

United States Senate

WASHINGTON, DC 20510

May 16, 2016

President Barack Obama
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

Dear Mr. President:

We welcome the Administration's proposed rule on seafood traceability as a further step in combatting illegal, unreported, and unregulated (IUU) fishing and seafood fraud. However, we remain concerned that the steps outlined will not adequately address these problems and do little to confront human trafficking within the seafood supply chain. As the co-chairs of the Senate Caucus to End Human Trafficking, we wrote to you last November expressing our concern regarding the link between IUU fishing and human trafficking in the seafood supply chain, and requested that the Administration ensure that increased transparency and traceability for all seafood products sold in the United States be included in the proposed rule. As part of the final rule, we once again urge the Administration to enhance enforcement requirements on the high seas to prevent human trafficking on vessels, expand seafood traceability to all species, and strengthen the tracking requirements beyond the first point of entry into U.S. commerce.

First, we implore the Administration to include in the final rule enforcement requirements to hold perpetrators accountable for human trafficking. The proposed rule fails to mention human trafficking – a scourge within the seafood supply chain. The lawless environment of the high seas allows IUU fishing vessels to engage in egregious human trafficking abuses without fear of consequence. There is minimal oversight, allowing criminal networks to continue their activities without penalty. By including language to hold human traffickers accountable, the Administration will work to prevent fishing vessels from violating the rights of their workers.

Second, we request that the proposed rule apply to all species and products, instead of limiting it to a group of 13 “at risk” species. We are concerned that by enforcing regulations on only a portion of the world's seafood, the market is placed at risk of increased fraudulent or illegal activity. The proposed rule explains that there is room to eventually expand to include all species, yet it does not provide a timeframe for expansion or include accountability measures to ensure species outside of the “at risk” list are not fraudulent or illegal. Seafood fraud and species substitutions occur regularly, deceiving consumers and creating a market for IUU fishing, which the Administration must work to end. If left unchanged, the final rule will leave space for perpetrators of seafood fraud and human trafficking to continue their illegal activity by harvesting fish outside the rule's designated group.

Third, to prevent consumers from unknowingly purchasing seafood that has been harvested at the expense of human trafficking, we ask that the proposed rule ensure transparency throughout the entire seafood supply chain. The global demand for inexpensive seafood has increased the pressure to minimize labor costs and maximize profits. For countries such as Thailand, which suffer from labor shortages, the pressure to meet the global seafood demand can

lead to a reliance on human trafficking. In the proposed rule, the new tracking requirements stop at the first point of entry into U.S. commerce, beyond that point there is little to ensure accountability within the supply chain. The U.S. currently imports approximately 90 percent of its seafood, yet less than two percent is inspected at the border, and virtually none of it is directly inspected for fraud. The proposed rule acknowledges these concerns and explains that “as warranted by risk analysis, it is not designed to expand traceability from the point of entry into commerce to the final consumer.” We remain unsatisfied by this response and reiterate the importance of full supply chain transparency to ensure all U.S. seafood is safe, legally caught, honestly labeled, and free from human trafficking abuse. The U.S. has an obligation to uphold labor laws and lead the international community in preventing the incidence of human trafficking from occurring in the seafood supply chain. The complex path that seafood travels – from the time it is harvested to the plate of the consumer – presents numerous opportunities for human trafficking and seafood fraud. As such, it is imperative that the final rule address nefarious activity within all levels of the supply chain.

We look forward to working with you to ensure these requests are incorporated into the final rule. As a world leader, the U.S. must do all within its power to provide adequate safeguards against illegal and exploitive seafood supply chains.

Sincerely,


RICHARD BLUMENTHAL
United States Senator


ROBERT PORTMAN
United States Senator