

**Commercial Customs Operations Advisory Committee
Intelligent Enforcement Subcommittee
Forced Labor Working Group
Draft Recommendations**

December 2022

COAC

**COMMERCIAL CUSTOMS OPERATIONS
ADVISORY COMMITTEE**

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COAC Recommendations

1. COAC recommends that CBP publish a series of visual *'Fact Sheets'* to help and empower U.S. Importers of all sizes to understand better the operational processes to comply with UFLPA and WRO enforcement. It is important to note that while Fact Sheets are an important mechanism to provide expedited and practical clarity to the trade community, CBP should continue to pursue the development of a Forced Labor Informed Compliance publication, as has been customary with other priority trade topics and has been raised in previous recommendations.

The fact sheets should describe in a flowchart format CBP's operational processes including:

- a. Detention to release, exclusion or Import entry rejection (both for WROs and UFLPA)
 - i. The Fact Sheets should outline the step-by-step coordination between the ports, CEEs, CBP HQ and the Importer.
 - ii. The Fact Sheets should provide clarity to the importer on what to do next (e.g., who to contact, contact information, when to notify and how to notify involved parties, etc.) and what to expect after receiving a detention notice from CBP.
 - iii. The Fact Sheets should also clarify steps importers should take if they wish to seek an exception to the UFLPA or request an applicability review (determination that the detained goods are not subject to the UFLPA) or seek an admissibility review (determination that the goods are not subject to a WRO) by CBP. This should include the mechanism for how importers can best and most efficiently transmit supply chain documentation to CBP in support of these requests (email, drop box, etc. given the large number of documents that may need to be transmitted).
 - iv. The Fact Sheets should also include the process that importers must follow when additional shipments that have identical supply chains to those that have been reviewed previously and determined to be admissible by CBP, to facilitate proactive information sharing with CBP and streamline the release process.
- b. Ruling process flow to request a determination from CBP that a specific commodity, import does not fall under the UFLPA or active WRO:

