziness, confusion, and severe swelling. Like scurvy, beriberi was common among nineteenth-century sailors. It also has a history in prisons, asylums, and migrant camps. If untreated, it can be fatal.

Beriberi is becoming prevalent on Chinese vessels in part because ships stay so long at sea, a trend facilitated by transshipment, which allows vessels to offload their catch to refrigerated carriers without returning to shore. Chinese ships typically stock rice and instant noodles for extended trips, because they are cheap and slow to spoil. But the body requires more B₁ when carbohydrates are consumed in large amounts and during periods of intense exertion. Ship cooks also mix rice or noodles with raw or fermented fish, and supplement meals with coffee and tea, all of which are high in thiaminase, which destroys B₁, exacerbating the issue.

Beriberi is often an indication of conditions of captivity, because it is avoidable and easily reversed.

Some countries (though not China) mandate that rice and flour be supplemented with B₁. The illness can also be treated with vitamins, and when B₁ is administered intravenously patients typically recover within twenty-four hours. But few Chinese ships seem to carry B₁ supplements.

In many cases, captains refuse to bring sick crew members to shore, likely because the process would entail losing time and incurring labor costs. Swells can make it dangerous for large ships to get close to each other in order to transfer crew members. One video I reviewed shows a man being put inside a fishing net and sent hundreds of feet along a zip line, several stories above the open ocean, to get on another ship. My team and I found two dozen cases of workers on Chinese vessels between 2013 and 2021 who suffered from symptoms associated with beriberi; at least fifteen died.

Victor Weedn, a forensic pathologist in Washington, D.C., told me that allowing workers to die from beriberi would, in the U.S., constitute criminal neglect. “Slow-motion murder is still murder,” he said.

The contract typically used by Kusmanto’s manning agency stipulated heavy financial penalties for workers and their families if they quit prematurely. It also allowed the company to take workers’ identity papers, including their passports, during the recruitment process, and to keep the documents if they failed to pay a fine

for leaving early—provisions that violate laws in the U.S. and Indonesia. Still, as Kusmanto's condition worsened, his Indonesian crewmates asked whether he could go home. The captain refused. (Rongcheng Wangdao denied wrongdoing. The captains of Chinese ships in this piece could not be identified for comment. A spokesman for the manning agency blamed Kusmanto for his illness, writing, "When on the ship, he didn't want to take a shower, he didn't want to eat, and he only ate instant noodles.")

The ship may have been fishing illegally at the time, possibly complicating Kusmanto's situation.

During this period, according to an unpublished intelligence report compiled by the U.S. government, the Zhen Fa 7 turned off its location transponder several times, in violation of Chinese law. This generally occurred when the ship was close to Ecuadorian and Peruvian waters; captains often go dark to fish in other countries' waters, like those of Ecuador, where Chinese ships are typically forbidden.

On June 21st, the ship disappeared for eight days, between Peruvian and Ecuadorian waters.

On July 28th, it disappeared for fifteen days, near the Galápagos.

On August 14th, it disappeared again, near Ecuadorian waters.

"Short of catching them in the act, this is as close as you can get to firm evidence," Michael J. Fitzpatrick, the U.S. Ambassador to Ecuador, told me. (Rongcheng Wangdao's vessels have been known to fish in unauthorized areas; one of the Zhen Fa 7's sister ships was fined for unlawfully entering Peruvian waters in 2017, and another was found illicitly fishing off the coast of North Korea. The company declined to comment on this matter.) Transferring Kusmanto to another vessel would have required disclosing the Zhen Fa 7's location, which might have been incriminating.

By early August, Kusmanto had become disoriented. Other deckhands demanded that he be given medical attention. Eventually, the captain relented, and transferred him to another ship, which carried him to port in Lima. He was taken to a hospital, where he recovered; afterward, he was flown home. (Kusmanto could not be reached for comment.) Meanwhile, the rest of the crew, which had by then been at sea for a year, felt a growing sense of isolation. "They had initially told us that we would be sailing for eight months, and then they would land the ship," Anhar said. "The fact was we never landed anywhere."

CHINA DOES MORE illegal fishing than any other country, according to the Global Initiative Against Transnational Organized Crime. Operating on the high seas is expensive, and there is virtually no law-enforcement presence—which encourages fishing in forbidden regions and using prohibited techniques to gain a competitive advantage. Aggressive fishing comes at an environmental cost. A third of the world's stocks are overfished. Squid stocks, once robust, have declined dramatically. More than thirty countries, including China, have banned shark finning, but the practice persists. Chinese ships often catch hammerhead, oceanic whitetip, and blue sharks so that their fins can be used in shark-fin soup. In 2017, Ecuadorian authorities discovered at least six thousand illegally caught sharks on board a single reefer. Other marine species are being decimated, too. Vessels fishing for totoaba, a large fish whose swim bladder is highly prized in Chinese medicine, use nets that inadvertently entangle and drown vaquita porpoises, which live only in Mexico's Sea of Cortez. Researchers estimate that, as a result, there are now only some ten vaquitas left in existence. China has the world's largest fleet of bottom trawlers, which drag nets across the seafloor, levelling coral reefs. Marine sediment stores large amounts of carbon, and, according to a recent study in *Nature*, bottom trawlers release almost a billion and a half tons of carbon dioxide each year—as much as that released by the entire aviation industry. China's illicit fishing practices also rob poorer countries of their own resources. Off the coast of West Africa, where China maintains a fleet of hundreds of ships, illegal fishing has been estimated to cost the region more than nine billion dollars a year.

The world's largest concentration of illegal fishing ships may be a fleet of Chinese squidders in North Korean waters. In 2017, in response to North Korea's nuclear- and ballistic-missile tests, the United Nations Security Council, with apparent backing from China, imposed sanctions intended to deprive Kim Jong Un's government of foreign currency, in part by blocking it from selling fishing rights, a major source of income. But, according to the U.N., Pyongyang has continued to earn foreign currency—a hundred and twenty million dollars in 2018 alone—by granting illicit rights, predominantly to Chinese fishermen. An advertisement on the Chinese Website Zhihu offers permits issued by the North Korean military for "no risk high yield" fishing with no catch limits: "Looking forward to a win-win cooperation." China seems unable or unwilling to enforce sanctions on its ally.

Chinese boats have contributed to a decline in the region's squid stock; catches are down by roughly seventy per cent since 2003. Local fishermen have been unable to compete. "We will be ruined," Haesoo Kim, the leader of an association of South Korean fishermen on Ulleung Island, which I visited in May, 2019, said. North Korean fishing captains have been forced to head farther from shore, where their ships get caught in storms or succumb to engine failure, and crew members face starvation, freezing temperatures, and drowning. Roughly a hundred small North Korean fishing boats wash up on Japanese shores annually, some of them carrying the corpses of fishermen. Chinese boats in these waters are also known for ramming patrol vessels. In 2016, Chinese fishermen rammed and sank a South Korean cutter in the Yellow Sea. In another incident, the South Korean Coast Guard opened fire on more than two dozen Chinese ships that rushed at its vessels.

In 2019, I went with a South Korean squid ship to the sea border between North Korea and South Korea. It didn't take us long to find a convoy of Chinese squidders headed into North Korean waters. We fell in alongside them and launched a drone to capture their identification numbers.

One of the Chinese captains blared his horn and flashed his lights—warning signs in maritime protocol. Since we were in South Korean waters and at a legal distance, our captain stayed his course. The Chinese captain then abruptly cut toward us, on a collision trajectory. Our captain veered away when the Chinese vessel was only thirty feet off.

The Chinese Ministry of Foreign Affairs told me that "China has consistently and conscientiously enforced the resolutions of the Security Council relating to North Korea," and added that the country has "consistently punished" illegal fishing. But the Ministry neither admitted nor denied that China sends boats into North Korean waters. In 2020, the nonprofit Global Fishing Watch used satellite data to reveal that hundreds of Chinese squid ships were routinely fishing in North Korean waters. By 2022, China had cut down this illegal armada by seventy-five per cent from its peak. Still, in unregulated waters, the hours worked by the fleet have increased, and the size of its catch has only grown.

SHORTLY AFTER New Year's Day, 2021, the Zhen Fa 7 rounded the tip of South America and stopped briefly in Chilean waters, close enough to shore to get cell-phone reception. Aritonang went to the bridge and, through pantomime and broken English, asked one of the officers whether he could borrow his phone. The officer indicated that it would cost him, rubbing his forefinger and thumb together. Aritonang ran below deck, sold some of his cigarettes and snacks to other deckhands, borrowed whatever money he could, and came back with the equivalent of about thirteen dollars, which bought him five minutes. He dialed his parents' house, and his mother answered, excited to hear his voice. He told her that he would be home by May and asked to speak to his father. "He's resting," she told him. In fact, he had died of a heart attack several days earlier, but Aritonang's mother didn't want to upset her son while he was at sea. She later told their pastor that she was looking forward to Aritonang's return. "He wants to build a house for us," she said.

Soon afterward, the ship dropped anchor in the Blue Hole, an area near the Falkland Islands, where ongoing territorial disputes between the U.K. and Argentina provide a gap in maritime enforcement that ships can exploit. Aritonang grew homesick, staying in his room and eating mostly instant noodles. "He seemed to become sad and tired," Fikran said. That January, Aritonang fell ill with beriberi. The whites of his eyes turned yellow, and his legs became swollen. "Daniel was in pretty bad shape," Anhar told me. The captain refused to get him medical attention. "There was still a lot of squid," Anhar said. "We were in the middle of an operation." In February, the crew unloaded their catch onto a reefer that carried it to Mauritius. But, for reasons that remain unclear, the captain refused to send Aritonang to shore as well.

Eventually, Aritonang could no longer walk. The Indonesian crew went to the bridge again and confronted the captain, threatening to strike if he didn't get Aritonang medical help. "We were all against the captain," Anhar said. Finally, the captain acquiesced, and, on March 2nd, transferred Aritonang to a fuel tanker, the Marlin, which agreed to carry him to Montevideo, Uruguay. The Marlin's crew brought him to a service area off the coast, where a skiff picked him up and took him to the port. A maritime agency representing Rongcheng Wangdao in Uruguay called a local hospital, and ambulance workers took him there.

Jesica Reyes, who is thirty-six, is one of the few interpreters of Indonesian in Montevideo. She taught herself the language while working at an Internet café that was popular among Indonesian crews; they called her Mbak, meaning "Miss" or "big sister." From 2013 to 2021, fishing ships, most of them Chinese, disembarked a dead body in Montevideo roughly every month and a half.

Over a recent dinner, Reyes told me about hundreds of deckhands in need whom she had assisted.

She described one deckhand who died from a tooth infection because his captain wouldn't bring him to shore. She told me of another ailing deckhand whose agency neglected to take him to a hospital, keeping him in a hotel room while his condition deteriorated; he eventually died.

On March, 7, 2021, Reyes was asked by the maritime agency to go to the emergency room to help doctors communicate with Aritonang; she was told that he had a stomach ache. When he arrived at the hospital, however, his whole body was swollen, and she could see bruises around his eyes and neck. He whispered to her that he had been tied by the neck. (Other deckhands later told me that they hadn't seen this happen, and were unsure when he sustained the injuries.) Reyes called the maritime agency and said, "If this is a stomach ache. . . You're not looking at this young man.

He is all messed up!" She took photographs of his condition, before doctors asked her to stop, because she was alarmed.

In the emergency room, physicians administered intravenous fluids. Aritonang, crying and shaking, asked Reyes, "Where are my friends?" He whispered, "I'm scared." Aritonang was pronounced dead the following morning. "I was angry," Reyes told me. The deckhands I reached were furious. Mejawati said, "We really hope that, if it's possible, the captain and all the supervisors can be captured, charged, or jailed." Anhar, Aritonang's best friend, found out about his death only after disembarking from the Zhen Fa 7 in Singapore, that May. "We were devastated," he said, of the crew members. When we reached him, he was still carrying a suitcase full of Aritonang's clothes that he'd promised to take home for him.

FISHING IS ONE of the world's deadliest jobs—a recent study estimates that more than a hundred thousand workers die every year—and Chinese ships are among the most brutal.

Recruiters often target desperate men in inland China and in poor countries. "If you are in debt, your family has shunned you, you don't want to be looked down on, turn off your phone and stay far away from land," an online advertisement in China reads. Some recruits are lured with promises of lucrative contracts, according to court documents and investigations by Chinese news outlets, only to discover that they incur a series of fees—sometimes amounting to more than a month's wages—to cover expenses such as travel, job training, crew certifications, and protective workwear. Often, workers pay these fees by taking out loans from the manning agencies, creating a form of debt bondage. Companies confiscate passports and extract fines for leaving jobs, further trapping workers. And even those who are willing to risk penalties are sometimes in essence held captive on ships.

For a 2022 report, the Environmental Justice Foundation interviewed more than a hundred Indonesian crew members and found that roughly ninety-seven per cent had their documents confiscated or experienced debt bondage. Occasionally, workers in these conditions manage to alert authorities. In 2014, twenty-eight African workers disembarked from a Chinese squidder called the Jia De 1, which was anchored in Montevideo, and several complained of beatings on board and showed shackle marks on their ankles. Fifteen crew members were hospitalized. (The company that owned the ship did not respond to requests for comment.) In 2020, several Indonesian deckhands reportedly complained about severe beatings at sea and the presence of a man's body in one of the ship's freezers. An autopsy revealed that the man had sustained bruises, scarring, and a spinal injury. Indonesian authorities sentenced several manning-agency executives to more than a year in prison for labor trafficking. (The company did not respond to requests for comment.)

In China, these labor abuses are an open secret. A diary kept by one Chinese deckhand offers an unusually detailed glimpse into this world. In May, 2013, the deckhand paid a two-hundred-dollar recruitment fee to a manning agency, which dispatched him to a ship called the Jin Han Yu 4879.

The crew were told that their first ten days or so on board would be a trial period, after which they could leave, but the ship stayed at sea for a hundred and two days. "You are slaves to work anytime and anywhere," the deckhand wrote in his diary. Officers were served meat at mealtimes, he said, but deckhands got only bones. "The bell rings, you must be up, whether it is day, night, early morning, no matter how strong the wind, how heavy the rain, there are no Sundays and holidays." (The company that owns the ship did not respond to requests for comment.)

The broader public in China was forced to reckon with the conditions on ships when the crew of a squid jigger called the Lu Rong Yu 2682 mutinied, in 2011. The captain, Li Chengquan, was a "big, tall, and bad-tempered man" who, according to a deckhand, gave a black eye to a worker who angered him. Rumors began circulating that the seven-thousand-dollar annual salary that they had been promised

was not guaranteed. Instead, they would earn about four cents per pound of squid caught—which would amount to far less. Nine crew members took the captain hostage. In the next five weeks, the ship’s crew devolved into warring factions. Men disappeared at night, a crew member was tied up and tossed overboard, and someone sabotaged a valve on the ship, which started letting water in. The crew eventually managed to restore the ship’s communications system and transmit a distress signal, drawing two Chinese fishing vessels to their aid. Only eleven of the original thirty-three men made it back to shore. The lead mutineer and the ship’s captain were sentenced to death by the Chinese government. (The company that owns the ship did not respond to requests for comment.)

Labor trafficking has also been documented on American, South Korean, and Thai boats. But China’s fleet is arguably the worst offender, and it has done little to curb violations. Between 2018 and 2022, my team found, China gave more than seventeen million dollars in subsidies to companies where at least fifty ships seem to have engaged in fishing crimes or had deaths or injuries on board—some of which were likely the result of unsafe labor conditions. (The government declined to comment on this matter, but Wang Wenbin, a spokesperson for the Ministry of Foreign Affairs, recently said that the fleet operates “in accordance with laws and regulations,” and accused the U.S. of politicizing “issues that are about fisheries in the name of environmental protection and human rights.”)

In the past few years, China has made a number of reforms, but they seem aimed more at quelling dissent than at holding companies accountable. In 2017, after a Filipino worker died in a knife fight with some of his Chinese crewmates, the Chinese government created a Communist Party branch in Chimbote, Peru—the first for fishing workers—intended to bolster their “spiritual sustenance.” Local police in some Chinese cities have begun using satellite video links to connect to the bridges of some Chinese vessels. In 2020, when Chinese crew members on a ship near Peru went on strike, the company contacted the local police, who explained to the workers that they could come ashore in Peru and fly back to China, but they would have to pay for the plane tickets.

“Wouldn’t it feel like losing out if you resigned now?” a police officer asked. The men returned to work.

AS I REPORTED on these ships, stories of violence and captivity surfaced even when I wasn’t looking for them. This year, I received a video from 2020 in which two Filipino crew members said that they were ill but were being prevented from leaving their ship. “Please rescue us,” one pleaded. “We are already sick here. The captain won’t send us to the hospital.” Three deckhands died that summer; at least one of their bodies was thrown overboard. (The manning agency that placed these workers on the ship, PT Puncak Jaya Samudra, did not respond to requests for comment. Nor did the company that owns the ship.) On a trip to Jakarta, Indonesia, in 2020, I met a half-dozen young men who told me that, in 2019, a young deckhand named Fadhil died on their ship because the officers had refused to bring him to shore. “He was begging to return home, but he was not allowed,” Ramadhan Sugandhi, a deckhand, said. (The ship-owning company did not respond to requests for comment, nor did his manning agency, PT Shafar Abadi Indonesia.) This past June, a bottle washed ashore near Maldonado, Uruguay, containing what appeared to be a message from a distressed Chinese deckhand. “Hello, I am a crew member of the ship Lu Qing Yuan Yu 765, and I was locked up by the company,” it read. “When you see this paper, please help me call the police! S.O.S. S.O.S.” (The owner of the ship, Qingdao Songhai Fishery, said that the claims were fabricated by crew members.)

Reyes, the Indonesian translator, put me in touch with Rafly Maulana Sadad, an Indonesian who, while working on the Lu Rong Yuan Yu 978 two years ago, fell down a flight of stairs and broke his back. He immediately went back to work pulling nets, then fainted, and woke up in bed. The captain refused to take him to shore, and he spent the next five months on the ship, his condition worsening. Sadad’s friends helped him eat and bathe, but he was disoriented and often lay in a pool of his own urine. “I was having difficulty speaking,” Sadad told me last year. “I felt like I’d had a stroke or something. I couldn’t really understand anything.” In August, 2021, the captain dropped Sadad off in Montevideo, and he spent nine days in the hospital, before being flown home. (Requests for comment from Rongcheng Rongyuan, which owns the ship Sadad worked on, and PT Abadi Mandiri International, his manning agency, went unanswered.) Sadad spoke to me from Indonesia, where he could walk only with crutches. “It was a very bitter life experience,” he said.

Like the boats that supply them, Chinese processing plants rely on forced labor. For the past thirty years, the North Korean government has required citizens to work in factories in Russia and China, and to put ninety per cent of their earn-

ings—amounting to hundreds of millions of dollars—into accounts controlled by the state. Laborers are often subjected to heavy monitoring and strictly limited in their movements. U.N. sanctions ban such uses of North Korean workers, but, according to Chinese government estimates, last year as many as eighty thousand North Korean workers were living in one city in northeastern China alone. According to a report by the Committee for Human Rights in North Korea, at least four hundred and fifty of them were working in seafood plants. The Chinese government has largely scrubbed references to these workers from the Internet. But, using the search term “North Korean beauties,” my team and I found several videos on Douyin, the Chinese version of TikTok, that appear to show female seafood-plant workers, most posted by gawking male employees. One Chinese commenter observed that the women “have a strong sense of national identity and are self-disciplined!” Another argued, however, that the workers have no choice but to obey orders, or “their family members will suffer.”

In the past decade, China has also overseen a crackdown on Uyghurs and other ethnic minorities in Xinjiang, a region in northwestern China, setting up mass detention centers and forcing detainees to work in cotton fields, on tomato farms, and in polysilicon factories. More recently, in an effort to disrupt Uyghur communities and find cheap labor for major industries, the government has relocated millions of Uyghurs to work for companies across the country. Workers are often supervised by security guards, in dorms surrounded by barbed wire. By searching company newsletters, annual reports, and state-media stories, my team and I found that, in the past five years, thousands of Uyghurs and other Muslim minorities have been sent to work in seafood-processing plants. Some are subjected to “patriotic education”; in a 2021 article, local Party officials said that members of minority groups working at one seafood plant were a “typical big family” and were learning to deepen their “education of ethnic unity.” Laura Murphy, a professor at Sheffield Hallam University, in the U.K., told me, “This is all part of the project to erase Uyghur culture, identities, religion, and, most certainly, their politics. The goal is the complete transformation of the entire community.” (Chinese officials did not respond to multiple requests for comment on Uyghur and North Korean forced labor in the Nation’s seafood-processing industry.)

The U.S. has strict laws forbidding the importation of goods produced with North Korean or Uyghur labor. The use of such workers in other industries—for example, in solar-panel manufacturing—has been documented in recent years, and the U.S. has confiscated a billion dollars’ worth of imported products as a result. We found, however, that companies employing Uyghurs and North Koreans have recently exported at least forty-seven thousand tons of seafood, including some seventeen per cent of all squid sent to the U.S. Shipments went to dozens of American importers, including ones that supply military bases and public-school cafeterias. “These revelations pose a very serious problem for the entire seafood industry,” Martina Vandenberg, the founder and president of the Human Trafficking Legal Center, told me.

China does not welcome reporting on this industry. In 2022, I spent two weeks on board the *Modoc*, a former U.S. Navy boat that the nonprofit Earthrace Conservation uses as a patrol vessel, visiting Chinese squid ships off the coast of South America. As we were sailing back to a Galápagos port, an Ecuadorian Navy ship approached us, and an officer said that our permit to reënter Ecuadorian waters had been revoked. “If you do not turn around now, we will board and arrest you,” he said.

He told us to sail to another country. We didn’t have enough food and water for the journey. After two days of negotiations, we were briefly allowed into the port, where armed Ecuadorian officers boarded; they claimed that the ship’s permits had been filed improperly and that our ship had deviated slightly in its approved course while exiting national waters. Such violations typically result in nothing more than a written citation. But, according to Ambassador Fitzpatrick, the explanation was a bit more complicated. He said that the Chinese government had contacted several Ecuadorian lawmakers to raise concerns about the presence of what they depicted as a quasi-military vessel engaging in covert operations. When I spoke with Juan Carlos Holguín, the Ecuadorian Foreign Minister at the time, he denied that China was involved. But Fitzpatrick told me that Quito treads carefully when it comes to China, in part because Ecuador is deeply in debt to the country. “China did not like the *Modoc*,” he said. “But mostly it did not want more media coverage on its squid fleet.”

THE DAY OF ARITONANG’S DEATH, Reyes filed a report with the Uruguayan Coast Guard, and showed officers her photographs. “They seemed pretty uninterested,” she said. The following day, a local coroner conducted an autopsy. “A situation of physical abuse emerged,” the report reads. I sent it to Weedn, the forensic pathologist, who told me that the body showed signs of violence and that untreated

beriberi seems to have been the cause of death. Nicolas Potrie, who runs the Indonesian consulate in Montevideo, remembered getting a call from Mirta Morales, the prosecutor who investigated Aritonang's case. "We need to continue trying to figure out what happened. These marks—everybody saw them," Potrie recalled her saying. (A representative for Rongcheng Wangdao said that the company had found no evidence of misconduct on the ship: "There was nothing regarding your alleged appalling incidents about abuse, violation, insults to one's character, physical violence or withheld salaries." The company said that it had handed the matter over to the China Overseas Fisheries Association. Questions submitted to the association went unanswered.)

Potrie pressed for further inquiry, but none seemed forthcoming. Morales declined to share any information about the case with me. In March of 2022, I visited Aldo Braidá, the president of the Chamber of Foreign Fishing Agents, which represents companies working with foreign vessels in Uruguay, at his office in Montevideo. He dismissed the accounts of mistreatment on Chinese ships that dock in the port as "fake news," claiming, "There are a lot of lies around this." He told me that, if crew members whose bodies were disembarked in Montevideo had suffered physical abuse, Uruguayan authorities would discover it, and that, when you put men in close quarters, fights were likely to break out. "We live in a violent society," he said.

Uruguay has little incentive to scrutinize China further, because the country brings lucrative business to the region. In 2018, for example, a Chinese company that had bought a nearly seventy-acre plot of land west of Montevideo presented a plan to build a more than two-hundred-million-dollar "megaport." Local media reported that the port would be a free-trade zone and include half-mile-long docks, a shipyard, a fuelling station, and seafood storage and processing facilities. The Uruguayan government had been pursuing such Chinese investment for years. The President at the time, Tabaré Vázquez, attempted to sidestep the constitution, which requires a two-thirds vote by both chambers of the General Assembly, and authorize construction of the port by executive order.

"There's so much money on the table that politicians start bending the law to grab at it," Milko Schvartzman, a marine researcher based in Argentina, told me. But, following resistance from the public and from opposition parties, the plan was called off.

The seafood industry is difficult to police. A large portion of fish consumed in the U.S. is caught or processed by Chinese companies. Several laws exist to prevent the U.S. from importing products tainted by forced labor, including that which is involved in the production of conflict diamonds and sweatshop goods. But China is not forthcoming with details about its ships and processing plants. At one point, on a Chinese ship, a deckhand showed me stacks of frozen catch in white bags. He explained that they leave the ship names off the bags so that they can be easily transferred between vessels. This practice allows seafood companies to hide their ties to ships with criminal histories. On the bridge of another ship, a Chinese captain opened his logbook, which is supposed to document his catch. The first two pages had notations; the rest were blank. "No one keeps those," he said. Company officials could reverse engineer the information later. Kenneth Kennedy, a former manager of the anti-forced-labor program at Immigration and Customs Enforcement, said that the U.S. government should block seafood imports from China until American companies can demonstrate that their supply chains are free of abuse. "The U.S. is awash with criminally tainted seafood," he said.

These companies included retail chains such as Costco, Kroger, H Mart, and Safeway.

They also included food-service distributors like Sysco and Performance Food Group, each servicing hundreds of thousands of restaurants and cafeterias at colleges, hotels, hospitals, and government buildings. (These companies did not respond to requests for comment.)

It's likely that some of the squid Aritonang died catching ended up on an American plate.

To document the gaps in the system, we followed the supply chain to show where squid tainted by worker abuse might end up.

First, we tracked the Zhen Fa 7 by satellite, from 2018 to 2022.

During that time, it transferred its catch to seven refrigerated reefers.

We then tracked the journey of one reefer, the Lu Rong Yuan Yu Yun 177, to China's Shidao port.

It is especially difficult to document where the catch goes once it gets to port. Arduous in-person tracking is sometimes the only way to follow its movements.

We hired private investigators in China to track a shipment of squid from the Lu Rong Yuan Yu Yun 177. They hid in their car at the port, filming at a distance as workers unloaded the squid and then packed it into trucks.

They followed the trucks out of the port.

The trucks eventually arrived at a seafood facility owned by a company called Rongcheng Xinhui Aquatic Products.

We also reviewed the ownership details of the other reefers that transshipped with the Zhen Fa 7 and found that its squid likely ended up at five additional processing plants in China.

Two of these plants, owned by Chishan Group, have employed at least a hundred and seventy workers transferred from Xinjiang, according to local news reports and corporate newsletters on the company's Website. (A representative from Rongcheng Haibo, one of the plants, said that the company "has never employed any Xinjiang workers." A representative from Shandong Haidu, the other plant, said, "There is no use of illegal workers from Xinjiang or other countries, and we recently passed human-rights audits." Chishan Group did not respond to requests for comment.)

The plants connected to the Zhen Fa 7 then sent large quantities of their seafood to at least sixty-two American importers.

On April 22nd, Aritonang's body was flown from Montevideo to Jakarta, then driven, in a wooden casket with a Jesus figurine on top, to his family home in Batu Lungun. Villagers lined the road to pay their respects; Aritonang's mother wailed and fainted upon seeing the casket.

A funeral was soon held, and Aritonang was buried a few feet from his father, in a cemetery plot not far from his church. His grave marker consisted of two slats of wood joined to make a cross.

That night, an official from Aritonang's manning agency visited the family at their home to discuss what locals call a "peace agreement." Anhar said that the family ended up accepting a settlement of some two hundred million rupiah, or roughly thirteen thousand dollars. Family members were reluctant to talk about the events on the ship. Aritonang's brother Beben said that he didn't want his family to get in trouble and that talking about the case might cause problems for his mother.

"We, Daniel's family, have made peace with the ship people and have let him go," he said.

Last year, thirteen months after Aritonang's death, I spoke again to his family by video chat. His mother, Regina Sihombing, sat on a leopard-print rug in her living room with her son Leonardo.

The room had no furniture and no place to sit other than the floor. The house had undergone repairs with money from the settlement, according to the village chief; in the end, it seems, Aritonang had managed to fix up his parents' home after all. When the conversation turned to him, his mother began to weep. "You can see how I am now," she said. Leonardo told her, "Don't be sad. It was his time."

This piece was produced with contributions from Joe Galvin, Maya Martin, Susan Ryan, Austin Brush, and Daniel Murphy.

Senator SULLIVAN. That—there was another really, really good piece in Politico Magazine. Ian Urbina has just done a great job in terms of highlighting this. But my point is, to Senator Blunt Rochester's point earlier, this is such a unifying issue for America. It should be.

These guys are using forced labor. They are using unsustainable environmental practices. They are crushing our seafood coastal communities. They are undermining our allies. They are ruining the fish stocks of the world. And they are often using human trafficking.

And then, I mean, you mentioned it, Mr. Prout, the North Koreans are laundering their seafood. They are using their money for terrorism. I mean, it sounds like the plot of a bad James Bond movie, right. I mean, this should be unifying. We should be making the whole world know about this. I mean, and it really doesn't get out there. I don't think there is any American that thinks this is a good idea, that we are importing Chinese slave labor fish that is putting hardworking American fishermen and their families out of business.

So, maybe I will just mention for the whole panel, what more can we be doing to let the world know. This *New Yorker* piece—came out in October 9, 2023, which is incredible.

I think the whole country should read this. You would be shocked at what you guys in Alaska, what our fishermen have to compete against. You can't compete against slave labor, and unsustainable fisheries, and cheating, which is what the Chinese communists do all over the world.

So, what more can we be doing, either to name and shame, as you said Mr. Poling, or any other things that our Government can be doing in, you know, coordination with others to get the word out? Mr. Prout, you want to take that one first?

Mr. PROUT. Yes. Thank you, Senator Sullivan. At the end of the day I think it is just—it comes down to, it is hard to hard to compete when you play by the rules and your competitor doesn't, especially at a global scale. So I think we need to help modernizing. It is plain and simple, modernizing the fleets of America.

The majority of our crab fleet in Alaska is outdated and inefficient. Maintenance costs are extremely high to try and stay up on safety, and any issues that come up from just having old vessels. I think the average age of the Bering Sea crab fleet is over 50 years old at this point.

So, anything that can be done to help mitigate those issues is extremely important. At the same time, looking at new crab builds, you know, an average crab build right now is between \$10 million and \$15 million. That is an extremely difficult hurdle to overcome when you are looking at trying to modernize a vessel or modernize your fleet.

So I think Congress could definitely step up and help with modernization loans, vessel recapitalization programs, as well as grants and disaster relief to help fishermen who are still in difficult situations just from the fallout of IUU fishing and the effect it has had on our domestic markets as of recently.

Senator SULLIVAN. Good. Great answer. Mr. Rickard.

Mr. RICKARD. I just want to emphasize the importance of this market to global seafood supply chains around the world. And how incredible the tool is available by leveraging market access to change behavior overseas and to draw attention to these problems.

And so, you know, I found Mr. Prout's testimony about the actions taken on IUU Russian seafood to be fascinating because you can see the impact overall of the market and how much that has changed things.

As you know, the Weaker Force Labor Prevention Act under its current enforcement has made seafood a priority sector because the Chinese seafood processing industry can take in anything. The actual denial of access to this market is how I think you draw attention to it. And unfortunately, the Federal Government has not done very much of that.

In a very isolated incidence where we have said in order to ship to the U.S., you have to meet these certain requirements. I think they have all been effective, but they have been so limited in their application that we are not using that tool effectively.

Senator SULLIVAN. I mean, we have banned Russian seafood, right. Should we ban the importation of Chinese seafood?

Mr. RICKARD. Just for me, I think that that is an appropriate response overall to what is a huge challenge internationally, yes.

Senator SULLIVAN. Other answers to that? And then, do you have any more questions—

Mr. SAUMWEBER. I will just say quickly here, I think that there are two levels to operate on. On the first, as you well know, Senator, a big part of leadership is showing up. And this year we have had the 10th International Ocean Conference hosted by the government of South Korea. This week is the third U.N. Ocean Conference.

This fall, December, will be the G20 meeting in South Africa. All three of these are major international conferences focused on oceans, and at which IUU is the major agenda item. And the U.S. has not sent a delegation to either of the ones currently or previously happening, and I don't believe we will be sending one to the G20.

That is a big problem. The rest of the world sees that. China is stepping in and knows that. And our allies and partners are wondering where we are in those forums and what our priorities are. And then, second—

Senator SULLIVAN. That is a great point, by the way. We can make sure we are reaching out to the State Department after this hearing saying, hey, come on guys, show up. The President's Executive Order focuses on this stuff, so let's get going.

Mr. SAUMWEBER. Thank you. I would also just like to emphasize the points that Mr. Prout and Mr. Rickard made there as well, that the market access control is such a crucial part of this.

And, you know, we have a market access control program here in the United States that has been, I would say, partially implemented. And the problem with partial implementation is you leave large gaps and loopholes for illegal product to enter the country.

You have created essentially half of a regulatory program, and people are smart, bad guys are smart, and they see where the holes are, they see what the dark places are, and they fit their illegal product in those dark places.

So, if we want to have an effective market access control program, we need to really think about investing in NOAA, and investing in our seafood import monitoring program, and expanding it in ways that make sense, so we don't have these gaps and loopholes.

Senator SULLIVAN. By the way, on international agreements, 10 years ago, when I first got to the Senate, I worked with a number of members of this committee to pass legislation for the U.S. to join the Port State Measures Agreement that deals with a lot of these issues. China has finally ratified this agreement just recently, but I always like to remind people what we call—with the Chinese promise fatigue.

Which means almost every promise, almost every agreement, almost everything they have ever told us as a country we are going to do, they never do, right. We have promise fatigue with the Chinese.

They just don't ever abide by their agreements. Do you think the Chinese are going to shut down their IUU fishing to comply with the Port State Measures Agreement, which they just ratified?

Mr. SAUMWEBER. Short answer, no.

Senator SULLIVAN. Hell no—

Mr. SAUMWEBER. I think that the Chinese do what makes sense in the immediate term. And so in other words, you know, they will comply to the extent that it makes sense for them. And I think that they have seen great success in using their distant water fishing fleet, both as an economic tool for their own purposes, but also as a tool of soft power, and I think that they will continue to do so.

Senator SULLIVAN. Yes. Any other thoughts on kind of final thoughts on what we should be doing to kind of address these, including the big one I really want to—and Mr. Poling, you mentioned it in your testimony.

Like this idea of naming and shaming. This is a great article, right. These Politico Magazines articles on all this are really, really good, and yet, they just don't seem to be breaking through to the general public.

Mr. POLING. I would also commend Ian Urbina, his Outlaw Ocean outfit, for their fantastic reporting, which among other things led to CBP's recent sanctioning of the Zhen Fa 7, the Chinese vessel, for human trafficking.

Senator SULLIVAN. Right.

Mr. POLING. You know, one good example here, I think, is to look to how the Europeans have more effectively leveraged their market power than we have when it comes to sanctions on specific countries for fishing violations. Not always perfect, but their yellow card, red card system that they use to threaten, and then in some cases ban the import of seafood, has had success. Not in the case of China or Russia.

But after the AP won the Pulitzer in 2012 for their investigations into slavery in the Thai seafood industry, the Europeans gave them a yellow card, the threat that all Thai seafood imports to the European Union would be banned if they didn't get their act together.

And the Thais made remarkably quick progress in better monitoring and enforcement. Same is true of the Vietnamese, who have been under a yellow card for years. So, I think the U.S. has been slow to recognize that we have the largest import market in the world and an enormous amount of market power, if we can adequately leverage it to get other countries to tow the line.

Senator SULLIVAN. Yes. No, that is a really important point. Although I will say the Marine Stewardship Council, we have some real issues with them. They seem to be kind of in the pocket of the Russians. They haven't checked on the Russian fleet. They stamp them sustainably all the time, even though they don't inspect them. There is some real issue with those guys.

So, I agree that we need to do the sustainability certification, but the MSC is failing, and they are, in my view, kind of giving Russia a blank check to do whatever the heck they want, and they don't even go check on the sustainability of that fleet, primarily because the Russians pay them money, in my view.

So I have got a real problem with those guys, and I think they are actually part of the problem. Mr. Rickard, do you have a final point on policies that we should be focused on?

Mr. RICKARD. No, not beyond the things that have been discussed.

Senator BLUNT ROCHESTER. Mr. Chairman, I want to follow up on your point about it breaking through. And I think as a follow up, it would be good to have some real conversation about these things because it affects all of us. And so, the breakthrough is important.

I think the global participation shows—demonstrates how serious we are about it. But I really am interested as well in the market access control and what you described as partial implementation. I personally, I am new to this subcommittee and would love to understand a little bit more about partial implementation versus full implementation, and what that really looks like.

And then last, my other concern was a comment that I think Mr. Rickard made about Americans consuming less. That is concerning. And so, figuring out how we balance and give real confidence to people about the industry. And as a seafood lover, this is really important I think to so many of us.

And so, again some of those are follow-ups that I would like to delve a little bit deeper on as well. But thank you so much, Mr. Chairman, for the important committee—subcommittee opportunity. And also thank you to all of the witnesses.

Senator SULLIVAN. Great. Well, listen, this has been a great hearing. I really, really appreciate the panelists. Mr. Prout, thank you again for the award of coming the furthest, for participating—

Senator BLUNT ROCHESTER. And nice lapel pin.

Senator SULLIVAN. And nice lapel pin. We are going to follow up on this a lot. As you see, there is a real bipartisan consensus to do more. I think we need to do a lot more.

And we will be relying on experts like all of you in the coming weeks and months as we push forward on a really, really important issue that, as Senator Blunt Rochester just talked about, it encompasses national security, environmental issues, human trafficking, slave labor, the economy of our coastal communities, the viability of our fishermen. I mean, this kind of encompasses a lot of things.

And the good news here in the Congress is that it is very bipartisan, in part because it encompasses so many of these important issues. So, what we will respectfully ask of the witnesses is the Committee record will be open for about another two weeks. There are additional questions that we submit to you.

We ask that you try to get them back to the Committee promptly. And other than that, at this juncture, this hearing is adjourned. And I want to thank again all the witnesses for their outstanding service today.

[Whereupon, at 11:35 a.m., the hearing was adjourned.]

A P P E N D I X

NATIONAL FISHERIES INSTITUTE
June 11, 2025

Hon. DAN SULLIVAN,
Chairman,
Subcommittee on Coast Guard, Maritime, and Fisheries,
Committee on Commerce, Science, and Transportation,
United States Senate,
Washington, DC.

Hon. LISA BLUNT ROCHESTER,
Ranking Member,
Subcommittee on Coast Guard, Maritime, and Fisheries,
Committee on Commerce, Science, and Transportation,
United States Senate,
Washington, DC.

Dear Chairman Sullivan and Ranking Member Blunt Rochester:

On behalf of the approximately 300 member companies of the National Fisheries Institute (NFI), I write to share our views on several topics impacting the seafood industry in connection with your Subcommittee's June 11, 2025 "*Finding Nemo's Future: Conflicts Over Ocean Resources*" oversight hearing.

For almost 80 years NFI has been the leading voice for the fish and seafood industry and America's largest seafood trade association. Our members span the entire seafood value chain—from East Coast lobster, clam and scallop harvesters, Alaska vessel owners, Pacific processors, Midwest importers, and Southern shellfish producers, to aquaculture providers, distributors, cold storage providers, retailers, and seafood restaurants. Collectively, these companies supply American families with tens of millions of delicious, healthy, sustainable seafood meals every year, and directly support almost 1.6 million American jobs and more than \$183 billion in economic value to the U.S. economy.

NFI has long championed strong, practical Federal oversight of the commercial seafood sector. From food safety and economic transparency to cracking down on Illegal, Unreported, and Unregulated (IUU) fishing, NFI and its member companies have consistently led efforts to uphold responsible practices across the supply chain. Our commitment to sustainable fisheries is grounded in the goal of ensuring American consumers have continued access to nutritious, high-quality seafood—today and for generations to come.

To put it bluntly, Illegal, Unreported, and Unregulated (IUU) fishing is a scourge on the seafood community. It harms effective fishery management measures, undercuts harvesters that fish legally and responsibly, and can be associated with unfair treatment of crewmembers.

NFI and its members fully support efforts to combat IUU fishing. That includes backing Federal initiatives that position the United States as a global leader in enforcing sustainable fisheries management and deploying tools like the Port State Measures Agreement (PSMA), which directly targets illicit activity at the point of entry.

The April 17, 2025, Executive Order from President Trump rightly directs the Secretary of Commerce to reevaluate recent expansions to the Seafood Import Monitoring Program (SIMP) and to improve its targeting of high-risk imports from nations with poor records on international fisheries compliance.

However, NFI believes we must go further and eliminate the SIMP program. SIMP has not delivered meaningful results. NOAA Fisheries' own April 2021 report acknowledged that SIMP "does not prevent or stop IUU fish and fish products from entering U.S. commerce." The program's one-size-fits-all, paper-heavy approach places an excessive burden on compliant businesses, while doing little to deter IUU

fishing at its source. A global problem like IUU cannot be solved with a narrow, after-the-fact, port-based documentation program.

Rather than rely on a flawed system like SIMP, the United States should invest in more effective strategies: building international partnerships, enhancing bilateral and multilateral cooperation, improving enforcement coordination with allies, and supporting Regional Fishery Management Organizations (RFMOs) in their work to monitor and regulate harvests.

Several promising pieces of legislation have been introduced, including S.283, the Illegal Red Snapper and Tuna Enforcement Act, and the Fighting Illegal Seafood Harvests (FISH) Act—S.688 and H.R. 3756. These bills would strengthen existing tools to combat IUU fishing by enabling NOAA Fisheries to work more closely with the U.S. Coast Guard and other enforcement partners to stop illegal activity before it enters U.S. commerce—not after. NFI is proud to support these bills as written, particularly if they replace the SIMP program with a more results-driven, strategic approach.

Access to healthy, legal seafood is vital for American consumers, and effectively addressing IUU fishing is essential to maintaining that access. SIMP has not met its intended goals and continues to place burdens on the wrong parties. Instead, the Federal government should focus on collaborative, enforcement-first strategies that address the root of the problem.

Thank you for the opportunity to share our views on this important issue. We appreciate the Committee's attention to the challenges posed by IUU fishing and stand ready to support efforts that strengthen enforcement and ensure continued access to legal, responsibly sourced seafood for American consumers.

Sincerely,

LISA WALLEDA PICARD,
President and CEO.

FROM BAIT TO PLATE—TRACKING THE CHINESE FISHING SHIPS LINKED TO RIGHTS
AND LABOUR ABUSES AT SEA

Ian Urbina—November 20, 2023

China: The Superpower of Seafood

In recent decades, working aggressively to expand its might, China has transformed itself into the world's seafood superpower. This pre-eminence has come at a grave human and environmental cost. Part Four: Preventing abuses by tracing seafood from bait to plate proves difficult.

No sooner had U.S. President Joe Biden issued an executive order in March 2022 prohibiting the import of Russian seafood, an effort aimed at depriving billions of dollars that might go towards Putin's war in Ukraine, than members of Congress said the ban was unenforceable. U.S. importers often do not know where their fish is actually caught, and trade data indicate that nearly a third of wild-caught seafood imported and labelled as being from China is actually pulled from Russian waters.

The embarrassing setback highlighted the opaque nature of the world's seafood supply chains and has since spurred calls from American legislators, ocean conservationists, consumer advocates and human rights organisations to require U.S. importers to track their seafood from bait to plate to ensure it is not tied to labour and environmental crimes or violations of sanctions on “pariah” states like North Korea and Iran.

Since the Russian seafood import ban took effect in June 2022, at least 31 Chinese squid ships have fished in Russian waters, including several owned by companies shipping seafood to the U.S. and the European Union, according to satellite data and export records.

China catches, processes and exports the vast majority of the planet's seafood. It has a distant-water fleet that is more than double the size of its next competitor. More than 70 percent of the seafood landed by this fleet, measured by weight, is squid.

Ranked as the world's worst purveyor of illegal and unregulated fishing and highly prone to using forced labour, this fleet has been tied to myriad crimes, including cases of raiding Argentinian waters, routinely turning off their transponders in violation of Chinese law, illegally fishing in North Korean waters in violation of UN sanctions, and engaging in violence, wage theft, severe neglect and human trafficking of foreign and Chinese crew.

A Chinese captain opened his fishing logbook, which is supposed to show where, when and what was caught. The first two pages had writing on them, but the rest were blank.

With ships so far from shore, constantly in transit, typically operating on the high seas, where national governments have limited jurisdiction, seafood supply chains are distinctly tough to track.

In the many handoffs of catch between fishing boats, carrier ships, processing plants and exporters there are gaping holes in traceability, according to Sally Yozell, the director of the environmental security programme at the Stimson Center, a research organisation in Washington, D.C. “Most seafood is caught by Chinese ships or processed in China,” she said, “which makes the chain of custody even more opaque.”

Some U.S. seafood companies that import from China say they know their seafood is untainted by crimes because they are provided with “catch certificates” by Chinese processors that indicate the provenance of the catch, detailed down to the level of which ship caught it, and where. These documents are far from foolproof, because they are self-reported, often unverifiable, and filled out at the processing plant, not on the ships themselves where the crimes occur, said Sara Lewis from FishWise, a nonprofit organisation that does seafood sustainability consulting. The catch certificates also say nothing about labour conditions.

Tracking Chinese ships

To document the nature of these traceability gaps as catch moves from bait to plate, a team of reporters followed and, in some instances, boarded for inspection, Chinese fishing ships at sea in several locations, including in the waters close to North Korea, Gambia, the Falkland Islands and the Galapagos Islands.

The team followed the ships by satellite back to ports, and then to pin down who was cleaning, processing and freezing the catch for eventual export, it tracked Chinese fishing ships as they moved their catch to refrigeration ships and carried it to ports in China, where the trucks were filmed and followed to the processing plants. The reporters used export records to track the seafood to grocery stores, restaurants and food service companies in the EU and US.

This investigation revealed examples of gaps in tracking at each handoff. Roughly 350 miles west of the Galapagos Islands, on a Chinese squid fishing ship, a deckhand opened the freezers several floors below deck to reveal stacks of frozen catch in white bags. He explained that they leave the fishing ship names off bags because that allows them to transfer cargo more easily to other fishing ships owned by the same company. This gives fishing companies greater versatility but also makes it impossible for downstream buyers to know what ship actually caught their fish.

On the bridge of another ship, a Chinese captain opened his fishing logbook, which is supposed to show where, when and what was caught. The first two pages had writing on them, but the rest were blank. “No one keeps those,” a captain said about the logs, noting that company officials on land reverse engineer the information later. In processing plants, the squid on the conveyor belts was often separated not based on the ship that caught it but instead based on weight, quality, size and type based on the market willing to pay a premium for each attribute.

Seafood is the planet’s last major source of wild protein and it is also the largest internationally traded food commodity. Experts cite a variety of reasons that they worry about China’s domination over this market. Political analysts like Whitley Saumweber and Ty Loft at the Center for Strategic and International Studies in Washington, D.C., say China’s near monopoly over distant-water fishing “imperils the food security of millions of people,” especially in developing countries that rely most on fish for their source of protein.

American legislators say China’s dependence on illegal practices puts domestic fishermen at a competitive disadvantage. “We cannot continue to allow countries such as China and Russia to undercut our honest fishers by abusing our oceans and fellow human beings,” said a June 2022 letter to Biden signed by Republican Jared Huffman from California, and Republican Garret Graves from Louisiana. “Addressing illegal, unregulated and unreported fishing (IUU) is an important step in ensuring that, not only are our citizens eating safe and healthy food, but that their economic interests are protected.”

There are laws meant to block products associated with trafficked, prison, Uighur, North Korean or child forced labour. These laws are particularly ineffective with seafood.

Fishing is the world’s deadliest profession and abusive conditions on these ships are well documented. Human rights advocates such as the Environmental Justice Foundation and Human Rights Watch have warned that the seafood buyers have no way of knowing whether they are tacitly complicit in these crimes. Consumer advocates cite the health risks resulting from the 15 percent to 30 percent of the seafood that winds up on American plates that is not what is listed on the label.

Because of the lack of tracking, much of the seafood that Americans eat is also of uncertain origin.

That creates potential health risks, but it also means—as human rights advocates such as the Environmental Justice Foundation and Human Rights Watch have pointed out—that it’s hard to know when fish have been caught by vessels that rely on illegal fishing techniques and labour practices.

Ocean conservationists like Oceana and Greenpeace point to the duty of seafood companies to stop illegal fishing, especially as the seas are running out of fish with more than a third of the world’s stocks overfished, a number that has tripled since 1974, according to the UN agency that oversees fisheries.

A variety of supply-chain laws exist to prevent the U.S. import of prohibited goods. Aside from the sanctions on states such as North Korea, Iran, Venezuela and Russia, there are also laws meant to block products associated with trafficked, prison, Uighur, North Korean or child forced labour.

These laws are particularly ineffective with seafood, however, because there is limited information about what happens on fishing ships.

Kenneth Kennedy, a former forced-labour programme manager under the U.S. Immigration and Customs Enforcement, said U.S. legislators and Federal agencies often lack the political will to apply most of the anti-slavery or other product-tracking laws because such investigations move painfully slowly and complicate international trade deals.

Federal efforts to monitor seafood have generally ignored the Chinese fleet, even though these ships have the greatest ties to labour and environmental crimes. More than 17 percent of seafood imports from China were caught illegally, according to U.S. trade data. According to a 2021 study by the Global Initiative Against Transnational Organized Crime, a nonprofit that studies the impacts of organised crime, China ranks first and Russia second, among 152 nations engaged in illegal fishing. In 2020, the U.S. Department of Labor said Chinese squidders are especially apt to use migrant and captive labour.

In 2016, the U.S. government created the Seafood Import Monitoring Program, which requires that importers keep detailed records of their catch from point of harvest until entry into the US. Squid, however, was not included among the programme’s 13 monitored seafood species, which were chosen primarily because of worries about illegal fishing and fraudulent labelling, not human rights and labour abuses. In 2021, NOAA, the agency that oversees the monitoring programme, announced plans to expand the number of included species based on new criteria, including whether the fleet catching the fish is associated with human trafficking.

American customs officials today track only two or three types of squid, according to David Pearl, a foreign affairs specialist at NOAA—a problem, given that there are in fact 30 to 40 commercial species. Even when import records are kept, companies are allowed to conceal their import and export data from the public by simply asking Federal regulators for an exemption, which many companies do.

In press releases, on their websites and in Security and Exchange Commission filings, some seafood retailers claim to enforce standards that ensure that their supply chains are clean of illegality or abuse. But John Hocevar, the oceans campaign manager at Greenpeace USA, said that so-called corporate responsibility programmes tend to be ineffective, because they are largely self-policing, lack third-party oversight or verification, focus on environmental not human rights concerns, and typically reach only as far as the processing plants, not the ships where crimes are most likely to occur.

According to Yozell, from the Stimson Center, even knowing what country caught the fish is tough. U.S. Federal law requires retailers to inform customers of the origin of most types of food but exempts seafood that is processed in another country and re-exported. If fish is caught on Russian boats but processed in China, it gets labelled as being a product of China.

Even companies that claim environmental and labour stewardship have been found to be tied to Chinese ships with crimes and risk indicators. Ruggiero Seafood, which says on its website that it does not sell illegally caught seafood, has been tied to a squid ship that was found violating UN sanctions by fishing in North Korean waters in 2019. Kroger, one of the largest supermarket chains in the US, which says on its website that it “never knowingly” buys illegally caught seafood, has been linked to a Chinese ship that fished illegally in Indonesia in 2020. Lidl, the largest supermarket in Europe, cites its commitment to responsible sourcing under the slogan “A Better Tomorrow.” But Eridanous, Lidl’s own brand of squid, is processed at a plant linked to at least three fishing companies whose vessels have a history of fishing offences, including lengthy transmission gaps in key squid fisheries in the North and South Pacific, illegal fishing in Peru’s exclusive zone, and shark finning.

Ruggiero and Kroger did not reply to requests for comment. Lidl said it is opposed to illegal, unreported and unregulated fishing, and that it raised the findings of this investigation with its supplier, Zhoushan Xifeng, which provided a statement saying it is not involved in fishing offences.

Many larger seafood companies have joined an industry programme called the Marine Stewardship Council (MSC), which offers assurance on traceability and sustainability. Jackie Marks, an MSC spokesperson, said the programme is primarily to prevent environmental crimes and tracking where fish came from, not what labour concerns might exist on ships.

The programme does not assess labour conditions or do inspections on fishing ships to check for crimes like wage theft, beatings, debt bondage, or human trafficking. Instead, MSC focuses primarily on determining whether processing plants are hygienic, labelling is accurate, and all ships and plants in supply chains are identifiable. To be certified under MSC, fishing and seafood companies have to submit paperwork indicating they have not been prosecuted for forced labour or related crimes in the past two years, and fishing companies must report what steps they take to prevent such crimes.

The U.S. government has taken action in isolated cases. In December 2022, for example, the Treasury Department issued sanctions under the Global Magnitsky Act against the directors of two large Chinese fishing companies, Dalian Ocean Fishing and Pingtan Marine Enterprise, based on allegations of forced labour and illegal fishing by some of their more than 150 ships.

The U.S. Customs and Border Protection agency has the duty to stop imports tied to forced labour entering the country, and in the past five years the agency has boosted its efforts. It has issued such orders on long-line tuna fishing vessels flagged in Taiwan, but it has never taken action against Chinese squid ships, despite the evidence that they are among the worst actors.

This story was produced by The Outlaw Ocean Project, a nonprofit journalism organisation in Washington, D.C. Reporting and writing was contributed by Ian Urbina, Joe Galvin, Maya Martin, Susan Ryan, Daniel Murphy and Austin Brush. This reporting was partially supported by the Pulitzer Center.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. TED CRUZ TO
GREGORY B. POLING

Question 1. How does IUU fishing by state-backed fleets—particularly from the People’s Republic of China—undermine U.S. interests and the sovereignty of other nations?

Answer. IUU fishing including that by PRC-flagged vessels supports, both directly and indirectly, non-state actors engaged in organized crime, piracy, and armed insurgency and terrorism. It has become a part of the portfolio of illegal criminal organizations, directly and indirectly supporting their other illicit activities. IUU fishing deprives governments in coastal and small island developing states of funds needed for social services, infrastructure, and other necessary spending. At the same time, it undercuts local livelihoods leading to economic displacement and desperation. The combination of these two effects directly undermines stability and security, and indirectly contributes to the spread of threats from non-state actors.

These threats are especially worrying in the Pacific Islands, which are overly reliant on revenues from foreign fishing and in which the United States is a resident power due to its Pacific territories, freely associated states, and long-standing security partnerships. The PRC is the most prevalent IUU fisher in the region. It has growing leverage thanks to its checkbook diplomacy and has used that for political ends, including peeling away several of Taiwan’s remaining diplomatic allies in recent years, and to seek logistical access as it builds out a blue water navy. In each of these cases, China relies in part on elite capture, using economic inducements to leverage local government, business, and thought leaders to fulfill Beijing’s wishes. This is effective in the Pacific Islands because of the severe resource constraints facing regional governments and societies; resource constraints that are made worse by the significant IUU fishing, primarily by Chinese-owned vessels, across the region.

Question 2. As China expands its distant-water fleet and Russia militarizes key Arctic Sea routes, what concrete lessons from U.S. efforts to counter IUU fishing and maritime coercion can be applied to the Central Arctic?

Answer. The United States has been an effective leader in counter-IUU fishing efforts globally, and especially in the Indo-Pacific, through three avenues. All three are applicable in the Arctic. These are (1) significant resourcing for maritime domain awareness and maritime security capacity building for partner states, includ-

ing through leadership in low-earth orbit remote sensing platforms; (2) close partnership with other capable and like-minded states, including Australia, France, New Zealand, and Japan in the Pacific; and (3) diplomatic and legal leadership, especially by championing the adoption of the Port State Measures Agreement globally.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. TED CRUZ TO
NATHAN RICKARD

Question 1. The Illegal Red Snapper and Tuna Enforcement Act (S. 283) aims to develop a field test kit to determine the geographic origin of these fish. How would this technology enhance the National Oceanic and Atmospheric Administration's ability to enforce fishing regulations and prevent illegally caught seafood from entering the U.S. market?

Answer. The bipartisan *Illegal Red Snapper and Tuna Enforcement Act* (S. 283) instructs Federal agencies to develop a standard methodology, based on chemical analysis, for identification of the country-of-origin of seafood as a tool to support the enforcement of the prohibition on imports of seafood harvested through illegal, unreported, and unregulated (IUU) fishing. This methodology is to be applied to pilot species for identification, with red snapper as an example of a stationary stock and tuna as an example of a highly migratory stock. Under the express terms of the legislation, any methodology developed should: (1) be consistent with the needs of Federal and state law enforcement agencies; (2) minimize processing time; (3) involve the use of a field kit that can be easily carried by one individual; and (4) be able to test for prepared red snapper and tuna products. The *Act* further requires the Undersecretary of Commerce for Standards and Technology/Director of the National Institute of Standards and Technology to issue a report no later than two years after enactment regarding the development of the methodology and its application.

Through the development of a standard methodology, the Federal government would be able to distinguish between fish landed in U.S. waters and those landed in foreign waters. With a field test available, law enforcement officials can ascertain the origin of red snapper and tuna products and confiscate illegal seafood, as necessary, prior to sale to American consumers.

The American shrimp industry has significant experience in the development of test methodologies used to improve enforcement of U.S. laws and regulations covering foreign seafood. In 2008, the Southern Shrimp Alliance, in coordination with the Catfish Farmers of America and Slade Gorton, worked with AOAC International to develop methods, subject to laboratory evaluation, for the detection of a variety of veterinary drugs and pesticides found in foreign shrimp, Siluriformes fish (catfish/basa/tra/swai), and tilapia. Through this process, AOAC International also began to work with test producers to develop fast and affordable methods of testing for the presence of a wide-range of veterinary drugs, including fluoroquinolones, nitrofurans, chloramphenicol, quinolones, methyltestosterone, malachite green, and gentian violet.¹ The quality, sensitivity, and accuracy of these tests have increased over time, permitting the European Union to require that Indian and Vietnamese shrimp exporters test all shipments of shrimp for veterinary drug contamination prior to exportation to Europe.² Although the U.S. Food and Drug Administration (FDA) has declined to obtain similar commitments from these countries, the Euro-

¹ See Southern Shrimp Alliance, *Developing Standards and Testing* (Oct. 18, 2010), available at: <https://shrimpalliance.com/developing-standards-and-testing/>.

² See European Commission, Directorate-General for Health and Food Safety, DG(SANTE) 2024-8085, *Final Report of an Audit of Vietnam Carried Out from 24 September to 17 October 2024 in Order to Evaluate Controls on Residues of Pharmacologically Active Substances, Pesticides and Contaminants in Animals and Animal Products*, at 5 ("Supplementary to the aquaculture NRCPs, national legislation requires that each consignment of aquaculture products intended for export to the EU is subject to official pre-export testing for chloramphenicol, nitrofurans metabolites, enrofloxacin, ciprofloxacin and trifluralin. In addition, consignments of finfish are to be analysed for malachite green and leuco-malachite green, and consignments of crustaceans—for doxycycline and oxytetracycline." Footnote omitted); and European Commission, Directorate-General for Health and Food Safety, DG(SANTE) 2022-7490, *Final Report of an Audit Carried Out in India from 07 September 2022 to 29 September 2022 in Order to Evaluate the Control of Residues and Contaminants in Live Animals and Animal Products Including Controls on Veterinary Medicinal Products*, at 6 ("Commission Decision 2010/381/EU, as last amended, requires that 50 percent of the aquaculture consignments of Indian origin arriving at EU borders are tested for residues of chloramphenicol, tetracycline, oxytetracycline, chlortetracycline and metabolites of nitrofurans 3-amino-2-oxazolidinone (AOZ), semicarbazide (SEM), 1-aminohydrantoin (AHD) and 3-amino-5-morpholinomethyl-2-oxazolidone (AMOZ). The same decision requires that all consignments are accompanied by a laboratory result from the place of origin (hereafter, the pre-export testing—PET) for the same substances." Footnote omitted).

pean Commission reports that this pre-export testing has effectively prevented contaminated shrimp from being shipped to the European Union.³

Separate and apart from developing methodologies for the detection of veterinary drug residues in seafood products, the Southern Shrimp Alliance also supported efforts by U.S.

Customs and Border Protection (CBP) to develop a testing methodology for determining the country-of-origin of farm-raised shrimp imported into the United States. CBP's work resulted in the publication of an academic paper, *Determination of the Country of Origin of Farm-Raised Shrimp (Family Penaeidae) Using Trace Metal Profiling and Multivariate Statistics*, in the *Journal of Agricultural and Food Chemistry* (Aug. 28, 2009) that facilitated determinations as to the country in which imports of products originating from the shrimp species *Penaeus vannamei* were raised in aquaculture ponds.⁴ The development of this testing methodology supported CBP's determination that Chinese-origin shrimp was being unlawfully transshipped through Malaysia and given a false country-of-origin identification to evade an FDA Import Alert and antidumping duties imposed on Chinese-origin shrimp.⁵

Consistent with the recognition of the importance of developing hand-held rapid tests for any issue raised by seafood trade, the discussions with AOAC also expanded to encompass low-cost, rapid methods for confirming the species of shrimp made available for sale as being either foreign or domestic.⁶ Eventually, the domestic shrimp industry would work directly with researchers in an effort to create this capability. Beginning in 2020, the Southern Shrimp Alliance began collaborating with a team of food safety microbiologists at Florida State University to augment existing testing methodologies for seafood, including rapid tests for the confirmation of species of both red snapper and shrimp.⁷ Most recently, this has led to a project authorized by Florida Sea Grant, *PCR Lateral Flow Assays for Rapid Onsite Seafood Authentication*, intended to result in the standardization and application of assays for the identification of six commercially important species landed in the Gulf: (1) black grouper; (2) red drum; (3) red grouper; (4) red snapper; (5) yellowtail snapper; and (6) royal red shrimp.⁸

NOAA Fisheries has historically declined to exercise its full statutory authority or to allocate meaningful agency resources to regulating imported seafood, preferring to concentrate law enforcement assets on governing the U.S. domestic seafood industry which now accounts for just six percent of the seafood consumed in the U.S. market.⁹ Nevertheless, the domestic shrimp industry has utilized rapid tests to address the false marketing of imported, farm-raised shrimp as domestic wild-caught shrimp in restaurants throughout our southern coastline.¹⁰ The availability of low-cost, hand-held rapid tests to confirm the species of shrimp offered for sale at food service establishments has provided the U.S. shrimp industry with the ca-

³See European Commission, Directorate-General for Health and Food Safety, DG(SANTE) 2022-7490, *Final Report of an Audit Carried Out in India from 07 September 2022 to 29 September 2022 in Order to Evaluate the Control of Residues and Contaminants in Live Animals and Animal Products Including Controls on Veterinary Medicinal Products*, at 6 ("The data for 2020 to 2022 indicate. . . that without the 100 percent PET obligation, the number of RASFFs in the EU would have been much higher.").

⁴See Smith, Ralph G. and Watts, Carson A., *Determination of the Country of Origin of Farm-Raised Shrimp (Family Penaeidae) Using Trace Metal Profiling and Multivariate Statistics*, *Journal of Agricultural and Food Chemistry*, Vol. 57, Issue 18, pp. 8244-8249 (Aug. 2009), <https://pubs.acs.org/doi/10.1021/jf901658f>.

⁵See U.S. Government Accountability Office, *Seafood Fraud: FDA Program Changes and Better Collaboration among Key Federal Agencies Could Improve Detection and Prevention*, GAO-09-258 (Feb. 2009) at 15 ("On the basis of industry information and CBP and ICE investigations, CBP determined that Chinese shrimp was being transshipped to the United States through Malaysia. Due to this illegal transshipment, importers of Chinese shrimp were able to circumvent not only the 2005 antidumping duty but also FDA's recent import alert.").

⁶See Southern Shrimp Alliance, *Developing Standards and Testing* (Oct. 18, 2010), available at: <https://shrimpalliance.com/developing-standards-and-testing/>.

⁷See Christine Blank, *Florida Researchers Develop Rapid Authenticity Test to Combat Shrimp Mislabeling, Species Substitution*, *SeafoodSource* (Aug. 4, 2023), available at: <https://www.seafoodsource.com/news/premium/processing-equipment/florida-researchers-develop-rapid-authenticity-test-to-combat-shrimp-mislabeling-species-substitution>.

⁸See Florida Sea Grant, *PCR Lateral Flow Assays for Rapid Onsite Seafood Authentication*, available at: <https://www.flseagrant.org/projects/per-lateral-flow-assays-for-rapid-onsite-seafood-authentication/>.

⁹See U.S. Food and Drug Administration, *Activities for the Safety of Imported Seafood* (Feb. 2023) at 4 ("Seafood has become one of the most highly traded food commodities in the world with total imports in 2018 accounting for approximately 94 percent of the volume of seafood sold in the United States." Citation omitted).

¹⁰See Southern Shrimp Alliance, *Seafood Labeling Laws*, <https://shrimpalliance.com/issues/industry-enhancement-efforts/seafood-labeling-laws/>.

capacity to independently detect and document fraud. This campaign, in turn, has resulted in increased interest by both Federal and state law enforcement, including NOAA Fisheries Office of Law Enforcement, to review unlawful activities.

Based on the experience of the U.S. shrimp industry, the development of effective, accurate, and inexpensive rapid tests substantially augments the ability to detect and interdict unlawful imports and misleading marketing of seafood products. As such, once enacted, the *Illegal Red Snapper and Tuna Enforcement Act* would provide the American commercial red snapper and tuna fisheries with an invaluable tool to identify foreign seafood products that are sourced through IUU fishing. Even if NOAA Fisheries were to persist in its heavy regulation of domestic commercial fisheries and lax oversight of imported seafood, the development of field tests that permit a determination as to whether red snapper or tuna were landed in U.S. or foreign waters can be used by domestic commercial fishing industries to draw needed attention to unlawful efforts to introduce IUU seafood into this market.

This is particularly important for red snapper. NOAA Fisheries first identified Mexico for IUU fishing related to the activities of *lanchas* in U.S. waters targeting red snapper in 2019. Thereafter, pursuant to the High Seas Driftnet Moratorium Protection Act, NOAA Fisheries negatively certified Mexico for IUU fishing in both 2021 and 2023 “for its continued failure to combat unauthorized fishing activities by small hulled vessels (called *lanchas*) in U.S. waters, for which it was first identified in 2019.”¹¹ Virtually all of the U.S. Coast Guard’s interdictions of foreign vessels fishing in U.S. waters in Fiscal Years 2023 and 2024 came from the single area in which *lanchas* operate: “98 percent (114 of 116) of the interdictions occurred in Coast Guard District 8, the Gulf of America.”¹² Although Mexico was negatively certified for a second time in 2023, the number of Coast Guard detections and interdictions increased in Fiscal Year 2024 compared to Fiscal Year 2023.¹³ The incursions into U.S. waters from *lanchas* continue today, with the U.S. Coast Guard routinely reporting interdictions¹⁴ and the U.S. Department of Justice recently reporting that it had changed policy and that the Federal government is now arresting and criminally prosecuting Mexican fishermen involved in *lanchas* operations.¹⁵ In the first criminal prosecution publicly announced, the U.S. Attorney’s Office for the Southern District of Texas explained that the captain of the *lancha* “had been arrested on 28 prior occasions for illegal fishing” and that the entire crew “knew the catch would be seized if they were caught in U.S. waters but chose to take the risk due to the limited supply of red snapper in Mexican waters.”¹⁶

Nevertheless, NOAA Fisheries has, to date, failed to recommend that the President utilize authority under 16 U.S.C. § 1826a(b)(3) to bar imports as a response to Mexico’s IUU fishing of red snapper in Texas waters. Under this statutory provision, in response to negative certification determinations from NOAA Fisheries, the President “shall direct the Secretary of the Treasury to prohibit the importation into the United States of fish and fish products and sport fishing equipment (as that term is defined in section 4162 of title 26) from that nation.” NOAA Fisheries, however, has never recommended that any action be taken to restrict snapper imports from Mexico. Unsurprisingly, both the volume and value of our imports of Mexican snapper have grown significantly. Specifically, in the four years between 2012 and 2015, the United States imported an average of 8.1 million pounds of snapper from Mexico

¹¹ NOAA Fisheries, *Port Denials Under the Moratorium Protection Act*, <https://www.fisheries.noaa.gov/international-affairs/port-denials-under-moratorium-protection-act>.

¹² Office of Inspector General, U.S. Department of Homeland Security, *Coast Guard Missed Opportunities to Interdict Foreign Fishing Vessels Suspected of Illegally Fishing in U.S. Waters*, OIG–2525 (June 6, 2025) at 3, footnote omitted, <https://www.oig.dhs.gov/reports/2025/coast-guard-missed-opportunities-interdict-foreign-fishing-vessels-suspected-illegally-fishing-us-waters/oig-25-25-jun25>.

¹³ See *id.* at 3 (“Specifically, the Coast Guard interdicted 55 of 265 detections in FY 2023, and 61 of 281 detections in FY 2024.”).

¹⁴ See e.g., U.S. Coast Guard Press Release, *Coast Guard, partner agencies detain 13 Mexican Fishermen, Seizes 1,500 pounds of illegally caught fish off Texas coast* (June 13, 2025), <https://www.news.uscg.mil/Press-Releases/Article/4216692/coast-guard-partner-agencies-detain-13-mexican-fishermen-seizes-1500-pounds-of/>; and U.S. Coast Guard Press Release, *Coast Guard detains 4 Mexican fishermen, seizes 200 pounds of illegally caught fish off Texas coast* (May 23, 2025), <https://www.news.uscg.mil/Press-Releases/Article/4196727/coast-guard-detains-4-mexican-fishermen-seizes-200-pounds-of-illegally-caught-f/>.

¹⁵ See United States Attorney’s Office, Southern District of Texas Press Release, *Mexican commercial fishermen plead guilty to illegal red snapper harvesting* (June 9, 2025), <https://www.justice.gov/usao-sdtx/pr/mexican-commercial-fishermen-plead-guilty-illegal-red-snapper-harvesting>.

¹⁶ *Id.*

valued at \$22.8 million.¹⁷ In the most recent four-year period spanning from 2021 through 2024, the average annual volume of Mexican-origin snapper imports increased by nearly 38 percent to 11.1 million pounds, while the average annual value of these imports more than doubled to \$49.3 million.¹⁸ Thus, despite “the limited supply of red snapper in Mexican waters,” our imports of Mexican snapper do not reflect any depletion in that stock. At the same time, incidents of IUU fishing by of red snapper by Mexican vessels in U.S. waters have increased.

The IUU fishing of red snapper harms American fishermen by depleting managed snapper stocks in U.S. waters, killing marine mammals and sea turtles that are protected under U.S. fishery management plans, and through sales lost to Mexican snapper in the U.S. market. Accordingly, although the development of a field test kit to determine origin of red snapper would provide a number of benefits in the market for both law enforcement and American commercial fishermen, the access that snapper harvested from Mexican *lanchas* in U.S. waters has to our market must be shut off. Congress has authorized such action to be taken and the facts overwhelming support doing so.

Question 2. What specific tactics are foreign competitors using—like transshipment, fraudulent paperwork, or mislabeling—to flood the U.S. market with illegally harvested shrimp, and what enforcement tools or policy changes do you believe are most urgently needed to protect Texas shrimpers from this unfair and illegal competition?

Answer. According to NOAA Fisheries, the value of commercial shrimp landings in the state of Texas fell from \$185 million in 2021 to \$90 million in 2023.¹⁹ Although final landings data has not yet been reported by NOAA Fisheries for 2024, preliminary reporting indicates that commercial values for domestic shrimp remained at depressed levels last year. The decline in value was not principally due to a limited harvest, as the volume of shrimp landed in Texas in 2021 was 65 million pounds, while landings in 2023 were 56 million pounds.²⁰ Rather, imports of cheap, unfairly-traded shrimp overwhelmed the U.S. market and forced prices down such that Texas shrimpers were forced to work twice as hard—during a period of significant inflation—to earn income in line with historic experience. Many Texas shrimpers, faced with these stunning price declines, tied up and stopped working.

As the Texas state legislature recently detailed in H.C.R. 76, signed by Governor Greg Abbott on June 20th,²¹ the shrimp industry in Texas supports more than 14,000 jobs, generating approximately \$850 million in economic value for the state. As H.C.R. 76 explains, “[t]he sustainability of the domestic shrimp industry is crucial to the survival of many small, family-owned businesses and to the stability of Gulf Coast communities, but this important economic engine is currently imperiled by unfair competition and other rising challenges. . . .”²²

The domestic shrimp industry has expended substantial resources engaging in self-help to counter this unfair competition. In 2003, the shrimp industry organized to use the antidumping laws to address the harmful impact of shrimp sold at below fair value in the market, with antidumping duty orders on Chinese, Indian, Thai, and Vietnamese shrimp imposed in February 2005²³ that remain in place today. Even more recently, led by the Port Arthur, Texas-based American Shrimp Processors Association, the domestic shrimp industry successfully petitioned for relief from countervailable subsidies granted to foreign shrimp industries in Ecuador, India, and Vietnam and from shrimp sold at below fair value from Indonesia.²⁴

¹⁷Source: U.S. International Trade Commission, *Dataweb* (HTSUS Codes: 0302.89.5058 and 0303.89.0067).

¹⁸*Id.*

¹⁹Source: NOAA Fisheries, *Fisheries One Stop Shop (FOSS) Database*.

²⁰*Id.*

²¹See <https://capitol.texas.gov/BillLookup/Text.aspx?LegSess=89R&Bill=HCR76>.

²²See *id.*

²³See *Notice of Amended Final Determination of Sales at Less than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp from the People’s Republic of China*, 70 Fed. Reg. 5,149 (Dep’t Commerce Feb. 1, 2005); *Notice of Amended Final Determination of Sales at Less than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp from India*, 70 Fed. Reg. 5,147 (Dep’t Commerce Feb. 1, 2005); *Notice of Amended Final Determination of Sales at Less than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp from Thailand*, 70 Fed. Reg. 5,145 (Dep’t Commerce Feb. 1, 2005); and *Notice of Amended Final Determination of Sales at Less than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp from the Socialist Republic of Vietnam*, 70 Fed. Reg. 5,152 (Dep’t Commerce Feb. 1, 2005).

²⁴See *Frozen Warmwater Shrimp from Indonesia: Antidumping Duty Order; Frozen Warmwater Shrimp from Ecuador, India, and the Socialist Republic of Vietnam: Countervailing Duty Orders*, 89 Fed. Reg. 104,982 (Dep’t Commerce Dec. 26, 2024).

In the past, U.S. shrimp importers and foreign shrimp exporters responded to the imposition of antidumping duties through transshipment, fraudulent paperwork, and mislabeling. Now, however, the U.S. shrimp market is overwhelmingly dominated by foreign aquaculture industries that routinely use harmful and banned antibiotics in their shrimp aquaculture. Last year, roughly 48 percent of the total volume of shrimp and shrimp products imported into the United States came from just two countries: India and Vietnam.²⁵ These two countries are, by far, the single largest sources of contaminated shrimp imports in major shrimp importing markets, including the European Union, Japan, and the United States.²⁶

Moreover, the U.S. shrimp market is now dominated by foreign supply chains that have been corrupted by forced labor practices. Most disturbingly, even with repeated exposes and confirmation of the widespread use of forced labor in the Indian shrimp supply chain,²⁷ India has accounted for between 52 percent and 61 percent of the total volume of peeled shrimp imported into the United States in every year since 2018.²⁸ In September of last year, the U.S. Department of Labor added shrimp from India to the list of goods produced by forced labor.²⁹ Nevertheless, for the last seven years, more than one out of every two pounds of foreign, peeled shrimp sold in our market came from a supply chain featuring contract peeling sheds where vulnerable populations are subject to heinous exploitation.

Importation of shrimp contaminated by harmful antibiotics, an adulterated food product, is prohibited by the Food, Drug, and Cosmetic Act.³⁰ Similarly, importation of shrimp produced through forced labor is prohibited pursuant to 19 U.S.C. § 1307. Accordingly, the importation of foreign shrimp containing veterinary drug residues and/or produced through forced labor constitutes an illegal act. Nevertheless, minimal enforcement of our laws has obviated any need for foreign exporters or U.S. importers to engage in the type of fraud used to obfuscate the origin of the shrimp. Instead, contaminated shrimp and shrimp produced through forced labor is simply routinely imported into the United States, with small fractions of contaminated shrimp occasionally identified through the FDA's limited sampling of imported food. No imports of Indian shrimp have ever been prohibited from entry into this country because they were produced by forced labor.

While information regarding the FDA's sampling and testing of foreign shrimp products, specifically, is not publicly available, the agency has endeavored to make more information regarding its activities available to the public through data dashboards.³¹ These data dashboards provide user-friendly access to information regarding specific import entry lines of food products, as well as any on-site inspections of foreign food facilities. On a broader level, the data dashboards also allow users to analyze the number of entry lines, refusals, examined entry lines, and sampled entry lines by country and broad product type.

Here, the information made available by the FDA of human foods sourced from India is instructive. In 2012, the United States imported 176,832 entry lines of human food from India, of which the FDA sampled 1,908 entry lines (1.1 percent) and refused 1,700 entry lines (1.0 percent).³² By 2019, we imported 329,601 entry lines of human food from India—an increase of 86.4 percent in just seven years—of which the FDA sampled a mere 1,206 entry lines (0.4 percent)—a 36.8 percent

²⁵ According to the U.S. International Trade Commission's *Dataweb* service, the United States imported 1.7 billion pounds of shrimp in 2024, of which 649 million pounds came from India and 153 million pounds came from Vietnam.

²⁶ See Southern Shrimp Alliance, *Which Countries Continue to Use Antibiotics in Shrimp Aquaculture? The EU, Japan, and the United States All Find the Same Thing: India and Vietnam* (Jan. 30, 2025), <https://shrimpalliance.com/which-countries-continue-to-use-antibiotics-in-shrimp-aquaculture-the-eu-japan-and-the-united-states-all-find-the-same-thing-india-and-vietnam/>.

²⁷ See Corporate Accountability Lab, *Hidden Harvest: Human Rights and Environmental Abuses in India's Shrimp Industry* (Mar. 2024), <https://corpaccountabilitylab.org/hidden-harvest/>; The Outlaw Ocean Project, *India Shrimp: A Growing Goliath, The True Price of a Cheap Appetizer*, <https://www.theoutlawocean.com/investigations/india-shrimp-a-growing-goliath/>; and CNN, *The U.S. Is India's Biggest Importer of Shrimp. Teenage Girls and Women Working in the Booming Industry Describe Grueling Conditions*, <https://www.cnn.com/interactive/asequals/indian-seafood-industry-women-exploitation-as-equals-intl-cmd/>.

²⁸ Source: U.S. International Trade Commission, *Dataweb*.

²⁹ See *Notice of Publication to the Department of Labor's List of Goods Produced by Child Labor or Forced Labor, and Updates to the List of Products Requiring Federal Contractor Certification as to Forced or Indentured Child Labor*, 89 Fed. Reg. 72,897 (Dep't Labor Sept. 6, 2024); and Bureau of International Labor Affairs, U.S. Department of Labor, *List of Goods Produced by Child or Forced Labor*, <https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods>.

³⁰ See 21 U.S.C. § 331(a).

³¹ See <https://datadashboard.fda.gov/oii/cd/index.htm>.

³² See <https://datadashboard.fda.gov/oii/cd/impsummary.htm>.

decline—and refused just 925 entry lines (0.3 percent)—a 45.6 percent decline.³³ As these numbers imply, the amount of adulterated imported food products detected by the FDA is closely correlated to the number of samples taken by the agency. As such, it is not a surprise that in 2024 the U.S. imported an unprecedented record of 437,145 entry lines of human food from India—an increase of 32.6 percent in five years—of which the FDA sampled 1,836 entry lines (0.4 percent) and refused 1,991 entry lines (0.5 percent).³⁴

Because these numbers demonstrate that the chances of having any shipment sampled are incredibly low, the reasonable conclusion to be drawn by any Indian foreign shrimp producer is that there is little to be gained in ceasing use of veterinary drugs that act as growth promoters and prophylactics against crop loss when supplying U.S. customers. Similarly, because there is little risk that a shipment of contaminated foreign shrimp will be identified at the U.S. port, no incentives exist for U.S. importers to demand that foreign ponds stop the practice of using banned antibiotics or fungicides.

The U.S. shrimp industry, and Texan shrimpers in particular, cannot compel the FDA or U.S. Customs and Border Protection to enforce Federal laws that should prohibit the importation of these cheap, unfairly-traded goods that have cratered dockside prices. However, the failure of these Federal agencies to administer their statutory obligations has devastated American shrimping coastal communities from Texas to North Carolina.



³³ *Id.*

³⁴ *Id.*