

**U.S. House of Representatives**  
**Committee on Natural Resources**  
**Washington, DC 20515**

September 4, 2024

Troy A. Miller  
Senior Official Performing the Duties of the Commissioner  
U.S. Customs and Border Protection  
1300 Pennsylvania Avenue, NW  
Washington, DC 20229

Dear Commissioner Miller,

We appreciate that U.S. Customs and Border Protection (CBP) is investigating forced labor allegations in the seafood industry. We further commend CBP's recent addition of seafood as a high-priority sector for enforcement under the Uyghur Forced Labor Prevention Act (UFLPA), which is an important step toward keeping American seafood free of Uyghur forced labor.

Recent reporting by the Outlaw Ocean Project<sup>1</sup> and the Associated Press<sup>2</sup> have evidenced issues of illegal, unreported, and unregulated (IUU) fishing and forced labor in the seafood supply chain with alarming detail. We are looking closely into this matter and would like to better understand the steps your agency is taking to address these serious concerns.

IUU fishing threatens domestic seafood production and economic prosperity for Americans. According to a report by the U.S. International Trade Commission, nearly eleven percent of all U.S. seafood imports, equal to \$2.4 billion annually, are derived from IUU fishing.<sup>3</sup> Cheaper illegal seafood imports cost the U.S. commercial seafood industry millions of dollars annually by driving down the cost of American-caught and processed seafood.<sup>4</sup> Globally, \$10 to \$23 billion are lost annually due to the impacts of IUU fishing on global markets.<sup>5</sup>

We are investigating the failure to address and eliminate IUU fishing and forced labor in the seafood supply chain. Given CBP's role in enforcing trade regulations, including Section 307 of the Tariff Act of 1930, we are writing to understand the steps CBP is taking or will be taking in

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<sup>1</sup> The Outlaw Ocean Project. *The Whistleblower | India Shrimp: A Growing Goliath*.

<https://www.theoutlawocean.com/investigations/india-shrimp-a-growing-goliath/the-whistleblower/>

<sup>2</sup> Associated Press. *AP finds grueling conditions in Indian shrimp industry that report calls 'dangerous and abusive'*

<https://apnews.com/article/india-shrimp-seafood-industry-labor-abuses-us-imports-e5b51878eafbb6e28977710b191eb7de>

<sup>3</sup> U.S. International Trade Commission. *Seafood Obtained via Illegal, Unreported, and Unregulated Fishing: U.S. Imports and Economic Impact on U.S. Commercial Fisheries*. <https://www.usitc.gov/publications/332/pub5168.pdf>

<sup>4</sup> Ibid

<sup>5</sup> Agnew et al., *Estimating the Worldwide Extent of Illegal Fishing*, <https://doi.org/10.1371/journal.pone.0004570>

response to the allegations. Please provide applicable decision memoranda, letters, emails, communications, situation summaries, discussion and evaluation documents, and briefing documents to support these responses.

1. Commercial Targeting and Analysis Center (CTAC): CTAC is an interagency coordination center that streamlines information sharing and leveraging multi-agency resources to address imports violating U.S. law.
  - a. What procedures are in place to identify seafood imports caught through IUU fishing?
  - b. A recent Government Accountability Office report recommended that CBP direct relevant officials to work with NFMS to ensure timely access to information that stops IUU fishing imports. Please describe CBP's implementation of this recommendation.
  - c. How are CBP and CTAC working to strengthen their collaboration with other agencies, such as the Food and Drug Administration and the National Oceanic and Atmospheric Administration, to address IUU fishing further and forced labor in the seafood industry?
2. Inspections of seafood imports:
  - a. What is the frequency of inspections of incoming seafood shipments, including shipments marked as a higher risk for non-compliance for IUU fishing and forced labor?
  - b. How is CBP working to increase the number of inspections for IUU fishing and forced labor while not impeding unrelated shipments?
  - c. Now that seafood has been added as a higher-priority sector for enforcement under the UFLPA, how does CBP plan to prioritize enforcement actions to keep such seafood out of the United States?
3. Automated Commercial Environment (ACE): The ACE system manages electronic reports for trade import data. This is the primary tool that CBP and NMFS use to identify cargo for possible inspection by agency officials.
  - a. What documentation is collected and reviewed from importers to authenticate that seafood shipment is free from IUU fishing and forced labor?
  - b. What forced labor indicators are collected and processed from seafood importers?
4. Withhold Release Orders (WRO): CBP has issued several WROs on seafood.
  - a. Given recent reporting, has CBP considered issuing new Withhold Release Orders to the vessels and processing facilities implicated by the Outlaw Ocean reporting?
5. Forced Labor Enforcement Task Force (FLETF):
  - a. What indicators have CBP and the FLETF identified linking seafood imports and forced labor?
  - b. How have CBP and the FLETF addressed these indicators to prevent seafood imports linked to forced labor?
  - c. To what extent does CBP use the Tariff Act of 1930, which prohibits the importation of goods made by forced labor, to address these issues in seafood imports?
  - d. Will the FLETF and CBP recognize seafood as a priority sector in the annually updated strategy that supports CBP's efforts to prevent importing goods from China made with forced labor?

Americans deserve access to safe and healthy seafood. As the global leader in seafood importation, the United States must work to uphold the integrity of the entire supply chain, even when operations occur within other countries.

Thank you for your continued attention to this critical issue. Should you have any questions, please contact any of our staff. We look forward to working with you as we investigate this matter further.

Sincerely,



Raúl M. Grijalva  
Member of Congress  
Ranking Member  
House Committee on Natural Resources



Garret Graves  
Member of Congress



Jared Huffman  
Member of Congress



Melanie A. Stansbury  
Member of Congress