

Commercial Customs Operations Advisory Committee (COAC) Government Issue Paper: Forced Labor

March 2022



U.S. Customs and
Border Protection



Trade Remedy Law Enforcement Directorate/Office of Trade
Forced Labor
March 2022

Action Required: Informational

Background:

- U.S. Customs and Border Protection (CBP) enforces Section 1307 of the Tariff Act of 1930, which prohibits the importation of merchandise mined, produced, or manufactured, wholly or in part, with forced labor, forced child labor, or indentured labor under penal sanctions.
- CBP issues Withhold Release Orders (WROs) when information reasonably but not conclusively indicates that merchandise within the purview of 19 U.S.C. 1307 is being, or likely to be, imported. CBP lists all active WROs on [CBP.gov](https://www.cbp.gov).
- The Commercial Customs Operations Advisory Committee (COAC) is a 20-member advisory committee that was established by Congress in 1987. The committee provides advice and recommendations to CBP and the Department of the Treasury on the commercial operations of CBP and trade-related interdepartmental functions.
- The June 2021 meeting was the last public meeting of the 15th term. March 31, 2022 is the opening meeting 16th COAC term.
- The COAC through the Intelligent Enforcement (IE) Subcommittee, Forced Labor Working Group (FLWG), provides advice and recommendations on improving forced labor enforcement.
- The COAC, in Calendar Year (CY) 2021, put forth nine recommendations that were presented and unanimously passed. Four of the recommendations pertained to export modernization. The remaining five recommendations focused on e-bonds.
- On December 23, 2021, the President signed the Uyghur Forced Labor Protection Act (UFLPA) into law. The Department of Homeland Security (DHS) chairs the Forced Labor Enforcement Task Force (FLETF) and maintains oversight over the UFLPA provisions specific to the Department, its component agencies (e.g., CBP, ICE), and the FLETF. CBP is working with DHS to implement the UFLPA.

Issue:

- CBP is working with the COAC to update the FLWG Statement of Work (SOW) for CY 2022.

Current Status:

- The CBP and trade leads of the FLWG met on March 4, 2022 to discuss the SOW.

Next Steps:

- The SOW is currently being drafted.

FOR FURTHER QUESTIONS

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