



Office of Trade

Guidance on Executive Summaries and Sample Tables of Contents: Preparing a UFLPA Applicability Review Submission

The outline below provides guidance on executive summaries and sample tables of contents for importer applicability review submissions—i.e., the document submission that an importer may present to Customs and Border Protection (CBP) to demonstrate that a shipment is not subject to the Uyghur Forced Labor Prevention Act (UFLPA) because the merchandise was not produced in whole or in part in the Xinjiang Uyghur Autonomous Region (XUAR) or by an entity on the UFLPA Entity List. This outline is not intended to serve as an exhaustive list of documentation that CBP may request; it identifies documents that typically facilitate CBP’s review and should be included in importer submissions. Generally, to demonstrate that the UFLPA does not apply to a shipment targeted for examination under the law, importers will need to provide documentation produced in the ordinary course of business that details the order, purchase, manufacture, and transportation of inputs throughout their supply chain. CBP considers the totality of information provided by an importer in assessing the admissibility of merchandise.

All documents provided should include translations into English.

EXECUTIVE SUMMARY

Each package of documents should be well organized and include an Executive Summary explaining the documents contained in the package. The Executive Summary should include the following:

- 1) Annotated document list.** An index of the documents provided that may be in a spreadsheet or other format. It should list each document included in the package according to supply chain level, as well as a brief explanation of the purpose of the document. In some cases, importers may want to explain the significance of the document or highlight the relationship of that document to others in the package. It may be helpful to mention key pieces of information shown on a document, such as a purchase order number, contract number, or other relevant data. Documents should be numbered for ease of reference.
- 2) Summary of supply chain.** The Executive Summary should include key information that connects each step in the transportation and manufacturing processes, such as detention number, entry number, bill of lading number, container numbers, contract numbers, purchase order numbers, production or work order numbers, and other relevant information. This information may be provided in a spreadsheet or other type of document that illustrates the flow of the supply chain across each level.
- 3) Additional summary information.** Additional context or other information that the importer believes will be helpful for CBP to understand the documentation provided. For example, an importer could create a slide deck that includes each document with the key information highlighted and annotated. An importer could also include a tracing report that summarizes all manufacturing processes along with a list of vendors and a list of relevant business transactions involved with the detained shipment, such as a purchase order number, contract number, or production number.

SAMPLE TABLES OF CONTENTS

The below sample tables of contents may assist importers in providing the types of documents that could facilitate CBP’s applicability determination, i.e., determining whether the UFLPA applies to an importation. Please note: As in the example for solar panels below, importers may wish to organize the table of contents based on the different steps of the supply chain where one or more steps involve multiple suppliers.

Generic Sample Table of Contents: Documents for All Suppliers

- I. Executive Summary
- II. Documents Demonstrating the Parties Participating in the Transaction
 - a. Invoice
 - b. Purchase Order
 - c. Production Contract
 - d. Work Order
- III. Documentation Relating to the Payment and Transportation of Raw Materials
 - a. Bill of Lading
 - b. Foreign Customs Clearance
 - c. Declaration Forms and Waybills
 - d. Transportation Records
 - e. Manifest
- IV. Transaction and Supply Chain Records
 - a. Proof of Payment
 - b. Certificate of Origin
 - c. Packing List
 - d. Bill of Lading
 - e. Manifest

Sample Table of Contents for Solar Panels

- I. Executive Summary
- II. Imported Modules/Module Producers
 - a. Invoice and Packing List
 - b. Bill of Lading
 - c. Entry Summary
 - d. Shipping and Freight Arrival Notice
 - e. Module Supplier Certificate of Origin
 - f. Purchase Order
 - g. Work Order
 - h. Production Contract
 - i. Solar Module Production Records
 - j. Solar Cell Inbound & Outbound Records
- III. Solar Cell Suppliers
 - a. Production Steps Flow Chart
 - b. Purchase Order
 - c. Commercial Invoice and Packing List
 - d. Bill of Lading
 - e. Work Order
 - f. Production Contract
 - g. Cell Production Records
 - h. Wafer Inbound & Outbound Records
 - i. Solar Cell Certificate of Origin
 - j. Proof of Payment
 - k. Foreign Customs Clearance Documents
- IV. Wafer Suppliers
 - a. Purchase Orders
 - b. Commercial Invoice and Packing List
 - c. Bill of Lading
 - d. Work Order
 - e. Production Contract
 - f. Wafer Production Records

- g. Ingots Inbound & Outbound Records
- h. Wafer Seller Certificate of Origin
- i. Proof of Payment
- j. Foreign Customs Clearance Documents

V. Ingot Suppliers

- a. Purchase Orders
- b. Production Contracts
- c. Commercial Invoices
- d. Packing Lists
- e. Certificate of Origin
- f. Delivery Orders
- g. Proof of Payment
- h. Declaration Forms and Waybills
- i. Ingot Production Records
- j. Polysilicon Inbound & Outbound Records
- k. Foreign Customs Clearance Documents

VI. Polysilicon Suppliers

- a. Purchase Orders
- b. Production Contracts
- c. Commercial Invoices
- d. Packing Lists
- e. Certificate of Origin
- f. Delivery Orders
- g. Proof of Payment
- h. Declaration Forms and Waybills
- i. Polysilicon Production Records
- j. Silicon Inbound & Outbound Records
- k. Foreign Customs Clearance Documents

VII. Metallurgical Grade Silicon Suppliers

- a. Purchase Orders
- b. Commercial Invoices
- c. Payment Receipts
- d. Bills of Lading
- e. Transportation Records
- f. Records of Batch Numbers and Production Dates
- g. Quartzite Inbound & Outbound Records
- h. Proof of Payment
- i. Foreign Customs Clearance Documents

VIII. Quartzite Suppliers

- a. Purchase Orders
- b. Commercial Invoices
- c. Proof of Payment
- d. Transportation Records
- e. Unredacted name, address/location of mine
- f. Quartzite mining records
- g. Foreign Customs Clearance Documents

This sample document is for illustrative purposes only and does not represent the entirety of what information CBP might require to be submitted for a particular importation. It is not intended to replace, supersede, or in any way modify any applicable laws, regulations, or policies or importer responsibilities pursuant to such laws, regulations, or policies pertaining to the importation of goods or merchandise into the United States. It is not intended to be prescriptive, as supply chains vary dramatically across industries, between companies, and even within the same company.

Furthermore, nothing in this document affects CBP's ability to exercise its legal authorities pursuant to any laws CBP is charged with administering or enforcing in particular cases.

