

ANGUS S. KING, JR.
MAINE

133 HART SENATE OFFICE BUILDING
(202) 224-5344
Website: <http://www.King.Senate.gov>

United States Senate

WASHINGTON, DC 20510

COMMITTEES:
ARMED SERVICES
BUDGET
ENERGY AND
NATURAL RESOURCES
INTELLIGENCE
RULES AND ADMINISTRATION

June 10, 2015

The Honorable Richard C. Shelby
Chairman
Appropriations Subcommittee on Commerce,
Justice, Science, and Related Agencies
142 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Barbara A. Mikulski
Ranking Member
Appropriations Subcommittee on Commerce,
Justice, Science, and Related Agencies
125 Hart Senate Office Building
Washington, D.C. 20510

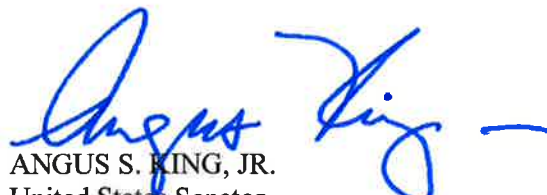
Dear Chairman Shelby and Ranking Member Mikulski:

I write to bring to your attention an instance of the U.S. Fish and Wildlife Service (FWS) exceeding its mandate and encroaching on that of other federal agencies, which are under your subcommittee's jurisdiction. I refer to the Service's recent decision to inspect and collect related fees on the import and export of seafood—including sea urchins and sea cucumbers. Not only is this activity inappropriate, inefficient, and without proper due cause, it is having significant and debilitating economic impacts on those involved in processing these species in Maine and other states. It is my request that your subcommittee ensure the agencies charged by Congress with the inspection of seafood entering and exiting the U.S. are sufficiently funded to do so and that FWS's regulatory overreach is addressed.

Under 50 CFR Part 14, fishery products are exempt from FWS import and export inspection requirements if they are intended for sale to the public as a human food item and the species is not listed as injurious, threatened or endangered, or protected internationally under CITES. The regulation's language is the basis for the numerous exemptions that FWS has established from the import and export restrictions, including for lobsters, clams, mussels, scallops, hagfish, and various other species. While sea urchins and sea cucumbers do not have the market share or historical appreciation of these other seafoods, I am aware of no basis for treating them differently.

This issue is of significant importance to me, and I look forward to working with you to achieve a resolution that enables commerce and ensures the safety and integrity of seafood sold in and out of the country. I have also made my concerns known directly to FWS as well as the Subcommittee on Interior, Environment, and Related Agencies. If you require further details or information, please contact Peter Benoit in my office at peter_benoit@king.senate.gov or 4-3874.

Sincerely,


ANGUS S. KING, JR.
United States Senator

AUGUSTA
4 Gabriel Drive, Suite F1
Augusta, ME 04330
(207) 622-8292

PRESQUE ISLE
169 Academy Street, Suite A
Presque Isle, ME 04769
(207) 764-5124

SCARBOROUGH
383 US Route 1, Suite 1C
Scarborough, ME 04074
(207) 883-1588