



# **2024 Updates to the Strategy to Prevent the Importation of Goods Mined, Produced, or Manufactured with Forced Labor in the People’s Republic of China**

**Report to Congress**

July 9, 2024



**Homeland  
Security**

**Office of Strategy, Policy, and Plans**

# Message from the Under Secretary for Strategy, Policy, and Plans

July 9, 2024

The United States is committed to promoting respect for human rights and dignity and supporting a system of global trade free from forced labor. As the Chair of the Forced Labor Enforcement Task Force (FLETF), and on behalf of the U.S. Department of Homeland Security (DHS), I am pleased to present to Congress these “2024 Updates to the Strategy to Prevent the Importation of Goods Mined, Produced, or Manufactured with Forced Labor in the People’s Republic of China.” In addition to DHS, other members of the FLETF include the Office of the U.S. Trade Representative and the U.S. Departments of Commerce, Justice, Labor, State, and Treasury. The U.S. Departments of Agriculture and Energy, the U.S. Agency for International Development, U.S. Customs and Border Protection (CBP), U.S. Immigration and Customs Enforcement, and the National Security Council participate as FLETF observers.



These updates have been prepared pursuant to Section 2 of Public Law No. 117-78, *An Act to ensure that goods made with forced labor in the Xinjiang Uyghur Autonomous Region of the People’s Republic of China do not enter the United States market, and for other purposes*, otherwise known as the Uyghur Forced Labor Prevention Act (UFLPA).

Ending forced labor is a moral, economic, and national security imperative. DHS and its FLETF partners remain steadfast in their duty to address the global challenge of prohibiting the importation of goods mined, produced, or manufactured wholly or in part with forced labor. Combating trade in foreign goods produced with forced labor, including state-sponsored forced labor or convict labor, addresses unfair competition for compliant U.S. and international manufacturers and promotes American values of free and fair trade, the rule of law, and respect for human dignity.

Since the initial Strategy was issued in June 2022, there have been tremendous changes as a result of the FLETF’s implementation of the Strategy’s multi-pronged approach, coupled with CBP’s strong enforcement of the UFLPA’s rebuttable presumption mechanism. The FLETF has significantly expanded the UFLPA Entity List, from the initial 20 entities named in the 2022 Strategy to 68 entities as of the date of these Updates. The FLETF has improved the UFLPA Entity List process, building on best practices to promote a more transparent, consistent, and scalable methodology that allows the FLETF to more rapidly increase the number of entities included on the UFLPA Entity List. As mandated by the UFLPA, and to provide more transparency to the private sector, the FLETF has also identified new high-priority sectors for enforcement – polyvinyl chloride, aluminum and seafood – to inform the trade community of supply chains that involve a higher risk of forced labor from the Xinjiang Uyghur Autonomous Region (XUAR) in China.

Continuing with its stakeholder outreach, the FLETf has built on its partnerships with nongovernmental organizations to increase awareness of forced labor schemes and efforts to obscure the true origin of goods in response to greater scrutiny. The FLETf has also expanded its collaborations with the private sector to support industry efforts to prioritize effective due diligence and facilitate legitimate trade.

In support of a global response to the scourge of forced labor, FLETf member agencies have also engaged with like-minded international partners to support their efforts to eradicate goods made with forced labor from their markets, including the European Union, Japan, Mexico, and Canada.

Finally, since implementation of the UFLPA's rebuttable presumption, CBP has examined more than 9,000 shipments, valued at more than \$3.4 billion, to ensure that goods made with forced labor do not enter U.S. commerce.

Pursuant to Public Law No. 117-78, this report will be made publicly available and is being submitted to the following Members of Congress:

The Honorable Michael McCaul, Chairman  
U.S. House of Representatives Foreign Affairs Committee

The Honorable Gregory Meeks, Ranking Member  
U.S. House of Representatives Foreign Affairs Committee

The Honorable Patrick McHenry, Chairman  
U.S. House of Representatives Committee on Financial Services

The Honorable Maxine Waters, Ranking Member  
U.S. House of Representatives Committee on Financial Services

The Honorable Jason Smith, Chairman  
U.S. House of Representatives Committee on Ways and Means

The Honorable Richard E. Neal, Ranking Member  
U.S. House of Representatives Committee on Ways and Means

The Honorable Mark E. Green, Chairman  
U.S. House of Representatives Committee on Homeland Security

The Honorable Bennie G. Thompson, Ranking Member  
U.S. House of Representatives Committee on Homeland Security

The Honorable Ben Cardin, Chairman  
U.S. Senate Committee on Foreign Relations

The Honorable James E. Risch, Ranking Member  
U.S. Senate Committee on Foreign Relations

The Honorable Sherrod Brown, Chairman  
U.S. Senate Committee on Banking, Housing, and Urban Affairs

The Honorable Tim Scott, Ranking Member

U.S. Senate Committee on Banking, Housing, and Urban Affairs

The Honorable Ron Wyden, Chairman

U.S. Senate Committee on Finance

The Honorable Mike Crapo, Ranking Member

U.S. Senate Committee on Finance

The Honorable Gary C. Peters, Chairman

U.S. Senate Committee on Homeland Security and Governmental Affairs

The Honorable Rand Paul, Ranking Member

U.S. Senate Committee on Homeland Security and Governmental Affairs

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Silvers', written in a cursive style.

Robert Silvers

Under Secretary for Strategy, Policy, and Plans

U.S. Department of Homeland Security

# Executive Summary

The Uyghur Forced Labor Prevention Act<sup>1</sup> (UFLPA) was enacted on December 23, 2021. The UFLPA charged the Forced Labor Enforcement Task Force (FLETF), chaired by the U.S. Department of Homeland Security (DHS), to develop a strategy for supporting the enforcement of Section 307 of the Tariff Act of 1930, as amended (19 U.S.C. § 1307), to prevent the importation into the United States of goods mined, produced, or manufactured wholly or in part with forced labor in the People’s Republic of China (PRC). The FLETF released the *Strategy to Prevent the Importation of Goods Mined, Produced, or Manufactured with Forced Labor in the People’s Republic of China* (UFLPA Strategy) on June 17, 2022. The UFLPA Strategy informs U.S. Customs and Border Protection’s (CBP’s) enforcement of the UFLPA’s rebuttable presumption that any goods, wares, articles, or merchandise mined, produced, or manufactured wholly or in part in the Xinjiang Uyghur Autonomous Region (XUAR) of the PRC, or produced by an entity on the UFLPA Entity List, are prohibited from entering the United States under 19 U.S.C. § 1307. The UFLPA’s rebuttable presumption went into effect on June 21, 2022. Since inception, CBP has examined more than 9,000 shipments, valued at more than \$3.4 billion, and has denied entry to a significant number of shipments with violative goods, while facilitating the free flow of legitimate trade.

The UFLPA requires that the FLETF provide annual updates to the UFLPA Strategy<sup>2</sup> addressing the UFLPA Entity List,<sup>3</sup> the list of products associated with certain listed entities,<sup>4</sup> plans for enforcement and for identifying additional entities,<sup>5</sup> and high-priority sectors.<sup>6</sup>

The 2024 updates to the UFLPA Strategy include additions under the following sections:<sup>7</sup>

- Evaluation and Description of Forced-Labor Schemes and UFLPA Entity List
- Additional Resources Necessary to Ensure No Goods Made with Forced Labor Enter at U.S. Ports
- Coordination and Collaboration with Appropriate Nongovernmental Organizations and Private-Sector Entities

Among the accomplishments noted in this report, the FLETF has enhanced its capabilities to expand the UFLPA Entity List. During this reporting period, the FLETF has named an additional 38 entities, for a total of 68 entities that meet the statutory requirements for inclusion. With improvements to its internal process for development and consideration of recommendations for additions to the UFLPA Entity List, the FLETF expects continued expansion of the UFLPA

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<sup>1</sup> Pub. L. No. 117-78, 135 Stat. 1525 (2021).

<sup>2</sup> *Id.* § 2(e).

<sup>3</sup> *Id.* § 2(d)(2)(B)(i), (ii), (iv) and (v).

<sup>4</sup> *Id.* § 2(d)(2)(B)(iii).

<sup>5</sup> *Id.* § 2(d)(2)(B)(vi), (vii) and (ix).

<sup>6</sup> *Id.* § 2(d)(2)(B)(viii).

<sup>7</sup> These additions provide additional information on key evolving areas; they do not supersede any content in the UFLPA Strategy unless specifically stated.

Entity List, which provides greater transparency to the trade community and supports the private sector's due diligence and compliance efforts.

Another key milestone included in this report is the FLETF's addition of new high-priority sectors for enforcement – polyvinyl chloride, aluminum and seafood – based on a finding that these industries involve a higher risk of forced labor of Uyghurs and members of other persecuted groups from the XUAR. These new priority sectors augment those previously identified by the FLETF, i.e. apparel, cotton and cotton products, silica-based products (including polysilicon), and tomatoes and downstream products. Identification of the new high-priority sectors provides transparency to importers and sends a signal to responsible businesses to prioritize scrutiny of supply chains that may involve products in those sectors. The FLETF will also prioritize review of potential entities within these sectors for inclusion in the UFLPA Entity List, and federal agencies will also examine entities in these sectors for possible enforcement actions under their relevant authorities in efforts to eliminate economic incentives to participate in or facilitate these human rights abuses.

Consistent with prior reports, the FLETF has provided updates to identify additional resources necessary for the FLETF to implement the UFLPA. This update is particularly important given continuing congressional inquiry on types of resources needed by the FLETF to more robustly pursue the goals and directives stipulated for the FLETF under the UFLPA.

Finally, this report highlights the FLETF's efforts to enhance collaboration with the appropriate nongovernmental organizations and the private sector to expand awareness of the complexities of global supply chains, to increase commitment to prioritizing effective due diligence protocols, and to partner with stakeholders across industry, civil society, and governments to eliminate goods made with forced labor from global supply chains.



# 2024 Updates to the Strategy to Prevent the Importation of Goods Mined, Produced, or Manufactured with Forced Labor in the People’s Republic of China

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# Statutory Language

Section 2(c) of Public Law 117-78, *An Act [t]o ensure that goods made with forced labor in the Xinjiang Uyghur Autonomous Region of the People’s Republic of China do not enter the United States market, and for other purposes*, also known as the UFLPA, requires “the Forced Labor Enforcement Task Force, in consultation with the Secretary of Commerce and the Director of National Intelligence, to develop a strategy for supporting enforcement of Section 307 of the Tariff Act of 1930 (19 U.S.C. § 1307) to prevent the importation into the United States of goods mined, produced, or manufactured wholly or in part with forced labor in the People’s Republic of China.” The FLETF released the *Strategy to Prevent the Importation of Goods Mined, Produced, or Manufactured with Forced Labor in the People’s Republic of China*, also known as the UFLPA Strategy, on June 17, 2022. The FLETF is now providing updates to the UFLPA Strategy.

UFLPA Section 2(e) outlines the timeline for updates to the UFLPA Strategy:

(e) *SUBMISSION OF STRATEGY.*—

(1) *IN GENERAL.*— Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Forced Labor Enforcement Task Force, in consultation with the Department of Commerce and the Director of National Intelligence, shall submit to the appropriate congressional committees a report that —

(A) in the case of the first such report, sets forth the strategy developed under subsection (c); and

(B) in the case of any subsequent such report, sets forth any updates to the strategy.

(2) *UPDATES OF CERTAIN MATTERS.*— Not less frequently than annually after the submission under paragraph (1)(A) of the strategy developed under subsection (c), the Forced Labor Enforcement Task Force shall submit to the appropriate congressional committees updates to the strategy with respect to the matters described in clauses (i) through (ix) of subsection (d)(2)(B).

(3) *FORM OF REPORT.*— Each report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex, if necessary.

(4) *PUBLIC AVAILABILITY.*— The unclassified portion of each report required by paragraph (1) shall be made available to the public.

UFLPA Section 2(d) outlines the required content of the strategy. The sections addressed in the 2024 Updates to the UFLPA Strategy are included:

(d) *ELEMENTS.* — The strategy developed under subsection (c) shall include the following:



[ . . . ]

(2) A comprehensive description and evaluation—

[ . . . ]

(B) that includes—

(i) a list of entities in the Xinjiang Uyghur Autonomous Region that mine, produce, or manufacture wholly or in part any goods, wares, articles and merchandise with forced labor;

(ii) a list of entities working with the government of the Xinjiang Uyghur Autonomous Region to recruit, transport, transfer, harbor or receive forced labor or Uyghurs, Kazakhs, Kyrgyz, or members of other persecuted groups out of the Xinjiang Uyghur Autonomous Region;

(iii) a list of products mined, produced, or manufactured wholly or in part by entities on the list required by clause (i) or (ii);

(iv) a list of entities that exported products described in clause (iii) from the People’s Republic of China into the United States;

(v) a list of facilities and entities, including the Xinjiang Production and Construction Corps, that source material from the Xinjiang Uyghur Autonomous Region or from persons working with the government of the Xinjiang Uyghur Autonomous Region or the Xinjiang Production and Construction Corps for purposes of the “poverty alleviation” program or the “pairing-assistance” program or any other government labor scheme that uses forced labor;

(vi) a plan for identifying additional facilities and entities described in clause (v);

(vii) an enforcement plan for each such entity whose goods, wares [sic] articles, or merchandise are exported into the United States, which may include issuing withhold release orders to support enforcement of section 4 with respect to the entity;

(viii) a list of high-priority sectors for enforcement, which shall include cotton, tomatoes, and polysilicon; and

(ix) an enforcement plan for each such high-priority sector.

[ . . . ]

(5) A description of the additional resources necessary for U.S. Customs and Border Protection to ensure that no goods are entered at any of the ports of the United States in violation of section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

[ . . . ]

(7) A plan to coordinate and collaborate with appropriate nongovernmental organizations and private sector entities to implement and update the strategy developed under subsection (c).

# Background

Section 307 of the Tariff Act of 1930, as amended (19 U.S.C. § 1307), prohibits goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part in any foreign country by forced labor, including convict labor, indentured labor under penal sanctions, and forced or indentured child labor, from being imported into the United States. CBP enforces this prohibition while facilitating legitimate trade at 328 ports of entry throughout the United States. CBP has the authority to detain, seize, or exclude goods produced with forced labor, as well as to issue civil penalties against those who facilitate such imports.<sup>8</sup>

## Establishment of the FLETF

The FLETF was authorized on January 29, 2020, by the United States-Mexico-Canada Agreement (USMCA) Implementation Act (19 U.S.C. § 4681). Executive Order 13923, signed May 15, 2020, established the FLETF and identified the Secretary of Homeland Security as its Chair. The Secretary delegated the role of FLETF Chair to the Under Secretary for Strategy, Policy, and Plans. The FLETF's additional members are the Office of the U.S. Trade Representative (USTR) and the U.S. Departments of Commerce (DOC), Justice (DOJ), Labor (DOL), State (State), and Treasury (Treasury). The U.S. Departments of Agriculture and Energy, the U.S. Agency for International Development, CBP, U.S. Immigration and Customs Enforcement (ICE), and the National Security Council participate as observers.<sup>9</sup>

## Role of the FLETF

The FLETF is responsible for monitoring the enforcement of 19 U.S.C. § 1307. The FLETF convenes quarterly leadership meetings and coordinates among its members to fulfill its mission and discuss 19 U.S.C. § 1307 enforcement. The FLETF provides biannual reports to Congress that include information and statistics related to CBP's enforcement of 19 U.S.C. § 1307 and enforcement plans regarding goods included in DOL's *Findings on the Worst Forms of Child Labor* report<sup>10</sup> and *List of Goods Produced by Child Labor or Forced Labor* report.<sup>11</sup>

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<sup>8</sup> 19 U.S.C. §§ 1592, 1595a.

<sup>9</sup> The FLETF Chair has the authority to invite agencies and departments to participate as members or observers, as appropriate.

<sup>10</sup> DOL's *Findings on the Worst Forms of Child Labor* report is submitted to Congress and made available publicly annually in accordance with the requirements for an annual report per Section 504 of the Trade Act of 1974, as amended (19 U.S.C. § 2464).

<sup>11</sup> DOL's *List of Goods Produced by Child Labor or Forced Labor* report is submitted to Congress and made publicly available at least every two years in accordance with Section 105(b)(2)(C) of the Trafficking Victims Protection Reauthorization Act of 2005 (22 U.S.C. § 7112(b)(2)(C)).

## **Forced Labor in the XUAR and the UFLPA**

The United States condemns the PRC's violations and abuses of human rights in the XUAR. The PRC government continues to engage in genocide and crimes against humanity against predominantly Muslim Uyghurs and members of other ethnic and religious minority groups in the XUAR.<sup>12</sup> The crimes against humanity include imprisonment, torture, forced sterilization, and persecution, including through forced labor and the imposition of draconian restrictions on the freedoms of religion or belief, expression, and movement.<sup>13</sup> Congress enacted the UFLPA to highlight these abhorrent practices, combat the PRC's systematic use of forced labor in the XUAR, and prevent goods produced in whole or in part under this repressive system from entering the United States.

### **Enforcement of the UFLPA Rebuttable Presumption**

The UFLPA establishes a rebuttable presumption, which became effective on June 21, 2022, that the importation of any goods mined, produced, or manufactured wholly or in part in the XUAR, or produced by an entity on the UFLPA Entity List, is prohibited under 19 U.S.C. § 1307.<sup>14</sup> The Commissioner of CBP may grant an exception to the presumption if an importer meets specific criteria outlined in Section 3(b) of the UFLPA.<sup>15</sup>

Since the UFLPA went into effect, through June 2024, CBP has stopped more than 9,000 shipments of goods valued at over \$3.4 billion for enforcement action review. The most recent publicly available statistics on UFLPA enforcement can be found at [CBP.gov](https://www.cbp.gov).<sup>16</sup>

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<sup>12</sup> *Risks and Considerations for Businesses and Individuals with Exposure to Entities Engaged in Forced Labor and Other Human Rights Abuses Linked to Xinjiang, China*, U.S. Department of State, 1-2 (July 13, 2021), <https://www.state.gov/wp-content/uploads/2021/07/Xinjiang-Business-Advisory-13July2021-1.pdf> [hereinafter *Xinjiang Business Advisory*].

<sup>13</sup> *See id.* at 2.

<sup>14</sup> Pub. L. No. 117-78, § 3(a), 135 Stat. 1525 (2021).

<sup>15</sup> *Id.* § 3(b).

<sup>16</sup> *Uyghur Forced Labor Prevention Act Statistics*, U.S. Customs and Border Protection, <https://www.cbp.gov/newsroom/stats/trade/uyghur-forced-labor-prevention-act-statistics>.

# Updates to Evaluation and Description of Forced-Labor Schemes and the UFLPA Entity List

This section updates the UFLPA Strategy’s *Chapter II. Evaluation and Description of Forced-Labor Schemes and UFLPA Entity List*. This includes updates to the description and evaluation of PRC government-labor schemes, which was initially provided on June 17, 2022, and updates to the language addressing requirements set forth by Section 2(d)(2)(B) subsections (i) through (ix) of the UFLPA.

## “Pairing Assistance,” “Poverty Alleviation,” and Other Government-Labor Schemes Overview

Since the enactment of the UFLPA and subsequent release of the UFLPA Strategy in June 2022, additional reporting has been published highlighting the continued and ongoing presence of the PRC state-sponsored labor schemes in the XUAR. In September 2023, the Department of State, along with the Departments of Commerce, Homeland Security, Labor, and the Treasury, and USTR issued an Addendum to the Xinjiang Supply Chain Business Advisory, calling attention to the PRC’s ongoing genocide and crimes against humanity in the XUAR and the evidence of widespread use of forced labor.<sup>17</sup>

### *State-Imposed Forced Labor Schemes*

In February 2024, the International Labour Organization (ILO) offered a new definition of “state-imposed forced labor” when it stated that the term “refers to forms of forced labor imposed by state authorities, agents acting on behalf of state authorities, and organizations with authority similar to the state.”<sup>18</sup> Their guidance continues to delineate the means of coercion typical of state-imposed forced labor: “state-imposed forced labor operates through a pervasively coercive wider social context marked by a general lack of civic freedoms and a state apparatus that generates powerful coercive pressures through an extensive grassroots apparatus consisting of state and non-state institutions. Non-cooperation entails a systemic risk that is often more implicit than overt. Those who fail to comply risk a broad range of ramifications by the state, including loss of income, harassment, violence, or detention.”<sup>19</sup>

The ILO guidance identifies indicators of forced labor that reveal state leverage in the imposition of forced labor:

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<sup>17</sup> Department of State, Xinjiang Supply Chain Business Advisory Addendum, September 26, 2023. <https://www.state.gov/wp-content/uploads/2023/09/Xinjiang-Business-Advisory-Addendum-July-2023-FINAL-Accessible-09.26.2023.pdf>.

<sup>18</sup> International Labour Organization, “Hard to See, Harder to Count: Handbook on Forced Labour Surveys,” Third Edition, Geneva: International Labour Office, 2024, 148, <https://www.dol.gov/agencies/ilab/hard-see-harder-count-survey-guidelines-estimate-forced-labour-adults-and-children>.

<sup>19</sup> *Id.* 149.

- evidence of a state policy or state-sanctioned custom, as expressed in laws, high-level policy documents, administrative instructions, or institutional mandates that directly or indirectly legitimizes the use of involuntariness or coercion (alternatively: coercive pressures by state authorities) in human resource allocation;
- evidence of a state policy that instrumentalizes employment or work for political objectives such as aligning political views with those of the established political, social, or economic system, altering the population composition in particular areas or enhancing national security;
- evidence of a state policy that restricts job or geographical mobility for economic, social, cultural, or political purposes;
- the presence of a coercive environment (a significantly reduced civic space manifested in systemic restrictions of fundamental freedoms and enhanced surveillance), a comprehensive mechanism for pressure-driven labor mobilization, or a state policy mandating work or production targets for targeted populations;
- evidence of a state policy or state-sanctioned practice that causes or perpetuates the disadvantaged position or vulnerabilities of racial, social, national, or religious groups.<sup>20</sup>

These indicators are present in the state-sponsored labor transfer schemes in the XUAR that target specific religious and ethnic minority groups through state policies that impose or threaten internment, arbitrary detention, or other forms of extra-judicial incarceration as a consequence of refusing labor transfers. Furthermore, these schemes in the XUAR also mandate door-to-door government agent recruitment, state-imposed recruitment quotas, and restricted mobility or freedom to choose work, which are indicators of state-imposed forced labor.

Furthermore, the PRC labor policies operating in the XUAR also meet at least four of the five circumstances in which States are prohibited from imposing compulsory labor by ILO Convention 105 (punishment for strikes has not been documented):

- a) As a means of political coercion or education or as a punishment for holding or expressing political views or views ideologically opposed to the established political, social, or economic system;
- b) As a method of mobilizing and using labor for purposes of economic development;
- c) As a means of labor discipline;
- d) As a punishment for having participated in strikes;
- e) As a means of racial, social, national, or religious discrimination.<sup>21</sup>

All of these prohibited characteristics have been widely documented in the PRC's labor transfers operating in the XUAR, with the exception of punishment for having participated in strikes. In particular, the government explicitly states through its directives that a primary purpose of the compulsory labor transfer program within the XUAR is purportedly for purposes of economic

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<sup>20</sup> *Id.* 150.

<sup>21</sup> International Labour Organization, "Abolition of Forced Labour Convention, 1957" (No. 105), [https://normlex.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:55:0::NO::P55\\_TYPE,P55\\_LANG,P55\\_DOCUMENT,P55\\_NODE:CON,en,C105,/Document](https://normlex.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:55:0::NO::P55_TYPE,P55_LANG,P55_DOCUMENT,P55_NODE:CON,en,C105,/Document).

development, which the government deems as being thwarted by religious “extremism” in the Uyghur community, and that the goal of both the labor transfers and internment camp labor (which the PRC government describes as vocational education and training centers) is to transform people’s ideological views.<sup>22</sup>

### *Work or Services Extracted Under Threat of Penalty*

Recent information regarding state labor schemes operating in the XUAR has provided additional evidence that the Uyghurs, Kazakhs, Kyrgyz, Tibetans, and members of other persecuted groups are systematically experiencing the extraction of their work or services under threat of penalty. Therefore, these programs meet international definitions of state-imposed forced labor.

As Adrian Zenz, an anthropologist who has studied the persecution of Uyghurs, has noted, the XUAR’s 14th Five-Year Plan, which covers 2021 to 2025, mandates that “every single person who is able to work is to realize employment.” Local and county governments are encouraged to effect state labor transfer programs as a countermeasure to unemployment.<sup>23</sup> State labor transfer programs involve local and regional governments collaborating with companies both inside and outside of the XUAR to recruit, transfer, and transport laborers to mines, farms, and factories for work.

The XUAR government announces the number of labor transfers it has conducted annually. As of September 2020, the XUAR government claimed to have conducted 2.6 million transfers of Uyghur and other people in labor transfer programs that year. In 2021, the government reported as many as 3.17 million transfers. In 2022, there were 3.03 million transfers. By the third quarter of 2023, the XUAR government announced that it had already exceeded its annual goal for labor

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<sup>22</sup> See The State Council Information Office of the People’s Republic of China, “Employment and Labor Rights in Xinjiang,” September 17, 2020, [https://web.archive.org/web/20141022145614/http://www.scio.gov.cn/zxbd/wz/Document/1382608/1382608\\_2.htm](https://web.archive.org/web/20141022145614/http://www.scio.gov.cn/zxbd/wz/Document/1382608/1382608_2.htm); Xi Jinping, “习近平同志在新疆考察工作期间的讲话” [General Secretary Xi Jinping’s Speeches While Inspecting Xinjiang], April, 30, 2014, 12, <https://uyghurtribunal.com/wp-content/uploads/2021/11/Transcript-Document-01.pdf>; Xinjiang District Statistics Bureau, “转移农村劳动力是解决新疆“三农”问题的根本出路” [The transfer of rural labor is the fundamental way to solve the problems of “agriculture, rural areas and farmers” in Xinjiang], China National Bureau of Statistics, August 31, 2005, <https://archive.ph/vzjje>; See also Murphy, L., Elimä, N., and Tobin, D. (2022). “‘Until Nothing Is Left’: China’s Settler Corporation and its Human Rights Violations in the Uyghur Region. A Report on the Xinjiang Production and Construction Corps,” Sheffield, UK: Sheffield Hallam University Helena Kennedy Centre for International Justice, 14, 45-47, <https://www.shu.ac.uk/helena-kennedy-centre-international-justice/research-and-projects/all-projects/until-nothing-is-left>; Zenz, A. (2023) “The Conceptual Evolution of Poverty Alleviation through Labour Transfer in the Xinjiang Uyghur Autonomous Region,” *Central Asian Survey*, 650, 657, 663, <https://doi.org/10.1080/02634937.2023.2227225>.

<sup>23</sup> Adrian Zenz (2023), Measuring Non-Internment State-Imposed Forced Labor in Xinjiang and Central Asia: An Assessment of ILO Measurement Guidelines, *Journal of Human Trafficking*, DOI: [10.1080/23322705.2023.2270366](https://doi.org/10.1080/23322705.2023.2270366).

transfers, reaching 3.05 million transfers.<sup>24</sup> This constitutes a significant proportion of the population of the region; the total population of the XUAR is approximately 25 million, with approximately 12 million of those people being Uyghur or other persecuted groups.

The PRC government, as well as regional and local governments in the XUAR, insist that state labor transfer programs are both voluntary and designed as a public welfare and poverty alleviation strategy. In 2017, however, regional and local governments in the XUAR circulated several directives that indicated participation in state labor transfer programs as compulsory and made refusal to participate in government programs punishable by detention.

In December 2023, the Victims of Communism Memorial Foundation released new documents showing that refusal to participate (or nonperformance) in labor transfers and other welfare schemes in the XUAR was punishable by detention. One document distributed by a local government in February 2017 was titled, “Work Guidelines for the Lawful Detention of Twenty-one Types of Strike-Hard Focus Targets.” Among those who should be “considered a real danger” and could be punished with detention, according to the document, were those who were “unwilling to enjoy various welfare policies and do not participate in various activities organized by grassroots organizations without justifiable reasons” as well as those who were repeatedly unwilling to take employment opportunities through post-prison resettlement programs.<sup>25</sup> State labor transfer schemes are one of the many state “welfare policies” operating in the XUAR, thus indicating refusal of a state labor transfer could result in detention.

Furthermore, in a directive titled “Learning and Identifying 75 Religious Extreme Activities in Parts of Xinjiang” that was distributed widely across the XUAR, the government named “refusing to accept government subsidies or assistance . . . on the grounds of religion,” as one of the signs of extremism. As religious extremism is punishable by internment or imprisonment and was the justification for the region’s internment camp system, including refusal of a government assistance program on this list of 75 “religious extreme activities” indicates that participation in labor transfer programs is non-voluntary.

Under these directives – and in particular under the “Work Guidelines” document described above – it is clear that in the XUAR, the consequence of refusing participation in a state labor transfer can be detention; thus, the program is non-voluntary. People are not provided the opportunity for free, informed consent to participate in a state labor transfer, as they are not provided a meaningful opportunity to refuse.

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<sup>24</sup> Adrian Zenz (2024), “Forced Labor in the Xinjiang Uyghur Autonomous Region: Assessing the Continuation of Coercive Labor Transfers in 2023 and Early 2024,” Jamestown Foundation China Brief Volume: 24 Issue: 5, February 14, 2024, <https://jamestown.org/program/forced-labor-in-the-xinjiang-uyghur-autonomous-region-assessing-the-continuation-of-coercive-labor-transfers-in-2023-and-early-2024/>.

<sup>25</sup> “关于印发《依法收押二是一类严打重点对象工作指南》通知” [“Notice on Printing and Distribution of ‘Work Guidelines for the Lawful Detention of Twenty-one Types of Strike-Hard Focus Targets’”], Kashgar Prefecture Stability Maintenance Leading Group document [2017] No. 2, February 7, 2017, available at the Xinjiang Police Files, <https://www.xinjiangpolicefiles.org/notice-on-printing-and-distributing-work-guidelines-for-the-lawful-detention-of-21-types-of-strike-hard-focus-targets-kashgar-2017/>.



## UFLPA Entity List, Product List, Priority Sectors, and Related Plans

The below addresses the requirements set forth by Section 2(d)(2)(B) subsections (i) through (ix) of the UFLPA. This includes requirements related to: the UFLPA Entity List, the list of products made by certain listed entities, plans for enforcement and for identifying additional entities, and high-priority sectors. As is noted in Section 3(a) of the UFLPA, listed entities are subject to the UFLPA’s rebuttable presumption that their products are prohibited from entry into the United States under 19 U.S.C. § 1307.<sup>26</sup>

### UFLPA Entity List

The FLETF has been charged with developing a list of entities and facilities as described in Sections 2(d)(2)(B)(i), (ii), (iv), and (v) of the UFLPA, and consolidated those under the UFLPA Entity List, as described in the chart below.

| Statute Reference       | Statutory Language   |
|-------------------------|--|
| Section 2(d)(2)(B)(i):  | A list of entities in the XUAR that mine, produce, or manufacture wholly or in part any goods, wares, articles and merchandise with forced labor   |
| Section 2(d)(2)(B)(ii): | A list of entities working with the government of the XUAR to recruit, transport, transfer, harbor or receive forced labor or Uyghurs, Kazakhs, Kyrgyz, or members of other persecuted groups out of the XUAR  |
| Section 2(d)(2)(B)(iv): | A list of entities that exported products described in clause (iii) from the PRC into the United States (clause (iii) refers to products mined, produced, or manufactured by list (i) and (ii) entities)   |
| Section 2(d)(2)(B)(v):  | A list of facilities and entities, including the Xinjiang Production and Construction Corps (XPCC), that source material from the XUAR or from persons working with the government of the XUAR or XPCC for purposes of the “poverty alleviation” program or the “pairing-assistance” program or any other government-labor scheme that uses forced labor |

The initial UFLPA Entity List was published in the UFLPA Strategy, and subsequently published in the *Federal Register*. As set forth in the August 4, 2022, *Federal Register* Notice,<sup>27</sup> the FLETF drew upon two sources for the entities identified on the UFLPA Entity List as

<sup>26</sup> Pub. L. No. 117-78, § 3(a), 135 Stat. 1525 (2021).

<sup>27</sup> Notice on the Addition of Entities to the Uyghur Forced Labor Prevention Act Entity List, 87 Fed. Reg. 47777 (August 4, 2022).

published on June 17, 2022; i.e., CBP’s Withhold Release Orders for goods produced by entities where information reasonably indicates that such goods were produced with forced labor of Uyghur and other ethnic and religious minorities in or from the XUAR, and the Entity List maintained by the DOC’s Bureau of Industry and Security (BIS).<sup>28</sup>

Since the UFLPA was established in December 2021, the FLETF has identified 68 entities on the UFLPA Entity List, covering a wide range of industry sectors, including appliances, batteries, chemicals, electronic components, polysilicon, and textiles. The FLETF prioritized its efforts to identify entities who have egregiously, and with corroborated evidence, engaged in activities that meet the criteria for inclusion on the UFLPA Entity List. As a result, goods produced by these entities are subject to the UFLPA rebuttable presumption, and are prohibited from importation into the United States, unless the importer can demonstrate with clear and convincing evidence that the goods were not made with forced labor and the importer meets CBP’s other requirements for an exception to the presumption.

In the 2023 Updates to the UFLPA Strategy, the FLETF listed 10 entities that had been added from June 2022 through July 2023:

- Geehy Semiconductor Co., Ltd.;
- Ninestar Corporation;
- Xinjiang Zhongtai Chemical Co. Ltd.;
- Zhuhai Apex Microelectronics Co., Ltd.;
- Zhuhai G&G Digital Technology Co., Ltd.;
- Zhuhai Ninestar Information Technology Co. Ltd.;
- Zhuhai Ninestar Management Co., Ltd.;
- Zhuhai Pantum Electronics Co. Ltd.;
- Zhuhai Pu-Tech Industrial Co., Ltd.; and
- Zhuhai Seine Printing Technology Co., Ltd.

Since the 2023 Updates, the FLETF undertook significant efforts to expand the UFLPA Entity List and improve key FLETF processes, including streamlining the FLETF’s review and voting processes to add entities to the UFLPA Entity List. The entities added following the 2023 Updates to the UFLPA Strategy until June 12, 2024, include 38 new entities (in alphabetical order):

- Anhui Xinya New Materials Co., Ltd. (formerly known as Chaohu Youngor Color Spinning Technology Co., Ltd. and Chaohu Xinya Color Spinning Technology Co., Ltd.);
- Binzhou Chinatex Yintai Industrial Co., Ltd.;
- Camel Group Co., Ltd.;
- Chenguang Biotech Group Co., Ltd.;
- Chenguang Biotechnology Group Yanqi Co. Ltd.;
- China Cotton Group Henan Logistics Park Co., Ltd., Xinye Branch;

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<sup>28</sup> 15 CFR Supp. 4 to part 744 (the BIS Entity List) under the Export Administration Regulations, 15 CFR parts 730–774 (EAR).

- China Cotton Group Nangong Hongtai Cotton Co., Ltd.;
- China Cotton Group Shandong Logistics Park Co., Ltd.;
- China Cotton Group Xinjiang Cotton Co.;
- COFCO Sugar Holdings Co., Ltd.;
- Dongguan Oasis Shoes Co., Ltd. (also known as Dongguan Oasis Shoe Industry Co. Ltd.; Dongguan Luzhou Shoes Co., Ltd.; Dongguan Lvzhou Shoes Co., Ltd.);
- Fujian Minlong Warehousing Co., Ltd.;
- Henan Yumian Group Industrial Co., Ltd.;
- Henan Yumian Logistics Co., Ltd. (formerly known as 841 Cotton Transfer Warehouse);
- Hengshui Cotton and Linen Corporation Reserve Library;
- Heze Cotton and Linen Co., Ltd.;
- Heze Cotton and Linen Economic and Trade Development Corporation (also known as Heze Cotton and Linen Trading Development General Company);
- Huangmei Xiaochi Yinfeng Cotton (formerly known as Hubei Provincial Cotton Corporation's Xiaochi Transfer Reserve);
- Hubei Jingtian Cotton Industry Group Co., Ltd.;
- Hubei Qirun Investment Development Co., Ltd.;
- Hubei Yinfeng Cotton Co., Ltd.;
- Hubei Yinfeng Warehousing and Logistics Co., Ltd.;
- Jiangsu Yin Hai Nongjiale Storage Co., Ltd.;
- Jiangsu Yinlong Warehousing and Logistics Co., Ltd.;
- Jiangyin Lianyun Co. Ltd. (also known as Jiangyin Intermodal Transport Co. and Jiangyin United Transport Co.);
- Jiangyin Xiefeng Cotton and Linen Co., Ltd.;
- Juye Cotton and Linen Station of the Heze Cotton and Linen Corporation;
- Lanxi Huachu Logistics Co., Ltd.;
- Linxi County Fangpei Cotton Buying and Selling Co., Ltd.;
- Nanyang Hongmian Logistics Co., Ltd. (also known as Nanyang Red Cotton Logistics Co., Ltd.);
- Shandong Meijia Group Co., Ltd. (also known as Rizhao Meijia Group);
- Sichuan Jingweida Technology Group Co., Ltd. (also known as Sichuan Mianyang Jingweida Technology Co., Ltd. and JWD Technology; and formerly known as Mianyang High-tech Zone Jingweida Technology Co., Ltd.);
- Wugang Zhongchang Logistics Co., Ltd.;
- Xinjiang Shenhua Coal and Electricity Co., Ltd.;
- Xinjiang Tianmian Foundation Textile Co., Ltd.;
- Xinjiang Tianshan Wool Textile Co. Ltd.;
- Xinjiang Yinlong Agricultural International Cooperation Co.; and
- Xinjiang Zhongtai Group Co. Ltd.

The FLETF also updated the method by which it counts the number of entities listed on the UFLPA Entity List. This method was updated to individually count each subsidiary and affiliate

specifically identified in a listing, even if it was added at the same time as its parent company.<sup>29</sup> This update provides more transparency for responsible businesses, as it eliminates ambiguity where there may be multiple affiliates or subsidiaries of a named entity which have not been identified on the UFLPA Entity List.

Currently, entities included in the UFLPA Entity List fall under certain sub-lists identified in the UFLPA, namely Sections 2(d)(2)(B)(i),<sup>30</sup> Section 2(d)(2)(B)(ii),<sup>31</sup> and Section 2(d)(2)(B)(v).<sup>32</sup> The FLETF has prioritized expansion of the UFLPA Entity List with a focus on entities that egregiously and openly engage in behavior prohibited by the UFLPA. However, the FLETF is also initiating reviews of potential candidates for the UFLPA Entity List that involve more complex relationships due to the lack of visibility into PRC supply chains, including entities that may meet the requirements for inclusion under Section 2(d)(2)(B)(iv).<sup>33</sup> The FLETF continues to pursue new technology and new methods to identify companies under all relevant sub-lists of the UFLPA Entity List.

All additions to the UFLPA Entity List have been published in the *Federal Register* and on DHS's UFLPA Entity List webpage (<https://www.dhs.gov/uflpa-entity-list>). All updates to the UFLPA Entity List, including any additions, removals, or technical corrections of entities will be published in the *Federal Register* on a rolling basis, and made available to the public at DHS's UFLPA Entity List webpage.

## Removal Requests

Removal from the UFLPA Entity List may be initiated through a recommendation by a FLETF member agency or by a request from an entity named on the UFLPA Entity List. To date, no FLETF member agency has initiated a recommendation to remove an entity from the UFLPA Entity List. The FLETF is currently evaluating three removal requests formally submitted by entities currently on the UFLPA Entity List. The FLETF considers removal requests consistent

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<sup>29</sup> Since the publication of the 2023 Updates to the UFLPA Strategy, the FLETF has updated the method it uses to count the number of entities. Beginning with the update to the UFLPA Entity List published on May 17, 2024, the FLETF will individually count all named organizations, companies, or facilities, including subsidiaries and affiliates of a named parent company, as individual entities. This change increases the total count by nine entities, to account for subsidiaries identified in the June 12, 2023 Federal Register Notice (Notice regarding the Uyghur Forced Labor Prevention Act Entity List, 88 Fed. Reg. 38080) and August 2, 2023 Federal Register Notice (Notice regarding the Uyghur Forced Labor Prevention Act Entity List, 88 Fed. Reg. 50902).

<sup>30</sup> Section 2(d)(2)(B)(i) of the UFLPA identifies entities in the XUAR that mine, produce or manufacture wholly or in part any goods, wares, articles or merchandise with forced labor.

<sup>31</sup> Section 2(d)(2)(B)(ii) of the UFLPA identifies entities working with the government of the XUAR to recruit, transport, transfer, harbor or receive forced labor of Uyghurs, Kazakhs, Kyrgyz or members of other persecuted groups out of the XUAR.

<sup>32</sup> Section 2(d)(2)(B)(v) of the UFLPA identifies facilities and entities that source material from the XUAR or from persons working with the government of the XUAR or the Xinjiang Production and Construction Corp for purposes of any government labor scheme that uses forced labor.

<sup>33</sup> Section 2(d)(2)(B)(iv) of the UFLPA identifies entities that exported products made, produced or manufactured by entities under Section 2(d)(2)(B)(i) or 2(d)(2)(B)(ii).

with the procedures outlined in the first Notice on the Addition of Entities to the Uyghur Forced Labor Prevention Act Entity List (87 Fed. Reg. 47777)<sup>34</sup> and subsequent notices.

Any listed entity may submit a request for removal (removal request) from the UFLPA Entity List along with supporting information to the FLETF Chair at [FLETF.UFLPA.EntityList@hq.dhs.gov](mailto:FLETF.UFLPA.EntityList@hq.dhs.gov). In the removal request, the entity (or its designated representative) should provide information that demonstrates that the entity no longer meets or does not meet the criteria described in the applicable clause ((i), (ii), (iv), or (v)) of Section 2(d)(B) of the UFLPA. The FLETF Chair will refer all such removal requests and supporting information to FLETF member agencies. Upon receipt of the removal request, the FLETF Chair or the Chair's designated representative may contact the entity on behalf of the FLETF regarding questions on the removal request and may request additional information. Following review of the removal request by the FLETF member agencies, the decision to remove an entity from the UFLPA Entity List will be made by majority vote of the FLETF member agencies.

Listed entities may request a meeting with the FLETF after submitting a removal request in writing to the FLETF Chair at [FLETF.UFLPA.EntityList@hq.dhs.gov](mailto:FLETF.UFLPA.EntityList@hq.dhs.gov). Following its review of a removal request, the FLETF may accept the meeting request at the conclusion of the review period and, if accepted, will hold the meeting prior to voting on the entity's removal request. The FLETF Chair will advise the entity in writing of the FLETF's decision on its removal request. While the FLETF's decision on a removal request is not appealable, the FLETF will consider new removal requests if accompanied by new information.

**UFLPA Section 2(d)(2)(B)(iii): A list of products mined, produced, or manufactured wholly or in part by entities on the list required by clause (i) or (ii).**

In addition to the UFLPA Entity List, Section 2(d)(2)(B)(iii) of the UFLPA calls for a list of products mined, produced, or manufactured wholly or in part by entities on the UFLPA Entity List sub-lists (i) and (ii). The 2(d)(2)(B)(iii) list of products informs UFLPA Entity List sub-list (iv). The Section 2(d)(2)(B)(iii) list is included as Appendix B to this update.

**UFLPA Section 2(d)(2)(B)(vi): A plan for identifying additional facilities and entities described in clause (v).**

Any FLETF member agency may submit a recommendation to add an entity to the UFLPA Entity List, which includes facilities and entities identified pursuant to Section 2(d)(2)(B)(v). Following review of any such recommendation by the FLETF member agencies, the decision to make an addition to the UFLPA Entity List will be made by majority vote of the FLETF member agencies.<sup>35</sup>

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<sup>34</sup> Notice on the Addition of Entities to the Uyghur Forced Labor Prevention Act Entity List, 87 Fed. Reg. 47777 (August 4, 2022).

<sup>35</sup> Notice on the Addition of Entities to the Uyghur Forced Labor Prevention Act Entity List, 87 Fed. Reg. 47777 (Aug. 4, 2022).

Members of the public may submit information regarding a potential candidate for the UFLPA Entity List to the FLETF (through [FLETF.UFLPA.EntityList@hq.dhs.gov](mailto:FLETF.UFLPA.EntityList@hq.dhs.gov)) or any FLETF member or observer agency. FLETF agency analysts may identify entities for potential addition through searches of academic, non-profit, media, and other public reports; private sector and civil society organization (CSO) information sharing; recommendations from Congress; and independent open-source research.

The FLETF is committed to adding entities to the UFLPA Entity List as warranted by the facts and law. In evaluating sources, the FLETF determines if there is reasonable cause to believe, based on specific and articulable information, that an entity meets the UFLPA Entity List criteria. The FLETF considers the source's methodology, prior publications, degree of familiarity and experience with international labor standards, forced labor schemes, and the XUAR, as well as its reputation for accuracy and objectivity. FLETF member agencies conduct independent research to verify and, where possible, expand on any allegations or evidence they receive.

As reported in the 2023 Updates to the UFLPA Strategy, the FLETF established the UFLPA Entity List Subcommittee, co-chaired by DHS and DOL, to serve as a coordinating body for the management of the UFLPA Entity List. The UFLPA Entity List Subcommittee facilitates discussion related to potential additions, removals, and modifications to the UFLPA Entity List. To support that effort, DHS and DOL also led efforts to stand up a UFLPA Entity List Research Working Group to foster improved collaboration and discussions related to eliminating possible duplication efforts and sharing research methodology and best practices.

The DHS Office of Strategy, Policy, and Plans (PLCY) provides direct support to the Chair of the FLETF and takes a leading role in advancing the FLETF's UFLPA-related processes. PLCY has co-led coordination efforts to develop recommendations for the UFLPA Entity List. On behalf of DHS, PLCY also reviews and evaluates entities that could potentially meet the criteria for addition to the UFLPA Entity List. In 2023, PLCY instituted a dedicated Entity List Team that is responsible for identifying, researching, and recommending entities for addition to the UFLPA Entity List for DHS. Other FLETF member agencies have also designated staffing for UFLPA Entity List work.

The Bureau of International Labor Affairs (ILAB), DOL's representative to the FLETF, continues to co-lead the development of UFLPA Entity List recommendations and remains committed to ensuring the reporting and referrals submitted by external stakeholders are thoroughly considered by the FLETF. In 2023, ILAB began piloting use of supply chain tracing and research technologies to facilitate review of UFLPA Entity List recommendations.

The Department of State, in coordination with the FLETF, provides guidance to U.S. embassies and consulates abroad following the identification of prospective new entities in the XUAR and elsewhere in the PRC that produce or source goods with forced labor; entities that work with the XUAR government to recruit, transport, transfer, harbor, receive, or otherwise facilitate forced labor or labor transfer of members of persecuted groups; entities that export certain products from certain listed entities; and entities that source material from the XUAR or from persons working with the XUAR government or XPCC for purposes of any government-labor scheme.

State, in collaboration with the FLETF, continues to engage with nongovernmental organizations (NGOs) to obtain relevant information to identify additional entities.

**UFLPA Section 2(d)(2)(B)(vii): An enforcement plan for each such entity whose goods, wares, articles, or merchandise are exported into the United States, which may include issuing withhold release orders to support enforcement of Section 4 with respect to the entity.**

Withhold Release Orders (WROs) are not required for CBP to detain and exclude goods subject to the UFLPA. The UFLPA established the rebuttable presumption that the importation of goods produced wholly or in part in the XUAR or by an entity on the UFLPA Entity List is prohibited under 19 U.S.C. § 1307 and are not entitled to entry at any U.S. port. CBP enforces this rebuttable presumption pursuant to its existing authorities under 19 U.S.C. § 1499 to examine and detain merchandise. Additionally, WROs in effect prior to June 21, 2022, and connected to the XUAR were subsumed under the UFLPA, in light of the presumption of forced labor. Accordingly, CBP exercises its authority under the customs laws to detain, exclude, and/or seize and forfeit shipments within the scope of the UFLPA.

CBP will continue to identify and interdict shipments being imported into the United States produced, wholly or in part, by those entities located in the XUAR or produced by entities on the UFLPA Entity List. Such shipments will include all products produced and exported by these entities, as well as finished goods exported by other manufacturers that were produced with inputs (e.g., raw materials) from the aforementioned entities.

In addition to CBP identifying and interdicting goods subject to the rebuttable presumption, other DHS components and offices will undertake separate enforcement efforts. The DHS Center for Countering Human Trafficking (CCHT) will send viable referrals of allegations of forced labor by entities in the PRC, or affiliates of such entities, that use or benefit from forced labor in the XUAR to Homeland Security Investigations (HSI) field offices to pursue criminal investigation and Federal prosecution, as appropriate.

**UFLPA Section 2(d)(2)(B)(viii): A list of high-priority sectors for enforcement, which shall include cotton, tomatoes, and polysilicon.**

In the initial UFLPA Strategy issued in June 2022, the FLETF identified four high priority sectors for enforcement:

- Apparel,
- Cotton and cotton products,
- Silica-based products (including polysilicon), and
- Tomatoes and downstream products.

In 2024, the FLETF developed a deliberative process for identification and addition of high-priority sectors to the UFLPA Strategy. As a result of that process, the FLETF has identified an additional three high-priority sectors for enforcement:

- Polyvinyl Chloride (PVC),

- Aluminum, and
- Seafood.

The FLETF's process and criteria, as well as a discussion of the designation of the three new high-priority sectors follows below.

### ***Process for Identification of High-Priority Sectors for Enforcement***

Any FLETF member agency may submit a recommendation to the FLETF to add a new high-priority sector. Recommendations must include a summary of the criteria and information that supports the sector's inclusion under the UFLPA Strategy. With the exception of sectors mandated as high-priority by Congress in the UFLPA, FLETF member agencies may recommend a sector be removed based on credible evidence that the sector no longer meets the criteria used to establish the sector as high-priority for enforcement.

Recommendations will be presented to the FLETF for consideration and review. The FLETF will vote, in accordance with the requirements in Executive Order 13923, to determine which sectors will be added and/or removed from the UFLPA Strategy and reported in the next annual updates to the UFLPA Strategy.

In determining whether a particular sector should be identified as high-priority for enforcement under the UFLPA, the following criteria, while not exclusive, may be considered:

- There is credible evidence, including from civil society, media, or academic reporting, of multiple entities in the sector having a high risk of utilizing or facilitating forced labor, including the use of poverty alleviation or surplus labor transfer programs involving Uyghurs or members of other persecuted groups from the XUAR.
- The sector has been designated by the PRC, the XUAR, the XPCC, and/or provincial or municipal governments as a target for investment and expansion in the XUAR, based on government directives, such as the PRC's Belt and Road Initiative.
- XUAR-based production of goods in that sector represent 15 percent or more of total production in the PRC, or ten percent or more of global production.

### ***New High-Priority Sectors for Enforcement***

Following review and consideration of submitted recommendations, the FLETF has identified the following as high-priority sectors for enforcement, as having met one or of the criteria for designation as a high-priority sector based on the following information:

**Polyvinyl Chloride (PVC):** The XUAR produces more than 10 percent of the world's PVC. Credible reports indicate the government of the PRC has significantly expanded the production



of PVC in the XUAR.<sup>36</sup> State-owned enterprises and other entities involved in the production of PVC in the region are involved in the government's labor transfer programs, including in the direct development and facilitation of those programs.<sup>37</sup> Xinjiang Zhongtai Group, Co., Ltd., Xinjiang Zhongtai Chemical Co., Ltd., and the XPCC, all of which are involved in the production and sales of PVC, have previously been added to the UFLPA Entity List.

**Aluminum:** The XUAR produces more than 15 percent of China's aluminum, representing an estimated 9-12 percent of the world's aluminum supply.<sup>38</sup> Two companies owned by the XPCC, as well as other state-owned and privately owned enterprises engaged in the processing of aluminum in the XUAR, have been documented to participate in the government's labor transfer programs, as was documented in Human Rights Watch's January 2024 "Asleep at the Wheel" report,<sup>39</sup> Sheffield Hallam University's December 2022 "Driving Force" report,<sup>40</sup> and Horizon Advisory's April 2022 "Base Problem."<sup>41</sup> The XUAR is a significant site of mining and processing of numerous nonferrous metals. In "The 14th Five-Year Plan for the National Economic and Social Development of Xinjiang Uyghur Autonomous Region and the Outline of the Vision for 2035," published on January 11, 2022, the XUAR government committed to "[a]ctively develop nonferrous metal industries. Promote the extension of the downstream industrial chain of nonferrous metals such as aluminum..., and cultivate ... copper-aluminum, and other alloy industries; and promote the application of new non-ferrous materials in the automobile, railway, aerospace, navigation and other industries; [and] build an important nonferrous metal industry base in the country."<sup>42</sup> Xinjiang Shenhua Coal and Electricity Co.,

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<sup>36</sup> Calculated based on Jim Vallette, "Chlorine and Building Materials Project: Phase 2 Asia Including Worldwide Findings," Healthy Building Network, 2019, 12, <https://habitablefuture.org/content-hub/chlorine-building-materials-project-phase-2-asia-including-worldwide-findings/>.

<sup>37</sup> Laura Murphy, Jim Vallette and Nyrola Elimä (2022), "Built on repression: PVC building materials' reliance on forced labor and environmental abuses in the Uyghur region," Sheffield Hallam University, Helena Kennedy Centre for International Justice, <https://www.shu.ac.uk/helena-kennedy-centre-international-justice/research-and-projects/all-projects/built-on-repression>.

<sup>38</sup> Laura Murphy, Yalkun Uluyol, Kendyl Salcedo, Mia Rabkin, et al (2022), "Driving Force: Automotive Supply Chains and Forced Labor in the Uyghur Region," Sheffield Hallam University, Helena Kennedy Centre for International Justice, pg. 21, <https://www.shu.ac.uk/helena-kennedy-centre-international-justice/research-and-projects/all-projects/driving-force>; Human Rights Watch, "Asleep at the Wheel: Car Companies' Complicity in Forced Labor in China," January 2024, <https://www.hrw.org/report/2024/02/01/asleep-wheel/car-companies-complicity-forced-labor-china>.

<sup>39</sup> Human Rights Watch, "Asleep at the Wheel: Car Companies' Complicity in Forced Labor in China," January 2024, <https://www.hrw.org/report/2024/02/01/asleep-wheel/car-companies-complicity-forced-labor-china>.

<sup>40</sup> Laura Murphy, Yalkun Uluyol, Kendyl Salcedo, Mia Rabkin, et al (2022), "Driving Force: Automotive Supply Chains and Forced Labor in the Uyghur Region," Sheffield Hallam University, Helena Kennedy Centre for International Justice, <https://www.shu.ac.uk/helena-kennedy-centre-international-justice/research-and-projects/all-projects/driving-force>.

<sup>41</sup> Horizon Advisory (2022), "Base Problem: Forced Labor Risks in China's Aluminum Sector," <https://www.horizonadvisory.org/backtobasics>.

<sup>42</sup> 13th People's Congress of the Xinjiang Uyghur Autonomous Region, "新疆维吾尔自治区国民经济和社会发展第十四个五年规划和 2035 年远景目标纲要" [The 14th Five-Year Plan for the National Economic and Social Development of the Xinjiang Uygur Autonomous Region and the Outline of the Long-term Goals for 2035], Adopted February 5, 2021, pg.14, <https://archive.md/DfwsN>.

Ltd., Xinjiang East Hope Nonferrous Metals Co, Ltd., and the XPCC, which produce aluminum, were all previously added to the UFLPA Entity List.

**Seafood:** Credible reporting indicates Uyghur and other persecuted groups are being transported, transferred, recruited, received, and/or harbored by companies operating seafood processing in eastern coastal China, and particularly in Shandong Province.<sup>43</sup> Sources indicate that seafood companies in Shandong participate in a government program developed explicitly to transfer workers from the XUAR to Shandong, and that workers from the XUAR have been recruited and transferred through state-run labor programs and transported to Shandong for work.<sup>44</sup> In a report issued in October 2023, the Outlaw Ocean Project documented Uyghur workers in several Shandong seafood plants.<sup>45</sup> Independent verification of the reporting verifies that a number of Shandong seafood processing companies have announced their participation in these programs in the media and on corporate websites. Shandong Meijia Group Co., Ltd., a company that processes, sells, and exports frozen seafood products and the XPCC, which has invested significantly in seafood and fisheries development in recent years, were both previously added to the UFLPA Entity List.

One of the intended objectives for identification of high-priority sectors for enforcement is to provide greater transparency to the private sector, to enable industry to more closely examine those supply chains that intersect with sectors that may involve a higher risk of forced labor of Uyghurs and other persecuted minorities from the XUAR. PVC and aluminum have a wide range of applications (e.g., flooring materials for PVC, and automotive for aluminum), and can be found in a number of downstream products intended for the U.S. market. With respect to seafood, China is the largest exporter of seafood to the United States, and may be involved in many tiers within a supply chain, from the fishing vessel to the seafood processor to packaging and distribution of the finished product to the United States. With identification of these sectors, importers will be on notice to more closely review each tier in their supply chains to enhance transparency and focus due diligence efforts on the supply chain nodes involving these sectors, and enable enhanced streamlining and strengthening of compliance protocols to eliminate goods made with forced labor.

### **UFLPA Section 2(d)(2)(B)(ix): An enforcement plan for each such high-priority sector.**

As part of its UFLPA enforcement strategy, CBP identifies and interdicts goods from all sectors, prioritizing across all tariff codes in the Harmonized Tariff Schedule found to have a nexus to the

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<sup>43</sup> The Ocean Outlaw Project, “Processors,” Bait-to-Plate, Online Interactive,

<https://www.theoutlawocean.com/investigations/china-the-superpower-of-seafood/bait-to-plate/processors/>.

<sup>44</sup> Shandong Provincial Department of Human Resources and Social Security, 山东省扎实组织喀什地区富余劳动力转移就业工作 [Shandong Province Solidly Organizes the Transfer and Employment of Surplus Labor in the Kashgar Area], Sohu (January 16, 2019).

[https://wecache.googleusercontent.com/search?q=cache:https://www.sohu.com/a/289484734\\_99933053&sca\\_esv=ed313d50f24d50b8&strip=1&vwsr=0](https://wecache.googleusercontent.com/search?q=cache:https://www.sohu.com/a/289484734_99933053&sca_esv=ed313d50f24d50b8&strip=1&vwsr=0).

<sup>45</sup> Ian Urbina, “The Uyghur Workers Forced to Process the World’s Fish,” *The New Yorker*, October 9, 2023, <https://www.newyorker.com/news/news-desk/the-uyghurs-forced-to-process-the-worlds-fish>.

XUAR, including subsidiaries and affiliates of the XPCC, and/or entities identified in the UFLPA Entity List. Utilizing a dynamic risk-based approach to identify goods with a high risk of being produced with forced labor from the XUAR, CBP continues to collect and analyze data and information from various sources.

In support of CBP's enforcement for high-priority sectors, FLETF agencies will explore opportunities for engagement with stakeholders to bring awareness of UFLPA requirements for the importation of goods, the importance of due diligence throughout supply chains, and the resources made available by several FLETF agencies to support compliance. FLETF agencies will utilize relationships with stakeholders through various fora, including targeted engagements with industry leaders in high-priority sectors. FLETF agencies will also explore how to support compliance in high-priority sectors through various FLETF agencies' reports and advisories, as well as other resources, including Frequently Asked Questions and additional guidance.

As part of its enforcement plan, the FLETF will prioritize examination and review of entities within high-priority sectors for possible inclusion in the UFLPA Entity List. In addition, FLETF agencies will continue to review information and developments in these sectors in order to deploy their respective tools and authorities, including economic sanctions, visa restrictions, and export control measures, as appropriate, to promote accountability for human rights violations and abuses in the XUAR, including in high-priority sectors. Several FLETF agencies maintain and implement tools that can provide varying consequences for individuals and entities that utilize and/or facilitate forced labor of Uyghurs and/or members of other persecuted groups from the XUAR. These tools are designed to apply a range of specific pressures and impacts, including denying officials the right to enter the United States, restricting export privileges, and blocking assets, and contribute to the whole-of-government approach to combating forced labor.

# Updates on the Additional Resources Necessary to Ensure No Goods Made with Forced Labor Enter at U.S. Ports

UFLPA Section (2)(d)(5) required a description of the additional resources necessary for CBP to ensure that no goods are entered at any of the ports of the United States in violation of 19 U.S.C. § 1307. In developing the UFLPA Strategy, the FLETF recognized that monitoring the prohibition to import goods made wholly or in part with forced labor into the United States, as well as the full implementation of Section 2 of the UFLPA, would require an additional level of effort from FLETF member and observer agencies. The below supplements information provided in the UFLPA Strategy's *Chapter V. Additional Resources Necessary to Ensure No Goods Made with Forced Labor Enter at U.S. Ports* to include updates pertaining to FLETF member agencies and the types of resources necessary for the FLETF to continue implementing the UFLPA Strategy.

## The FLETF's Role in Supporting UFLPA Implementation

The FLETF, as established by the USMCA Implementation Act (19 U.S.C. § 4681) and Executive Order 13923 in 2020, was designed to monitor and report on the U.S. enforcement of 19 U.S.C. § 1307. In December 2021, the UFLPA accorded the FLETF the responsibility to develop the UFLPA Strategy, which includes the UFLPA Entity List as well as plans for stakeholder engagement, and close coordination and support of CBP implementation of the UFLPA rebuttable presumption. The FLETF's function therefore has significantly increased, particularly in executing its responsibility for the UFLPA Entity List, a critical enforcement tool which contributes targeted designations for entities to be subject to the UFLPA rebuttable presumption. Finally, the UFLPA tasked the FLETF to develop a plan to engage NGOs and private-sector entities to implement and update the UFLPA Strategy. Since the publication of the UFLPA Strategy, the FLETF has hosted six biannual meetings with the private-sector entities and NGOs, and various FLETF member and observer agencies have greatly increased their stakeholder engagement to advance forced labor enforcement initiatives and the adoption of due diligence best practices. To date, as the UFLPA did not allocate funding for FLETF activities, FLETF member and observer agencies have needed to add the additional requirements related to implementing the UFLPA Strategy to current workloads and responsibilities.

## FLETF Resources Needed for UFLPA Strategy Implementation

UFLPA implementation requires resources that will support the following activities:

- Identification of entities for addition to the UFLPA Entity List and preparation and evaluation of recommendations for FLETF consideration.
- Assessment, evaluation, and designation of entities recommended to be included or removed from the UFLPA Entity List.
- Identification, assessment, and evaluation of importations that may be subject to the UFLPA or are made by entities affiliated with the UFLPA Entity List or are subject to exemptions.

- Identification of high-priority sectors and creation and implementation of enforcement plans for such sectors.
- Enhanced outreach and coordination with NGOs, private-sector organizations, and congressional stakeholders on the continued implementation of the UFLPA.
- Alignment with any other U.S. government initiative affecting the prohibition of imports of goods made with forced labor or policies related to the PRC.
- Proactive engagement with international partners to support the statutorily required Diplomatic Strategy to Address Forced Labor in the XUAR and to prohibit trade in products made with forced labor in the XUAR.
- Annual updates to the UFLPA Strategy.

### ***DHS Office of Strategy, Policy, and Plans***

DHS's Office of Strategy, Policy, and Plans (PLCY) leads the administration and operational management of the FLETF, including coordination among all thirteen FLETF member and observer agencies and is supported by the DHS Office of the General Counsel. Over the previous year, PLCY was able to examine the resource allocations required to adhere to the UFLPA's mandate. Internal review has identified that additional resources are necessary to ensure PLCY is appropriately funded to support its role as the Chair of the FLETF in implementation of the UFLPA Strategy.

PLCY leads the following:

- Oversight of implementation efforts related to the UFLPA Strategy;
- Research and identification of new entities for addition to the UFLPA Entity List and development of recommendations;
- Evaluation of proposed entities recommended by other FLETF member agencies;
- Coordination of all FLETF activity related to the review of recommendations for additions to the UFLPA Entity List;
- Public rollout and public relations for updates to the UFLPA Entity List;
- Review of all removal requests and development of removal process materials;
- Coordination on Freedom of Information Act (FOIA) requests and litigation related to the UFLPA Entity List;
- Outreach and coordination with NGOs, private-sector organizations, and congressional stakeholders on the continued implementation of the UFLPA;
- Engagement with Congressional stakeholders, including preparation for testimony, responses to correspondence, briefings, and technical assistance on draft legislation;
- Preparation, coordination, and the release of the FLETF Biannual Reports, Annual Updates to the UFLPA Strategy, and other UFLPA required reporting;
- Alignment and support with other U.S. government initiatives affecting the prohibition of imports of goods made with forced labor or policies related to the PRC; and
- Proactive engagement with international partners to support the statutorily-required Diplomatic Strategy to Address Forced Labor in the XUAR and to prohibit trade in products made with forced labor in the XUAR.

The additional resources would be dedicated to additional staff, including analysts, attorneys, and contractors, as well as advisory services and licenses to access non-public industry information to support DHS's work to expand the UFLPA Entity List and its collaboration and engagements with stakeholders from NGOs, industry, and international partners. On April 5, 2024, DHS responded to a request from the House Select Committee on the Chinese Communist Party to provide technical assistance by identifying additional resources needed for DHS to execute its role. The projected resource needs encompassed three primary categories: (1) additional employees, to include ten attorneys, ten research analysts, five policy analysts, and two dedicated Mandarin/Chinese linguists and translators; (2) technology acquisition to support UFLPA Entity List Targeting, and a database creation; and (3) operations, to provide support for outreach, subject matter expert contractors, and dedicated IT systems.

As complementary functions, the above resources would additionally support increased engagement in trade-related priority areas for PLCY, including:

- Effective engagement in trade and economic security policy matters domestically and internationally, in modernizing trade and custom procedures, assessing threats to supply chains, and addressing critical vulnerabilities to U.S. economic competitiveness; and
- Enhanced collaboration with the trade community to implement supply chain initiatives and programs as committed in the UFLPA Strategy.

### ***DOL's Bureau of International Labor Affairs***

DOL's Bureau of International Labor Affairs (ILAB), through its research and reporting, continues to support the full scope of work included under the FLETF. ILAB co-chairs the UFLPA Entity List Subcommittee, which leads research and identification of new entities to add to the UFLPA Entity List. ILAB provides unique expertise on forced labor, supply chain tracing, and due diligence to support the UFLPA implementation by contributing recommendations to add to the UFLPA Entity List. As a key member of the FLETF, ILAB has contributed significantly to the interagency efforts required to monitor CBP's enforcement of the import prohibition of goods made, wholly or in part, with forced labor. Similar to other member agencies of the FLETF, ILAB has significantly shifted workload and priorities to meet the demands of the FLETF and UFLPA implementation and anticipates near and long-term resource needs to contribute fully to this ongoing work.

ILAB has identified that increased resources to support novel supply chain tracing methods, additional staff to manage and conduct research, and access to supply chain tracing platforms would significantly enhance its capacity to support implementation of the UFLPA. With additional resources, ILAB could propose and review more entities to add to the UFLPA Entity List at a faster pace. Additionally, ILAB support for increasing FOIA and removal requests, as well as litigation support resulting from the expanded list, would further the effectiveness of the FLETF.

### ***Treasury's Office of Terrorist Financing and Financial Crimes (TFFC)***

Treasury's TFFC, as the agency's representative to the FLETF, is a voting member and an active participant and supporter of FLETF actions. TFFC is responsible for formulating and coordinating comprehensive anti-money laundering, countering the financing of terrorism, and countering the financing of proliferation policies and strategies that leverage Treasury's tools and authorities to target national security and foreign policy threats and safeguard U.S. and international financial systems from abuse. TFFC has diverted resources and priorities from these goals to meet the demands of the FLETF and UFLPA implementation. TFFC would require both near and long-term increases in resources, including the addition of staff to review and draft UFLPA Entity List addition recommendations, in order to support efforts to dramatically increase the rate by which entities are added to the UFLPA Entity List.

### ***U.S. Department of State***

The State Department, through its diplomacy, research, and reporting, continues to support the full scope of work of the FLETF, including implementation of the UFLPA. State is an active participant in the UFLPA Entity List Subcommittee and is the lead agency for the UFLPA Diplomatic Strategy to Address Forced Labor in the XUAR. Similar to other member agencies of the FLETF, State has shifted workload, resources, and priorities to support FLETF and UFLPA implementation. In addition, State provides regional expertise, and expertise on forced labor, supply chain tracing, and due diligence to support the efforts outlined above.

### ***Office of the U.S. Trade Representative***

As a voting member of the FLETF, USTR actively supports the implementation of the UFLPA, including through its participation in the UFLPA Entity List Subcommittee. USTR regularly contributes staff expertise on forced labor, the PRC, and high-priority sectors in reviewing and drafting recommendations on UFLPA Entity List additions. Similar to other FLETF agencies, USTR has shifted workload, resources, and priorities to support the work of the FLETF and UFLPA implementation. Additional resources would help sustain USTR's efforts to implement the UFLPA.

### ***U.S. Customs and Border Protection***

Since passage of the UFLPA on December 23, 2021, CBP has utilized Fiscal Year (FY) 2022 and FY 2023 funds to implement resources across the broad categories of staffing, enhancements to enterprise systems and technology used, and communications support.

The FY 2022 and FY 2023 Enacted Budgets provided a total of 338 positions CBP-wide for UFLPA enforcement across the agency. The FY 2025 President's Budget sustains FY 2022 and FY 2023 personnel, annualizations of prior, and provides increases to investments with forced labor technology and country-of-origin tracing, and communication strategies in support of the UFLPA. This continued support is essential to strengthening CBP's authority to prevent goods made with forced labor from entering U.S. commerce today and for the future.

CBP continues to develop, refine, and deploy improved technology and analytical modeling to strengthen its enforcement of the UFLPA. These resources include targeting tools for global supply chain maps for entities, facilities, products, and shipments that highlight where product supply chains have links to the XUAR and forced labor worldwide.

In the coming year, CBP will increase its capabilities to include projects such as UFLPA-specific modifications to the Automated Commercial Environment, the Seized Asset and Case Tracking System, and Advanced Trade Analytics Platform to improve analytical modeling of supply chains and threat indicators of evasion. Additionally, CBP will provide analytical and technical capabilities support to the FLETF to facilitate entity analysis and additions to the UFLPA Entity List. Moreover, CBP will implement system enhancements that will allow CBP to strengthen its UFLPA enforcement mission by broadening targeting and screening across the tariff schedule and in high-risk environments (i.e., de minimis and postal) and increasing audits of potential UFLPA violators to increase identification of illicit actors and illegal transshipment schemes.

Internationally, several countries are beginning to join the U.S. government's lead in the fight against forced labor. CBP, through State and USTR, engage with like-minded enforcement partners to assist in building their own forced labor enforcement capacity through sharing best practices, lessons learned, and technical assistance so that our allies do not become destinations for goods produced with forced labor that were denied entry to the United States.

Finally, CBP will continue to support outreach with the private sector, trade, and business communities through proactive engagement to ensure CBP is efficiently enforcing the UFLPA while facilitating ethically sourced trade. To support this goal, CBP will continue to provide updates promoting transparency and communications with the private sector by implementing the Forced Labor Case Management System/Portal to modernize the UFLPA applicability review process and increasing the accessibility and quality of CBP's public facing resources by launching an updated website, leveraging artificial intelligence (chatbot), and regularly publishing new guidance documents, frequently asked questions, and additions to the Forced Labor Video Series.

### ***Homeland Security Investigations***

HSI, through domestic and international field offices that are supported by the HSI-led CCHT, conducts criminal investigations regarding entities or individuals with a nexus to the United States who benefit from forced labor ventures. HSI has offices in the U.S. Embassy in Beijing and at other locations in the PRC and works directly with PRC officials to research and address allegations of prison and forced labor used to manufacture products exported to the United States.

To date, the funding and resources allocated for HSI have not reflected the increased needs directly associated with the implementation of the UFLPA. HSI, supported by the CCHT, works closely with the CBP Office of Trade to identify and investigate individuals and entities who are knowingly importing or benefiting from the importation of goods produced with forced labor. In FY 2023, HSI initiated 244 domestic and 149 international forced labor cases, which resulted in



118 domestic and 208 international arrests, and 54 domestic and 14 international convictions. These numbers represent an increase of over 110 percent for total forced labor arrests from FY 2021 and an increase of over 140 percent in total forced labor convictions with available resources.

HSI will need an increase in staffing as the principal investigative agency responsible for responding to and investigating forced labor and counterfeiting crimes occurring at ports of entry. As CBP increases inspections of shipments at U.S. ports of entry as part of UFLPA implementation, this will result in an increase in investigative leads and cases for HSI. The CCHT has requested \$5.6 million in FY 2025 to fund 20 positions to help meet HSI's expanding operational requirements related to enforcement of the UFLPA. Ten of the requested positions will be assigned to CCHT, while eight positions will be assigned to the Global Trade Investigations Division with the remaining two position assigned overseas to investigate forced labor cases emanating from the PRC.

# Updates on Coordination and Collaboration with Appropriate Nongovernmental Organizations and Private-Sector Entities

The FLETF hereby provides a summary of continuous engagements with the private sector and NGOs and plans for strategic collaboration to advance our collective objective to address forced labor in global supply chains.

## FLETF Outreach

The FLETF continues to enhance and improve the public's access to UFLPA-related information. DHS maintains and updates the DHS.gov landing pages for the FLETF and UFLPA, including FLETF member agencies' resources related to due diligence programs, key indicators of forced labor, and publicly available reports on the XUAR and forced labor. The webpages also provide links to UFLPA-related *Federal Register* Notices, frequently asked questions, CBP's Operational Guidance for Importers, and the UFLPA Entity List.

On September 26, 2023, State, together with Commerce, DHS, DOL, Treasury, and USTR, issued an Addendum to the 2021 Updated Xinjiang Supply Chain Business Advisory calling attention to the PRC's ongoing genocide and crimes against humanity in the XUAR and the evidence of widespread use of forced labor there. The Addendum highlights the urgency for businesses to undertake appropriate human rights due diligence measures as described in the UFLPA Strategy.

On March 14, 2023, CBP introduced a UFLPA digital dashboard<sup>46</sup> that provides more granular data on UFLPA enforcement statistics. The interactive tool, which tracks the number and dollar value of shipments stopped for review under UFLPA, can delineate statistics by time period, country of origin, industry, and disposition. CBP will continue to assess the data available to determine whether more detailed information can be provided.

DHS also monitors and administers two inboxes dedicated to FLETF public engagement. The [FLETF.PUBLIC.COMMENTS@hq.dhs.gov](mailto:FLETF.PUBLIC.COMMENTS@hq.dhs.gov) provides a convenient mechanism for the public to submit comments and questions to the FLETF. For questions or submissions specific to the UFLPA Entity List, DHS established the [FLETF.UFLPA.EntityList@hq.dhs.gov](mailto:FLETF.UFLPA.EntityList@hq.dhs.gov) inbox, intended for inquiries and submissions to the FLETF directly related to the UFLPA Entity List. Incoming inquiries and comments are promptly addressed by DHS on behalf of the FLETF. When questions arise that are directly related to specific importations or CBP's enforcement of the UFLPA, the FLETF directs these inquiries to CBP at [UFLPAINQUIRY@cbp.dhs.gov](mailto:UFLPAINQUIRY@cbp.dhs.gov).

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<sup>46</sup> *Uyghur Forced Labor Prevention Act Statistics*, U.S. Customs and Border Protection, <https://www.cbp.gov/newsroom/stats/trade/uyghur-forced-labor-prevention-act-statistics>.

## **Continued Collaboration on UFLPA Efforts**

The FLETF recognizes the importance of its collaboration and partnership with NGOs and industry in advancing the UFLPA Strategy. As a result, the FLETF member and observer agencies have continued to foster those relationships through a number of fora, each of which offers a platform for stakeholders to contribute to the FLETF's efforts to strengthen enforcement and promote compliance.

While the stakeholder engagements may be initiated through the UFLPA Strategy, the FLETF notes that the same engagements offer an opportunity to advance shared objectives under other Administration priorities, including: the National Action Plan to Combat Human Trafficking, the National Action Plan on Responsible Business Conduct, and the Presidential Memorandum on Advancing Worker Empowerment, Rights, and High Labor Standards Globally. While the UFLPA Strategy focuses specifically on prohibiting the import of goods made with forced labor from the PRC, the FLETF's stakeholder engagements serve to advance all of these initiatives' objectives to address human rights abuses, encourage and facilitate effective due diligence by industry, and ensure support of high labor standards across jurisdictions.

The FLETF's primary engagements with the NGO community and the private sector have been the UFLPA biannual meetings, hosting more than 100 participants in each meeting. These virtual meetings provide FLETF agencies the opportunity to update stakeholders on agencies' initiatives and activities in combating forced labor in global supply chains and to solicit feedback and suggestions regarding the FLETF's implementation of the UFLPA, including development of the UFLPA Entity List, diplomatic efforts to engage like-minded international partners and multi-lateral organizations, and CBP's enforcement of the rebuttable presumption provision of the UFLPA.

In addition to the biannual meetings, FLETF agencies continue to participate in other stakeholder engagements, including CBP's quarterly roundtables with CSOs and meetings of DHS's Commercial Customs Operations Advisory Committee. FLETF agency representatives also engage with stakeholders in individual meetings with NGOs and industry representatives to exchange ideas and address specific issues or concerns. Principals and senior officials from FLETF agencies also engage with stakeholders through speaking engagements to reiterate the Administration's efforts to combat forced labor in supply chains and foster partnerships to advance common objectives.

While the UFLPA NGO and private sector biannual meetings are an important mechanism to update stakeholders on FLETF initiatives, the FLETF recognizes smaller, topic-focused meetings can facilitate more substantive discussions on solutions to challenges in compliance and enforcement. The FLETF will continue to pursue targeted engagements that support its work in monitoring forced labor schemes and efforts to obfuscate the true origin of goods and identifying malign actors for possible inclusion on the UFLPA Entity List.

The FLETF will also build on its partnership with industry and other private-sector representatives to reiterate the importance of effective due diligence and supply chain tracing, as

well as address questions regarding CBP's enforcement of the UFLPA rebuttable presumption. These partnerships have proven to be successful in encouraging companies to prioritize compliance efforts. Several sector-specific trade associations have conducted surveys and studies of their members' response to the UFLPA. Those studies indicate that the vast majority of member companies have modified their sourcing strategies and strengthened compliance measures to enhance transparency throughout their supply chains, and take action to shift away from suppliers that pose greater risks of non-compliance.

The FLETF has prioritized its outreach and engagement with like-minded international partners and multilateral organizations to support diplomatic strategies and engagements in pursuit of a global response to eradicating goods made with forced labor. Industry, trade associations, and CSO's foreign counterparts can be powerful allies in collaborations with international partners and can provide valuable insight and guidance to advance common objectives. The FLETF will leverage its collaborations with private-sector and NGO stakeholders in international engagements to exchange information and best practices in support of the goal of harmonized, effective enforcement regimes.

Building partnerships with stakeholders across industry, civil society, academia, and labor organizations is a critical element in eradicating forced labor from U.S. and global supply chains. The FLETF is committed to fostering its collaborations with these key partners to enhance its efforts to implement and advance the UFLPA Strategy.

## Conclusion

These updates have been prepared pursuant to the requirements of the UFLPA. It highlights recent additions to the UFLPA Entity List, updates the list of products made by listed entities, articulates plans for identifying additional entities, identifies additional high-priority sectors, and outlines enforcement plans for entities and high-priority sectors. The FLETF has also provided supplemental updates to the UFLPA Strategy chapters on resources, and ongoing collaboration with NGOs and the private sector.

The United States remains steadfastly committed to combating forced labor and ensuring global supply chains remain free and clear of goods produced with forced labor. The importation of goods made with forced labor is an affront to our shared national values, exploits vulnerable populations around the world, and undermines the competitiveness of U.S. labor and industry. Thus, DHS and the FLETF remain dedicated to ensuring the United States is doing its part in promoting human rights, fair labor standards, and allowing American workers and manufacturers a fair and equal playing field in the global marketplace. PRC forced labor schemes and practices have drastic effects beyond the United States, impacting regions across the globe, and undermining development and worker rights in developing nations. Allowing such weaknesses in the global trading system undermines national security and the long-term stability of international labor standards. Ultimately, combating forced labor is a moral imperative, and the United States will remain diligent in standing up against these human rights abuses.

Prohibitions on the entry of items tainted by forced labor have been a cornerstone of U.S. trade law for nearly a century. The UFLPA strengthens the existing 19 U.S.C. § 1307 prohibition against the importation of goods made wholly or in part with forced labor and better ensures that the U.S. economy is free from goods made with forced labor. The FLETF will continue to implement the UFLPA Strategy and monitor the enforcement of 19 U.S.C. § 1307.

FLETF member and observer agencies are continuing to engage with NGOs and the private sector. The FLETF encourages all concerned individuals, members of Congress, civil society groups, and other stakeholders to continue efforts to ensure the use of forced labor is eradicated from U.S. and international supply chains.

## Appendix A – Acronyms

### List of Abbreviations and Acronyms

|          |  |
|----------|--|
| BIS      | Bureau of Industry and Security                    |
| CCHT     | Center for Countering Human Trafficking            |
| CBP      | U.S. Customs and Border Protection                 |
| CSO      | Civil Society Organization                         |
| DHS      | U.S. Department of Homeland Security               |
| DOC      | U.S. Department of Commerce                        |
| DOL      | U.S. Department of Labor                           |
| FLETF    | Forced Labor Enforcement Task Force                |
| FOIA     | Freedom of Information Act                         |
| FY       | Fiscal Year  |
| HSI      | Homeland Security Investigations                   |
| ICE      | U.S. Immigration and Customs Enforcement           |
| ILAB     | Bureau of International Labor Affairs              |
| ILO      | International Labour Organization                  |
| NGO      | Non-Governmental Organization                      |
| PLCY     | Office of Strategy, Policy, and Plans (DHS)        |
| PRC      | People’s Republic of China                         |
| PVC      | Polyvinyl Chloride                                 |
| State    | U.S. Department of State                           |
| TFFC     | Office of Terrorist Financing and Financial Crimes |
| Treasury | U.S. Department of the Treasury                    |
| UFLPA    | Uyghur Forced Labor Prevention Act                 |
| USAID    | U.S. Agency for International Development          |
| USMCA    | U.S.-Mexico-Canada Agreement                       |
| USTR     | Office of the U.S. Trade Representative            |
| WRO      | Withhold Release Orders                            |
| XUAR     | Xinjiang Uyghur Autonomous Region                  |
| XPCC     | Xinjiang Production and Construction Corps         |

## Appendix B – UFLPA Section 2(d)(2)(B)(iii) List

A list of products mined, produced, or manufactured wholly or in part by entities on the list required by clause (i) or (ii);

| Name of entity listed in clause (i) or (ii)   | Products mined, produced, or manufactured wholly or in part by each entity  |
|---|---|
| Aksu Huaifu Textiles Co. (including two aliases: Akesu Huaifu and Aksu Huaifu Dyed Melange Yarn)  | Textiles; Apparel; Melange Yarn   |
| Anhui Xinya New Materials Co., Ltd. (formerly known as Chaohu Youngor Color Spinning Technology Co., Ltd.; and Chaohu Xinya Color Spinning Technology Co., Ltd.)  | Textiles  |
| Baoding LYSZD Trade and Business Co., Ltd.  | Apparel   |
| Camel Group Co., Ltd.   | Batteries (Recycled Lead-Acid Batteries, New Energy Lithium-Ion Battery Technology); Scrap Metal; Waste Plastics. |
| Changji Esquel Textile Co. Ltd. (and one alias: Changji Yida Textile)   | Textiles; Apparel   |
| COFCO Sugar Holdings Co., Ltd.  | Sugar; Tomatoes; Other Agricultural Products  |
| Geehy Semiconductor Co., Ltd.   | Integrated Circuit Chips  |
| Hefei Bitland Information Technology Co., Ltd. (including three aliases: Anhui Hefei Baolongda Information Technology; Hefei Baolongda Information Technology Co., Ltd.; and Hefei Bitland Optoelectronic Technology Co., Ltd.) | Computer Parts; Electronics   |
| Hefei Meiling Co. Ltd. (including one alias: Hefei Meiling Group Holdings Limited)  | Appliances  |
| Hetian Haolin Hair Accessories Co. Ltd. (and two aliases: Hotan Haolin Hair Accessories; and Hollin Hair Accessories)   | Hair Products; Hair Accessories   |
| Hetian Taida Apparel Co., Ltd (and one alias: Hetian TEDA Garment)  | Apparel   |
| Hoshine Silicon Industry (Shanshan) Co., Ltd (including one alias: Hesheng Silicon Industry (Shanshan) Co.) and subsidiaries  | Silica-Based Products; Graphite Electrode   |
| KTK Group (including three aliases: Jiangsu Jinchuang Group; Jiangsu Jinchuang Holding Group; and KTK Holding)  | Rail Transportation Equipment   |

| <b>Name of entity listed in clause (i) or (ii)</b>   | <b>Products mined, produced, or manufactured wholly or in part by each entity</b>   |
|--|---|
| Lop County Hair Product Industrial Park  | Hair Products; Hair Accessories   |
| Lop County Meixin Hair Products Co., Ltd.  | Hair Products   |
| Nanjing Synergy Textiles Co., Ltd. (including two aliases: Nanjing Xinyi Cotton Textile Printing and Dyeing; and Nanjing Xinyi Cotton Textile)   | Textiles; Apparel   |
| Ninestar Corporation   | Laser Printers; General Printing Consumables; and Integrated Circuit Chips  |
| Sichuan Jingweida Technology Group Co., Ltd. (also known as Sichuan Mianyang Jingweida Technology Co., Ltd. and JWD Technology; and formerly known as Mianyang High-tech Zone Jingweida Technology Co., Ltd.)                | Magnetic Devices including Network Transformers, Network Filters, Power Transformers, Inductors, Radio Frequency Filters; Other Electronic Components                                       |
| Tanyuan Technology Co. Ltd. (including five aliases: Carbon Yuan Technology; Changzhou Carbon Yuan Technology Development; Carbon Element Technology; Jiangsu Carbon Element Technology; and Tanyuan Technology Development) | Touch Screens for Handheld Devices and Cars; Other Similar Products; and Electronics  |
| Xinjiang East Hope Nonferrous Metals Co. Ltd. (including one alias: Xinjiang Nonferrous)   | Polysilicon, including Solar-Grade Polysilicon; Nonferrous Metals; Aluminum   |
| Xinjiang GCL New Energy Material Technology, Co. Ltd (including one alias: Xinjiang GCL New Energy Materials Technology Co.)   | Polysilicon, including Solar-Grade Polysilicon  |
| Xinjiang Junggar Cotton and Linen Co., Ltd.  | Cotton; Processed Cotton  |
| Xinjiang Production and Construction Corps (including three aliases: XPCC; Xinjiang Corps; and Bingtuan) and its subordinate and affiliated entities   | Cotton; Processed Cotton; Tomatoes; Building Materials; Textiles; Apparel; Agricultural Products, including Jujubes (Red Dates); Plastics, including PVC; Aluminum; Seafood; Cement; Others |
| Xinjiang Tianmian Foundation Textile Co., Ltd.   | Textiles; Apparel; Yarn   |
| Xinjiang Tianshan Wool Textile Co., Ltd.   | Textiles; Apparel, including Garments of Cashmere, Wool, and Velvet   |
| Xinjiang Zhongtai Chemical Co., Ltd.   | Polyvinyl Chloride (PVC); Caustic Soda; Chlor-Alkali Products; Viscose/Rayon; and Other Chemical and Textile Products   |



| <b>Name of entity listed in clause (i) or (ii)</b> | <b>Products mined, produced, or manufactured wholly or in part by each entity</b>   |
|--|---|
| Xinjiang Zhongtai Group Co., Ltd                   | Polyvinyl Chloride (PVC), Ionic Membrane Caustic Soda, Industrial Salt, Calcium Carbide, Coke, Other Chemical Products, Viscose Fiber, Viscose Yarn, and Other Textile and Building Materials |
| Zhuhai Apex Microelectronics Co., Ltd.             | General Printing Consumables  |
| Zhuhai G&G Digital Technology Co., Ltd.            | General Printing Consumables  |
| Zhuhai Ninestar Information Technology Co. Ltd.    | Laser Printers; General Printing Consumables  |
| Zhuhai Ninestar Management Co., Ltd.               | Laser Printers; General Printing Consumables; and Integrated Circuit Chips  |
| Zhuhai Pantum Electronics Co. Ltd.                 | Laser Printers; General Printing Consumables  |
| Zhuhai Pu-Tech Industrial Co., Ltd.                | General Printing Consumables  |
| Zhuhai Seine Printing Technology Co., Ltd.         | Laser Printers; General Printing Consumables  |