

WESCCON 2024

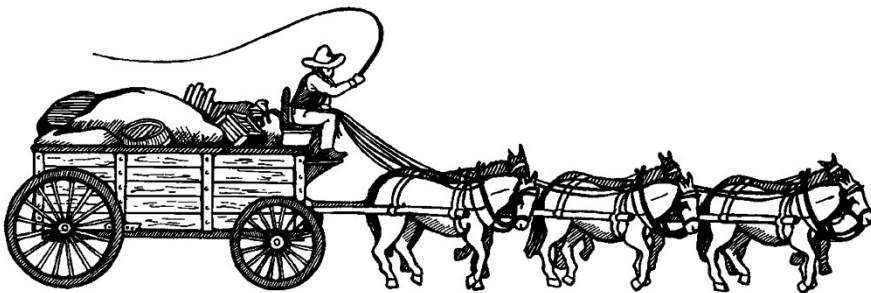
Navigating the Complexities of Forced Labor Practical Guidance for Customs Brokers

Moderator:

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Panelists:

- Alan Aprea, Center Director, Electronics Center of Excellence and Expertise, U.S. Customs and Border Protection
- David Shaw, Assistant Center Director, Agriculture and Prepared Products Center of Excellence and Expertise, U.S. Customs and Border Protection
- Eric Batt, Center Director, Apparel, Footwear & Textile Center of Excellence and Expertise, U.S. Customs and Border Protection
- Katie Woodson, Assistant Director, Operations Division, Trade Remedy Law Enforcement Directorate Forced Labor Division



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Best Practices- Prior to Importing

- Maintain awareness (supply chain, labor conditions)
- Assess risk and make informed business decisions.
- Prepare for detention. If detained, provide sufficient documentation to show the entire supply chain at all stages.
- If feasible, maintain consistent supply chains and communicate early on any changes.



Best Practices

- Monitor supplier relationships, including the use of independent third-party audits.
- Upon arrival – Ensure all supply-chain documentation are available and organized in order of occurrence.
- Provide an executive summary of the submitted documents – at supply chain level.
- *don't forget to provide all sources of upstream ingredients/components that were used to create the imported product.
- Resources:
 - <https://www.cbp.gov/trade/forced-labor/UFLPA>
 - CBP UFLPA Publication- OPERATIONAL GUIDANCE FOR IMPORTERS June 13, 2022



Best Practices

- How the forced labor compliance for solar has evolved from the implementation of UFLPA.
- Identify shipments subject to potential UFLPA prior to exportation, perform compliance reviews and identify areas of risk.
- Broker and/or importer should be communicating with the port/Center throughout the detention process.
- The UFLPA detention period is 30 days, so the supply chain information needs to be readily available.
- Traceability reports should be submitted shortly after the detention, so that we can see the supply chain entities and know what to expect.
- Applicability packets should be complete, tracing the entire supply chain for forced labor compliance.





Forced Labor Current/Outlook

FY2024

WROs

- April 10, 2024, Shanghai Select Safety Products Co.
- August 14, 2024, Yu Long No. 2 Modification

Enhancement/Releases

- Automated Detention Notice
- Protest Module (new UFLPA Exception Review process)
- CBP Forced Labor web-site and resources

Engagements

- Conducted **over 288** forced labor engagements with members of the public, civil society organizations, industry/trade associations, chambers of commerce, members of Congress, and U.S. and foreign government representatives. These strategic engagements improved stakeholders' knowledge of forced labor enforcement processes.

Forced Labor Portals

- Centralized location for to submit allegations, modification requests, WRO admissibility reviews, UFLPA/CAATSA applicability and exception reviews
- Anticipated deployment: **Fall 2024**

FY2025 Outlook

Forced Labor Enforcement Actions

- July 9, 2024 – Rollout of updated DHS UFLPA Strategy:
 - New priority sectors: aluminum, seafood, polyvinyl chloride
 - New process to add/remove priority sectors
- **Additional focus on new sectors**
- **Renewed focus on WROs** – expect more by the end of FY 2024 and FY 2025

Develop & Build Strategic Partnership

- Continue **engagements with stakeholders**, industry, other federal government, and foreign partners:
 - Forced Labor Portal Utilization Training
 - Engage with interagency partners such Department of Labor, Department of State, National Oceanic & Atmospheric Agency
 - Engage with International partners as Mexico, Kenya, Canda, European Union, Japan, and South Korea, and others

Streamline Processes:

- Modification Process Guide
- Update UFLPA **CBP Guidance for Importer**
- Protest Module (new CAATSA Exception Review process)

QUESTIONS?

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Thank you

