

Congress of the United States
Washington, DC 20515

February 16, 2024

The Honorable Antony Blinken
Secretary of State
Department of State
2201 C Street, NW
Washington, D.C. 20520

The Honorable Katherine Tai
U.S. Trade Representative
Office of the U.S. Trade Representative
600 17th Street, NW
Washington, D.C. 20508

The Honorable Troy A. Miller
Acting Commissioner
U.S. Customs and Border Protection
1300 Pennsylvania Ave, NW
Washington, D.C. 20229

Dear Secretary Blinken, Ambassador Tai, and Acting Commissioner Miller:

As Members of the Ways and Means Committee, we urge you to investigate allegations of forced labor in seafood supply chains associated with China and promptly take appropriate action to address these deplorable practices. Action by the administration would complement ongoing multilateral efforts to reduce unfair practices in the global fishing sector in the lead-up to the World Trade Organization's 13th Ministerial Conference (MC13).

In the coming weeks, countries will meet at MC13, where a critical topic will be addressing harmful fisheries subsidies. WTO members will discuss urgent work toward entry into force of the 2022 WTO Agreement on Fisheries Subsidies, while also considering expansion of the current agreement to address a broader range of harmful subsidies in this sector. Nearly 90 percent of the planet's fish stocks are fully exploited, overexploited, or depleted.¹ As a result of state intervention—of which China is by far the worst offender—the world faces an ecological and food security threat.

Fisheries subsidies are a human rights threat as well. The current Agreement on Fisheries Subsidies does not explicitly address a number of unfair practices, including the use of forced labor in seafood supply chains. To complement the negotiations and demonstrate the commitment of the United States to combatting unfair fishing practices more broadly, the United States should take available unilateral action to address identified instances of unfair fishing practices, such as forced labor.

¹ FAO. 2022. The State of World Fisheries and Aquaculture 2022. Towards Blue Transformation. Rome, FAO. <https://doi.org/10.4060/cc0461en>

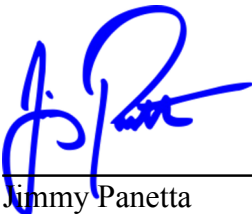
For example, there is mounting evidence that Chinese seafood companies—allegedly including Yantai Sanko Fisheries, Yantai Longwin Foods, the Chishan Group, Shandong Meijia Group, Qingdao Tianyuan Aquatic Foodstuffs, and the Rongsense Group, —are complicit in, or directly responsible for, forced labor by Uyghurs or other minority populations from the Xinjiang Uyghur Autonomous Region. While the pattern of forced labor by the Chinese government, in Xinjiang and beyond, is known, there is evidence of these companies working with China’s national and provincial governments to recruit and utilize forced labor. We are concerned that such abuses may taint U.S. seafood supply chains, as we are aware of serious allegations that seafood produced with forced labor supplies food service companies, grocers, and restaurants around the world, including in the United States.

Therefore, we urge you to consider, and when appropriate, use available tools that Congress has provided to combat these practices. Sanctions, including those pursuant to the Global Magnitsky Human Rights Accountability Act, could be a powerful tool to hold individuals accountable who are involved in the trade of seafood made with forced labor and send a message to the global industry that forced labor will not be tolerated. Given the specific allegations of forced labor in the context of both fishing vessels and processing, Customs and Border Protection should also consider potential Withhold Release Orders to effectuate the forced labor prohibition in Section 307 of the Tariff Act of 1930, as well as the application of the rebuttable presumption set forth in the Uyghur Forced Labor Prevention Act.

Effective deployment of these tools sends a strong message to our trading partners that the United States takes unfair fisheries practices seriously. Driving a hard bargain at MC13 for an outcome that effectively disciplines distortive fishing subsidies and stepping up to challenge forced labor in seafood supply chains are complementary actions that demonstrate U.S. leadership on an issue of economic, ecological, and human rights significance.

Thank you for your consideration of this request.

Sincerely,



Jimmy Panetta
Member of Congress



Michelle Steel
Member of Congress



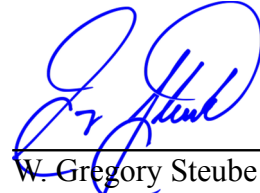
Earl Blumenauer
Member of Congress



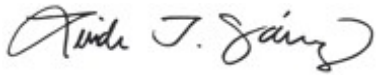
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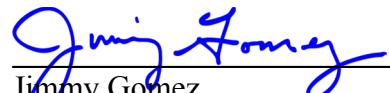
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