



Hearing on

From Bait to Plate—How Forced Labor in China Taints America’s Seafood Supply Chain

Tuesday, October 24, 2023 – 9:00 a.m.

Statement for the Record

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Commissioner, Congressional-Executive Commission on China

Good morning. I join my colleagues in welcoming those present to today’s hearing on the use of forced labor in the seafood supply chain. I regret that I am not able to join you in person.

This hearing continues the work of the Congressional Executive Commission on China to shine a light on the use of forced labor by the People’s Republic of China, and its consequences for supply chains and the American consumer.

Forced labor is a grave human rights violation that has been prohibited under U.S. law since 1930. American consumers should not have to worry about whether the products they purchase are tainted by forced labor from China, or for that matter, from any other country. American workers and American producers should not have to compete with companies that rely on forced or slave labor. There is wide bipartisan agreement on this issue.

The U.S. government has made important progress in enforcing the ban on forced labor since passage of the bipartisan Uyghur Forced Labor Prevention Act that I was privileged to lead and which became law in December 2021. Rather than rely on moral suasion, the law creates a rebuttable presumption that all goods produced in the Xinjiang region of China are made with forced labor. That means the burden of proof lies with those who want to import goods to show that their supply chains are free of forced labor. In the past we have heard from the Department of Homeland Security that the law has brought “a sea change” to the way the government approaches forced labor issues. That is a very good thing. One of the questions in today’s hearing is whether/how the UFLPA can be applied in the fisheries sector.

As we take up this question, it is important to take into account the work that the U.S. government is already doing to address forced labor in the seafood supply chain. The problem is complex and global: a [congressionally-mandated report](#)<sup>1</sup> issued in 2020 by the National Oceanic

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<sup>1</sup>In the National Defense Authorization Act for Fiscal Year 2020, Public Law 116–92, section 3563.

and Atmospheric Administration identified 29 countries particularly at risk for human trafficking, including forced labor, in their seafood sector. The report provides recommendations that overlap with proposals we will hear today, in particular the need to promote and support global traceability efforts.

The fact that the problem is global does not in any way diminish the relevance of a focus on China. As *The New York Times* vividly [reported](#) last fall, China's "rapacious" deep-water commercial fishing fleet is the largest in the world and operates non-stop in international waters. Not only does the PRC tolerate labor abuses, but its fleet's fishing practices, driven by rapidly increasing demand for seafood, harm local economies and the environment, and risk the sustainability of many species such as tuna. So there is no question that we should do all we can to counter the PRC's bad practices – even as we acknowledge a broader set of actors and recognize that a comprehensive response will require strong international governance and cooperation, import standards and proactive supply chain verification, along with innovative ways to meet rising global demand for protein.

Part of that comprehensive response should be to support U.S. fishing, which of course does not rely on forced labor. The U.S. fishing industry, while not perfect, is much more sustainable than fishing elsewhere. The [Magnuson-Stevens Act](#) has been largely successful at helping revive U.S. fishing stocks after total collapse earlier in our history. One of the big takeaways from the U.S. experience is that fisheries management cannot be a race to the bottom. Planning, community stewardship, a regulatory floor, and verification are essential.

Finally, let me reiterate a point I have made previously: enforcing forced labor laws generally and the UFLPA in particular requires resources. This Commission must be clear that talk about human rights in China has to be backed up with funding. Cuts to the budgets of agencies that implement human rights policy will gut that policy. It is important to keep this in mind as the struggle to approve FY 2024 appropriations bills continues.

Thank you.