

Presidential Policy Priorities to Stop Goods Made with Forced Labor from Entering the United States and Address Labor Abuses in Global Supply Chains

Tariff Act Advocates Group (TAAG)

January 2025

About TAAG

The Tariff Act Advocates Group (TAAG) is a coalition of human rights and workers' rights organizations committed to leveraging import bans to address labor abuses in global supply chains. Its members include: The Human Trafficking Legal Center, Verité, the Solidarity Center, Global Labor Justice (GLJ), Corporate Accountability Lab (CAL), the Worker Rights Consortium (WRC), Humanity United Action, and Transparentem.

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Introduction

U.S. Leadership on Forced Labor Import Bans

The United States is at the forefront of leveraging trade policy to combat forced labor in global supply chains. U.S. enforcement of the Tariff Act prohibition (19 U.S. Code § 1307) on the importation of goods made with forced labor has been particularly powerful. Forced labor violates basic human rights and harms workers by denying them freedom, fair wages, and safe working conditions. By tackling forced labor, governments and businesses can create fair competition, promote ethical practices, and support a more just global economy, while benefiting U.S. workers and employers.

Goods made with forced labor should have no place in our market — or any market. Perpetrators of these crimes exploit workers globally, while also engaging in other illicit activity, undercutting U.S. workers and companies. As one U.S. worker [stated](#) at a Congressional hearing in 2021, “There are certain things we just cannot compete with. Not only cheap labor, but slave labor is impossible for anybody to compete with.”

The first Trump Administration played a pivotal role in elevating the issue of forced labor within global supply chains. The President’s [2017 Trade Policy Agenda](#) included enforcement of labor provisions in existing trade agreements, as well as enforcing the prohibition against the importation and sale of goods made with forced labor as key policy priorities.

The previous Trump Administration expanded the use of trade enforcement mechanisms, with robust issuance of Withhold Release Orders (WROs). The Trump Administration effectively disrupted the importation of goods tainted by forced labor into U.S. markets. These efforts laid a foundation for heightened scrutiny and enforcement against forced labor, underscoring the U.S. commitment to protecting workers both in the U.S. and internationally, and clamping down on unfair trade practices. Over the past decade, eradicating forced labor from supply chains has become a cornerstone of U.S. trade policy, enjoying strong bipartisan support. We hope to see that momentum continue under the new Administration.

From day one, the incoming Trump Administration will have an opportunity to build upon this important foundation by continuing the United States’ leadership on trade enforcement. The United States - Mexico - Canada Trade Agreement (USMCA), negotiated during the first

Trump Administration, requires the Mexican and Canadian governments to implement their own robust forced labor import bans. The USMCA, among other things, requires all three countries to coordinate and monitor the cross-border movement of goods made using forced labor (Article 23.6 of the USMCA Labor Chapter). And governments around the world — for example, the EU, U.K. and Australia — are considering, or implementing, their own laws to do the same. The incoming Trump Administration has a unique opportunity to demonstrate that forced labor-free supply chains not only protect workers globally, but also ensure a competitive and stronger economy for all Americans. The U.S. Government has made clear its intention to promote resilient supply chains. However, to be truly resilient, supply chains must be free of forced labor.

Recent Enforcement Outlook

Since the closing of the [consumptive demand loophole](#) in 2015, the forced labor enforcement mandate entrusted to the Department of Homeland Security (DHS) and U.S. Customs and Border Protection (CBP) under 19 U.S. Code § 1307 (Section 307 of the U.S. Tariff Act of 1930) has been among the most important initiatives to eliminate forced labor in supply chains. We were encouraged to see the prioritization accorded to forced labor enforcement under both the Trump and the Biden Administrations, with nearly 40 Withhold Release Orders issued between 2016-2024. The passage of the Uyghur Forced Labor Prevention Act (UFLPA) was an important step in the fight against state-imposed forced labor. The law created a rebuttable presumption that goods made in Xinjiang or by certain entities with ties to the Uyghur region of China are made with forced labor and prohibited from entering the U.S. market under Section 307.

Between 2022 and 2024, the United States intensified enforcement of the UFLPA, stopping 8,800 shipments valued at more than \$3.3 billion over links to Uyghur forced labor. More than 144 companies have been added to the [UFLPA Entity List](#) maintained by DHS. Although more can (and should be) done under the UFLPA, these numbers are encouraging. However, we have not seen similar levels of enforcement under the Section 307 import prohibition.

The U.S. Government's commitment to addressing forced labor and unfair trade practices currently falls short in the context of enforcement of Section 307 of the U.S. Tariff Act of 1930. CBP issued only one Withhold Release Order (WRO) in FY2024, despite strong evidence of multiple products tainted by forced labor entering the U.S. market. In FY2025 (so far), CBP

has issued just one WRO and one forced labor Finding. The disappointing enforcement record does not reflect the scale of forced labor in U.S. supply chains.

Robust enforcement of Section 307 of the Tariff Act, the Uyghur Forced Labor Prevention Act (UFLPA), and related laws addressing forced labor, is critical to the U.S. Government's broader strategy of fighting forced labor around the world. Enforcement efforts must include an increase in the issuance of Withhold Release Orders, strict implementation of the UFLPA rebuttable presumption, substantial increases in additions to the UFLPA Entity List, inter-agency and inter-governmental sharing of enforcement information, civil penalties for forced labor, prohibition on transshipment of goods made with forced labor (through better coordination with our trading partners), and more transparency of supply chain data. Enforcement of these laws not only supports American workers and businesses, but it provides immense opportunities for effective and sustainable remediation of conditions of forced labor, particularly when companies seek to regain access to the U.S. market through the modification of a Withhold Release Order (WRO).

Our Recommendations for the Incoming Trump Administration



Increase Tariff Act enforcement (Section 307) by issuing more WROs against entities in a wider array of countries and sectors and strengthen enforcement efforts under the Uyghur Forced Labor Prevention Act (UFLPA).



Institute a substantive approach to remediation including inter-agency collaboration and partnerships on standards for assessing forced labor remediation under Section 307.



Improve and increase information sharing and technical assistance on forced labor import ban enforcement with key trading partners.



Increase funding and transparency on forced labor enforcement.

We have provided additional detail on each of these recommendations on the following pages.

Increase Enforcement Under Tariff Act of 1930 (Section 307) and Strengthen Enforcement Under the Uyghur Forced Labor Prevention Act (UFLPA)

Between 2016 and 2021, the U.S. Government (CBP) issued more than 30 Withhold Release Orders (WROs) against products manufactured using forced labor. A majority of these actions were taken under the first Trump Administration. We urge the incoming Trump Administration to reinforce its legacy in addressing forced labor in global supply chains.

The WROs covered a range of products, including cotton and apparel, tobacco, gold, rubber gloves, palm oil and seafood. During this time thousands of shipments were denied entry into the United States, detained due to suspected links to forced labor. In particular, FY2020 was a watershed year for CBP's Tariff Act enforcement, with 13 WROs, one conclusive 'Finding' of forced labor, and a historic forced labor civil penalty — the only one issued so far — against a U.S. importer.

Alarming, Tariff Act enforcement has plummeted since. The number of WROs issued under Section 307 of the U.S. Tariff Act has significantly declined in recent years. While CBP issued 13 WROs in FY2020, the agency issued just seven in FY2021. In FY2022, the number of WROs dropped to six. And in FY2023 the number of WROs plunged to just one. In the last fiscal year (FY2024), CBP again issued just one WRO. After the [November 2022 WRO](#) against sugar and sugar derivative products linked to the Central Romana Corporation in the Dominican Republic, the next WRO was not issued until 16 months later. On April 10, 2024, CBP [announced](#) a WRO against work gloves manufactured using prison labor by a major Chinese glove supplier. This drop in enforcement activity is deeply concerning as it sends a message that forced labor can continue with impunity.

As a result of this lag in WROs, Tariff Act enforcement at port has also slowed, with only 256 shipments worth \$7 million stopped under Section 307 in FY2023 (compared to 1,469 shipments valued at nearly \$500 million in FY2021 and 2,398 shipments worth \$466 million in FY2022).

The last known forced labor (civil) penalty against a U.S. importer was in 2020, when CBP [imposed](#) a \$575,000 fine on PureCircle for importing stevia manufactured using prison labor in China. CBP appears to apply a very high, intent-based standard to decisions about civil penalties under 19 USC § 1595a, far beyond the legal standard required. In addition, CBP does not appear to be using its 'Findings' and seizure authority to combat forced labor practices. We urge this Trump Administration to impose more civil penalties — for higher amounts — against those who profit from forced labor.

Enforcement of one import prohibition should not come at the expense of another. Under the Trump Administration, we would like to see equal priority accorded to both Section 307 of the Tariff Act and the UFLPA. CBP should issue more WROs targeting different sectors and regions that better reflect the state of forced labor in the world today (including as reported by the Department of Labor in its annual [List of Goods Produced with Child Labor or Forced Labor](#)). We commend U.S. Government efforts so far to implement the UFLPA, however, we would like to see more sectors prioritized for targeted enforcement and more companies added to the UFLPA Entity List.

The Trump administration should cement its legacy and ramp up issuance of Withhold Release Orders and at the same time bolster existing efforts to enforce the UFLPA. Without strong enforcement, we lose leverage in leveling the playing field for American workers and businesses. Effective import bans put enormous economic pressure on companies to trace and reform their supply chains to eliminate forced labor. Issuance of a WRO, as well as the possibility of substantial civil penalties and shipment detentions, can move a company to invest in identifying and addressing problematic practices and suppliers.

A More Substantive Approach to Remediation Needed

As companies strive to comply with import bans, they may invest in better working conditions, fair wages, and enhanced worker protections. This directly benefits those previously subjected to forced labor. In the past, WROs have required companies to provide remedies to affected workers, including through reimbursement of recruitment fee payments incurred by workers, and repayment of back wages. CBP [estimates](#) that at least \$62 million was returned to workers in stolen wages and reimbursements through the import ban enforcement process.

This is only a drop in the bucket. According to a [recent ILO publication](#), \$236 billion is the annual profit generated from forced labor in the world today. According to the ILO, “this figure reflects the wages or earnings effectively stolen from the pockets of workers by the perpetrators of forced labor through their coercive practices.” This number is a sobering reminder that more needs to be done to disrupt and ultimately end the market for forced labor. More WROs could result in even more workers receiving the wages that they are owed and compensation for harms they suffered. The Trump Administration should ensure that no WRO is removed or modified without comprehensive remediation measures by targeted entities or importers.

We recommend the Trump Administration leverage the inter-agency Forced Labor Enforcement Task Force (FLETF) — set up by the USMCA Implementation Act and formally established by President Trump’s [Executive Order 13923](#) — to develop forced labor remediation standards for import ban enforcement. These standards should inform the enforcement of Section 307 by U.S. Customs and Border Protection (CBP) and support the creation of joint working groups, involving agency experts, external stakeholders like unions and NGOs, industry professionals, and academic researchers. Specifically, we recommend the Trump Administration leverage the labor expertise within the Department of Labor – Bureau of International Labor Affairs (DOL-ILAB) and the Bureau of Democracy, Human Rights, and Labor (DRL) at the Department of State. We need more labor experts to weigh in on Section 307 enforcement. Additionally, it is essential for U.S. Government staff, both in

Washington and at U.S. overseas missions, to have a unified understanding of forced labor issues, including import bans and remediation efforts.

TAAG emphasizes the need for a more substantive approach to forced labor remediation, particularly in the context of CBP's WRO modification conditions. The coalition recommends that these conditions be based on current best practices, such as worker-centered remediation models, which aim to address root causes like intimidation, wage theft, and lack of worker voice. Post-WRO remediation should address all ILO forced labor indicators and focus on long-term, transformative systems to ensure fair working conditions.

When evaluating forced labor remediation, we caution against an over reliance on social audits by companies. These audits often lack transparency, independence, and depth. They are typically announced in advance, giving suppliers time to mask violations, and auditors may face conflicts of interest when paid by the companies they inspect. Effective solutions to address forced labor require robust, independent monitoring, worker-driven mechanisms, and stronger regulatory enforcement.

Further, CBP should ensure workers receive comprehensive remedies, such as the reimbursement of recruitment fees and all earned wages and other forms of compensation (including for overtime), and that independent verification by workers or unions takes place to confirm the success of these efforts. Effective remediation can safeguard workers' rights and prevent future exploitation.

Improve Information Sharing and Technical Assistance on Forced Labor Import Bans with Key Trading Partners

Coordination and collaboration are needed globally to ensure that trading partners with weak enforcement or lower labor standards do not become safe havens for goods produced with forced labor.

The Trump Administration can lead the way on forced labor enforcement and intelligence sharing in the following ways:

1. Provide technical assistance to other countries to help them develop their own standards and enforcement mechanisms, creating a more unified global effort against forced labor.
2. Work with Canada and Mexico to ensure that the import ban provisions under the USMCA are robustly implemented. Provide technical assistance to both countries and continued resources in Mexico to support their import ban enforcement. In addition, as the USMCA comes up for review, its forced labor provisions should be reconsidered to make it easier for civil society to pursue enforcement in the three countries. The Trump Administration should work to harmonize legal standards and enforcement activities in all three countries. This would ensure consistent standards and definitions, making it easier to detect and prevent the importation of goods tainted by forced labor.
3. For cost-effectiveness, and to ensure that foreign governments pay their fair share, conduct joint investigations and enforcement actions against companies suspected of using forced labor in their supply chains in consultation with sectoral unions and workers'rights organizations. These investigations should be supplemented through regular cross-border CBP/joint customs audits and inspections of supply chains and manufacturing facilities. These audits should be coordinated to avoid redundancy and ensure thorough coverage.

4. Similarly, for a more coordinated and efficient approach to addressing forced labor between the U.S. and its allies, establish a robust system for sharing intelligence and data on suspected forced labor practices, including sharing blacklists of companies and supply chains, as well as information on high-risk industries and regions.
5. Create standardized documentation and reporting requirements for goods entering and leaving each country, including mandatory disclosures about the supply chain and labor practices.
6. Establish integrated databases that customs officials and other law-enforcement authorities can access to verify the origins and labor practices associated with imported goods (with due regard for privacy and safety of workers).
7. Use advanced technologies like blockchain, AI, forensic testing, and big data analytics to track goods across borders and verify origins, ensuring transparency and accountability in supply chains.
8. Develop and implement training programs (in collaboration with relevant institutional partners including the Department of Labor and the ILO) for customs officials to investigate and intercept goods made with forced labor. Programs should include training on how to recognize signs of forced labor (including the ILO indicators of forced labor) and guidance on legal procedures for detaining goods tainted by forced labor.
9. Publish yearly reports on efforts undertaken to ensure international coordination of import ban enforcement.
10. Press for more supply chain shipping data transparency to allow advocates to identify shipments tainted with forced labor in global supply chains.



Increase Forced Labor Enforcement Funding and Transparency

The passage of forced labor import bans alone is not enough to deter importers bringing in goods made with forced labor into the United States. The U.S. Customs and Border Protection (CBP) needs resources to effectively enforce our nation's forced labor import restrictions in a fashion that protects workers, holds importers accountable for remediation of forced labor, and levels the playing field for American businesses and workers.

The Trump Administration is urged to allocate additional resources in its FY2026 budget to support all of CBP's forced labor enforcement efforts. We strongly encourage the Trump Administration to establish budget increases for Section 307 enforcement in order to bring Section 307 enforcement funding into parity with UFLPA funding. It is important to have a separate, delineated funding stream for Section 307. Finally, we urge the Administration to make more forced labor enforcement data publicly available under both the Tariff Act and the UFLPA. This will send a clear message to the trade community that forced labor is unacceptable in U.S. supply chains, regardless of the goods' country of origin.

About the Tariff Act Advocates Group

The Tariff Act Advocates Group (TAAG) is a civil society coalition working to combat forced labor in global supply chains. TAAG brings together workers' rights and human rights organizations advocating to maximize the impact of U.S. import prohibitions against forced labor under Section 307 of the U.S. Tariff Act of 1930 and the Uyghur Forced Labor Prevention Act.

TAAG Member Organizations Supporting this Brief

- [Corporate Accountability Lab \(CAL\)](#)
- [Global Labor Justice \(GLJ\)](#)
- [The Human Trafficking Legal Center](#)
(serves as TAAG Secretariat)
- [Humanity United Action](#)
- [Solidarity Center](#)
- [Transparentem](#)
- [Verité](#)
- [Worker Rights Consortium \(WRC\)](#)

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The recommendations in this memorandum are brief summaries intended to outline areas for discussion between civil society stakeholders and executive branch officials during the presidential transition and beginning of the incoming administration. Not all federal programs and opportunities are included; we have focused on priorities for action.

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