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BEFORE THE  
SUBCOMMITTEE ON COAST GUARD, MARITIME, AND FISHERIES  
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION  
UNITED STATES SENATE

“FINDING NEMO’S FUTURE: CONFLICTS OVER OCEAN RESOURCES”

June 12, 2025

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.<sup>1</sup> 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 . . .”<sup>2</sup>

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

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<sup>1</sup> 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.

<sup>2</sup> *Id.* at 11.

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.

<b>Eliminating IUU Seafood Imports Would Increase the Commercial Fishing and Seafood Processing Industry's Operating Income by \$60 Million Annually</b>	
<b>U.S. Commercial Fishing Sector</b>	<b>Estimated Increase in Annual Operating Income<sup>3</sup></b>
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.<sup>4</sup> 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.”<sup>5</sup> In result, the USTR described how America’s maritime industry has been deteriorating while those in other countries, particularly China, have massively expanded.<sup>6</sup>

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

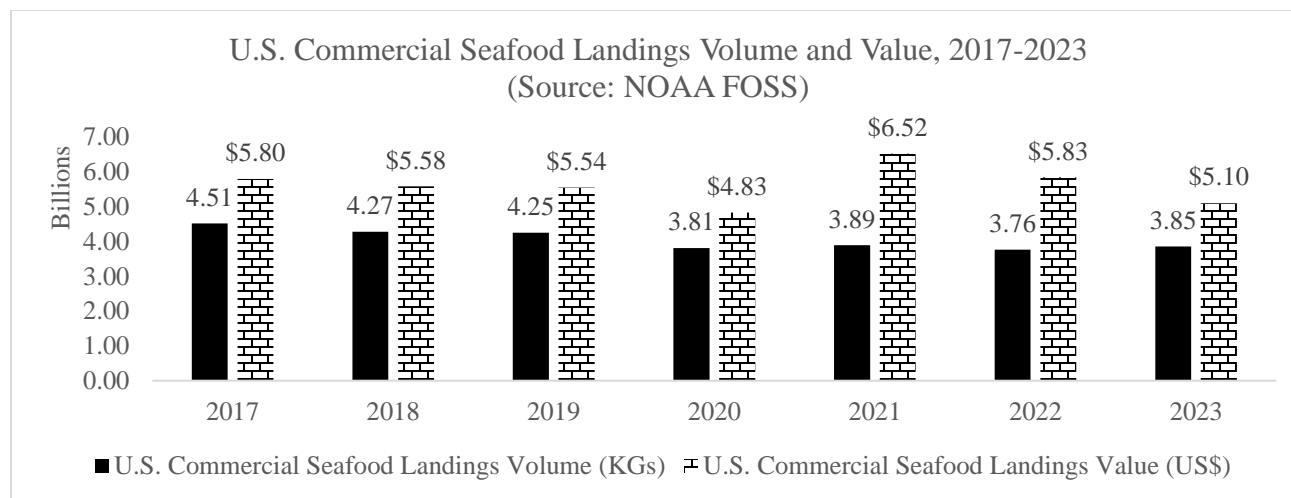
<sup>3</sup> See *id.* at 290-318.

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

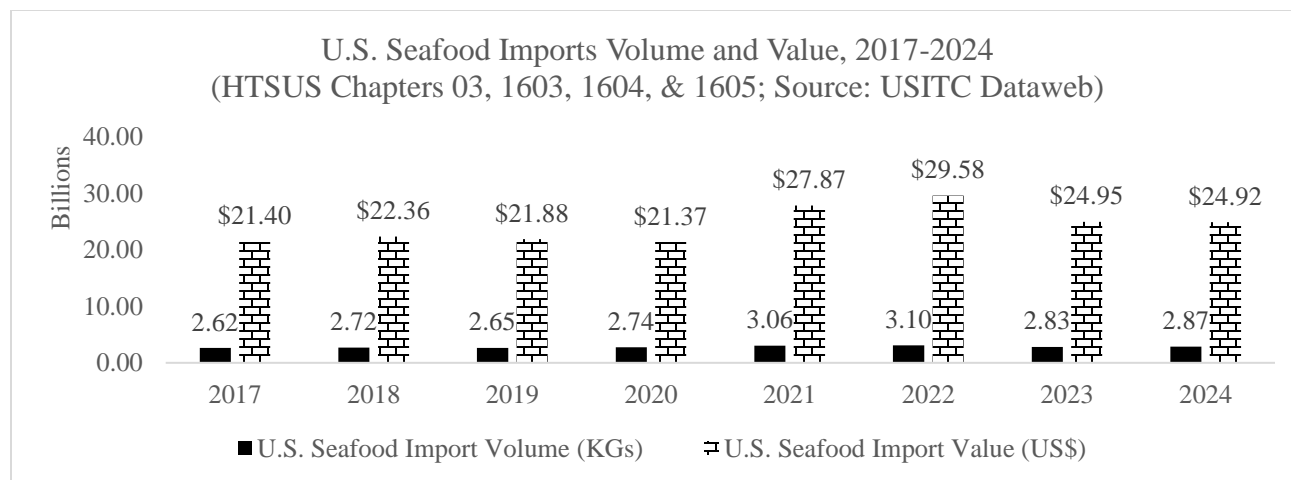
<sup>5</sup> See <https://x.com/USTradeRep/status/1931809450253291921>.

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

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.<sup>7</sup> 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.<sup>8</sup> As with their commercial fishing brethren on the coastline, catfish farmers in Arkansas believe that 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.”<sup>9</sup> 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.<sup>10</sup> 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 timeframe. 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.

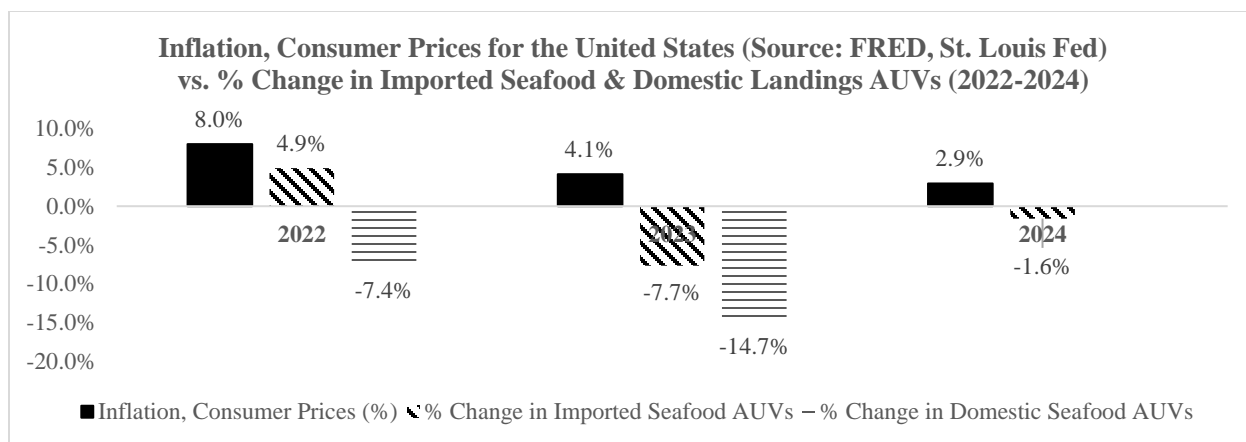
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<sup>7</sup> See U.S. Department of Agriculture, *Catfish Production*, ISSN: 1948-271X (Feb. 10, 2025).

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

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

<sup>10</sup> 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).



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,<sup>11</sup> 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?

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 transshipped 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

<sup>11</sup> 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).

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.