

GAO@100 Highlights

Highlights of [GAO-21-259](#), a report to congressional committees

Why GAO Did This Study

Globally, millions of adults and children are subjected to forced labor, compelled to perform work or service under various forms of threat or coercion. Section 307 of the Tariff Act of 1930 prohibits the importation into the United States of goods produced in any foreign country wholly or in part by forced labor. CBP has sole responsibility for enforcing this law.

The Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2018 included a provision that GAO review CBP's efforts to enforce Section 307 and other entities' roles in indirectly supporting CBP's enforcement. This report examines, among other things, CBP's approach to enforcing Section 307 and the extent to which CBP has communicated with other federal agencies and nonfederal stakeholders with respect to Section 307 enforcement.

GAO reviewed laws and CBP documents and interviewed officials from CBP, other federal agencies, and 24 NGOs and private sector entities with knowledge of Section 307. GAO met with officials from the United States, Brazil, China, Malawi, and Malaysia.

What GAO Recommends

GAO recommends that CBP make a description of its WRO revocation and modification process publicly available. CBP agreed with GAO's recommendation.

View [GAO-21-259](#). For more information, contact Kimberly Gianopoulos at (202) 512-8612 or gianopoulosk@gao.gov.

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CBP Should Improve Communication to Strengthen Trade Enforcement

What GAO Found

The Department of Homeland Security's U.S. Customs and Border Protection (CBP) uses several tools to enforce Section 307 of the Tariff Act of 1930 (Section 307), which prohibits the importation of goods made with forced labor. For example, CBP may issue a withhold release order (WRO) when information reasonably but not conclusively indicates that merchandise produced with forced labor is being, or likely to be, imported into the United States. CBP may detain shipments of merchandise pursuant to WROs at U.S. ports of entry, unless an importer provides sufficient evidence that it was not made with forced labor. In addition, CBP may revoke or modify a WRO if evidence shows the merchandise was not made with forced labor; is no longer being produced with forced labor; or is no longer being, or likely to be, imported into the United States.

CBP Agents Inspecting a Detained Shipment of Hair Products from China



Source: U.S. Customs and Border Protection (CBP). | GAO-21-259

CBP has taken steps to communicate with other federal agencies as well as nonfederal stakeholders about its enforcement of Section 307.

- CBP communicates with other agencies, including the Departments of Labor and State, through monthly meetings of an interagency working group. During these meetings, members discuss their agencies' forced labor-related efforts and CBP reports its planned enforcement actions.
- CBP officials told GAO that they may communicate separately with other agencies' officials to obtain or share information relevant to CBP's investigations.
- CBP officials communicate with nongovernmental organizations (NGO) and private sector entities that address forced labor, according to CBP officials.

However, one aspect of CBP's communication with other federal agencies and nonfederal stakeholders lacks transparency. CBP has published a description of its process for issuing WROs as well as the types of information it requires to revoke or modify them. But CBP has not published a description of its WRO revocation and modification process, comparable to a description of its WRO issuance process posted on its website. As a result, other agencies and stakeholders lack knowledge of the process. This may limit the agencies' ability to support CBP's enforcement and the private sector's ability to comply with Section 307.