

GAO Highlights

Highlights of [GAO-21-106](#), a report to congressional requesters

Why GAO Did This Study

Forced labor is a global problem in which individuals are exploited to perform labor or services. The International Labour Organization estimates that forced labor generates profits of \$150 billion a year globally. CBP is responsible for enforcing Section 307 of the Tariff Act of 1930, which prohibits the importation of goods made with forced labor. CBP has authority to detain shipments when information indicates that forced labor produced the goods. ICE is responsible for investigating potential crimes related to forced labor, and importers may be subject to prosecution.

GAO was asked to review the status of DHS resources for implementing the Section 307 prohibition on forced labor imports, following an amendment of the law in 2016. This report examines (1) the extent to which CBP assessed agency needs for the enforcement of the prohibition on forced labor imports, (2) the outcome of CBP enforcement activities and monitoring of such efforts, and (3) ICE resources for investigations on forced labor. GAO reviewed CBP and ICE documents and data, and interviewed agency officials. This is a public version of a sensitive report GAO issued in July 2020. Information that CBP deemed sensitive has been omitted.

What GAO Recommends

GAO is making three recommendations, including that CBP assess the workforce needs of the Forced Labor Division, and improve its forced labor summary case data. CBP concurred with all three recommendations.

View [GAO-21-106](#). For more information, contact Kimberly Gianopoulos at (202) 512-8612 or gianopoulosk@gao.gov.

October 2020

FORCED LABOR IMPORTS

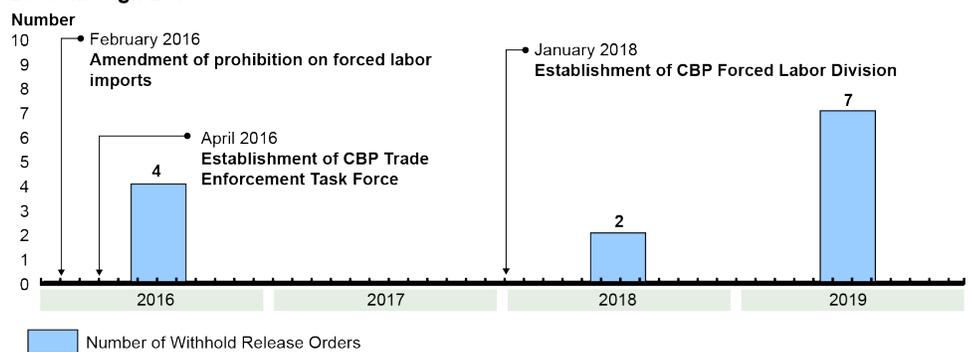
DHS Increased Resources and Enforcement Efforts, but Needs to Improve Workforce Planning and Monitoring

What GAO Found

Since 2016, U.S. Customs and Border Protection (CBP), within the Department of Homeland Security (DHS), has increased its resources to enforce a prohibition on importing goods made with forced labor, but has not determined its workforce needs. CBP formed the Forced Labor Division in 2018 to lead its efforts, and increased expenditures for the division from roughly \$1 million in fiscal year 2018 to \$1.4 million in fiscal year 2019. However, CBP has not assessed and documented the staffing levels or skills needed for the Forced Labor Division. For example, the division suspended some ongoing investigations due to a staff shortage and has plans to expand and train its workforce; however, the division has not assessed the number, type, locations, or specialized skills of positions it needs to achieve programmatic results. Without assessing its workforce needs, the division lacks reasonable assurance that it has the right number of people, with the right skills, in the right places.

CBP has increased forced labor investigations and civil enforcement actions, but managers lack complete and consistent data summarizing cases. CBP detained shipments under 13 Withhold Release Orders (WRO) from 2016 through 2019, as shown in the figure below. However, the Forced Labor Division uses incomplete and inconsistent summary data to monitor its investigations. For example, data were missing on the sources of evidence collected for almost all active cases. Incomplete and inconsistent summary data on the characteristics and status of cases may hinder managers' effective monitoring of case progress and enforcement efforts.

Figure: U.S. Customs and Border Protection (CBP) Forced Labor Withhold Release Orders, 2016 through 2019



Source: GAO analysis of U.S. Customs and Border Protection data and documents. | GAO-21-106

With regard to criminal violations, DHS's U.S. Immigration and Customs Enforcement (ICE) has increased its resources to investigate allegations of forced labor, including those related to U.S. imports. ICE coordinates criminal investigations of forced labor, conducted in the U.S. and abroad. ICE reported spending about \$40 million on forced labor investigations in fiscal year 2019, an increase of over 50 percent since 2016. Forced labor investigations often involve a range of criminal violations, including violations that are not related to the importation of goods. As such, reported expenditures include costs for cases on related issues, such as human trafficking.