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U.S. House of Representatives

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May 11, 2020

The Honorable Chad Wolf
Acting Secretary
U.S. Department of Homeland Security
245 Murray Lane, SW
Washington, DC 20528

Mr. Mark Morgan
Acting Commissioner
U.S. Customs and Border Protection
1300 Pennsylvania Avenue, NW
Washington, DC 20229

Dear Acting Secretary Wolf and Acting Commissioner Morgan:

We write to express our serious concern that the U.S. Department of Homeland Security (DHS) failed to establish the Forced Labor Enforcement Task Force (Task Force) by April 28, as required by Section 741 of the United States-Mexico-Canada Agreement (USMCA) Implementation Act.

Congress approved the USMCA Implementation Act a few months ago with a robust level of bipartisan and bicameral support not seen in two decades. Key to this bipartisan support was a strengthening of enforcement mechanisms in both the trade agreement and in the implementing legislation. Enforcement is what gives the rules in a trade agreement teeth and meaning.

Section 741 of the USMCA Implementation Act requires DHS to establish the Task Force as the central hub for the U.S. government's enforcement of the prohibition on imports made by or with forced labor. The Task Force's mandate is to lead and improve U.S. agency coordination efforts to enforce both the USMCA's prohibition of forced labor imports¹ and the existing prohibition contained in U.S. law.² The Task Force is also charged with enhancing reporting to Congress on forced labor trade enforcement.

House Democrats have been champions for strengthening U.S. enforcement of the forced labor import prohibition, including by leading the efforts to close the consumptive demand loophole through the Trade Facilitation and Trade Enforcement Act of 2015. Since closing the loophole, enforcement actions have increased modestly but the use of forced labor remains rampant across the globe and goods produced by or with forced labor continue to enter the

¹ U.S.-Mexico-Canada Agreement, Art. 23.6.

² Section 307 of the Tariff Act of 1930.

United States in violation of U.S. law and policy. Recent press reporting,³ investigations completed by civil society organizations,⁴ and the U.S. Department of Labor in its regular reports on child and forced labor⁵ continue to provide evidence of the severity and pervasiveness of forced labor in the production of goods traded to the United States, including in the technology, apparel, and industrial sectors in China and the agricultural sector in Mexico.

Your compliance with the statutory requirements in the USMCA Implementation Act is a measure of your commitment to trade enforcement in general, and to the USMCA's implementation and success. We are disturbed by the fact that the April 28 deadline has passed without the fulfillment of your obligation and without any explanation. Failures like this are unacceptable. The Task Force needs to be established immediately and, once established, the interagency work that it is charged to conduct must be prioritized. In renewing the bonds of North America's economic and trade relationships and boosting North American competitiveness to meet the challenges posed by China's authoritarian, non-market-based economic practices, a lax approach to enforcement is unacceptable.

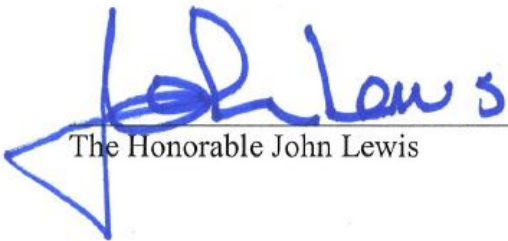
Sincerely,



The Honorable Richard E. Neal
Chairman



The Honorable Earl Blumenauer
Chairman, Subcommittee on Trade



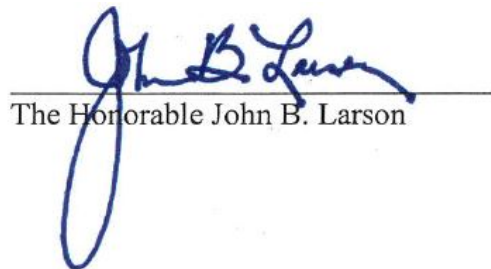
The Honorable John Lewis



The Honorable Lloyd Doggett



The Honorable Mike Thompson



The Honorable John B. Larson

³ See <https://www.reuters.com/article/us-mexico-slavery/mexicos-indigenous-migrant-workers-risk-enslavement-on-farms-rights-commission-idUSKBN1DY2IV>; <https://www.washingtonpost.com/graphics/2019/business/hershey-nestle-mars-chocolate-child-labor-west-africa/>.

⁴ See <https://www.aspi.org.au/report/uyghurs-sale>.

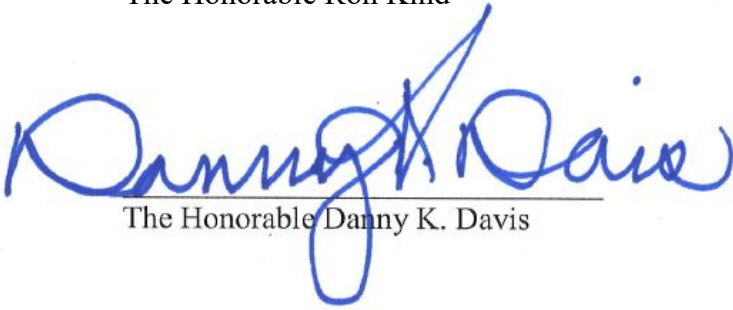
⁵ <https://www.dol.gov/agencies/ilab/resources/reports/child-labor>.



The Honorable Ron Kind



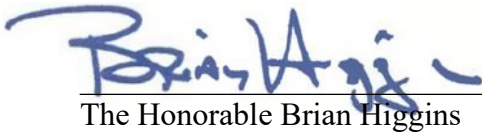
The Honorable Bill Pascrell, Jr.



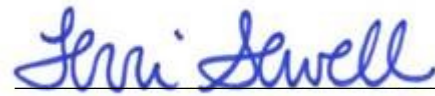
The Honorable Danny K. Davis



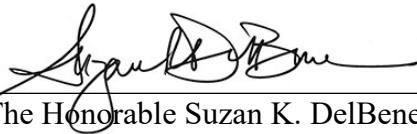
The Honorable Linda T. Sánchez



The Honorable Brian Higgins



The Honorable Terri A. Sewell



The Honorable Suzan K. DelBene



The Honorable Judy Chu



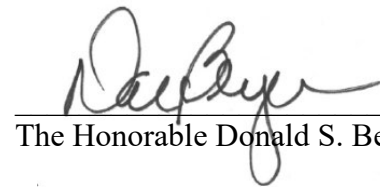
The Honorable Gwen Moore



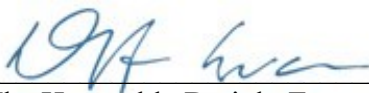
The Honorable Daniel T. Kildee



The Honorable Brendan F. Boyle



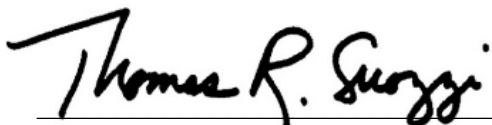
The Honorable Donald S. Beyer Jr.



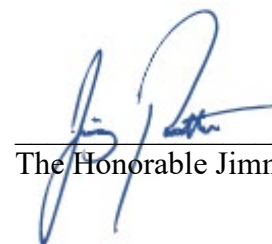
The Honorable Dwight Evans



The Honorable Bradley S. Schneider



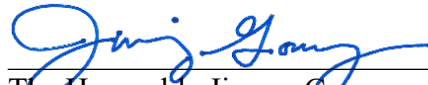
The Honorable Thomas R. Suozzi



The Honorable Jimmy Panetta



The Honorable Stephanie Murphy



The Honorable Jimmy Gomez



The Honorable Steven Horsford

Cc:

The Honorable Robert E. Lighthizer
U.S. Trade Representative
600 17th Street, NW
Washington, D.C. 20508

The Honorable Eugene Scalia
Secretary
U.S. Department of Labor
200 Constitution Avenue, NW
Washington DC, 20210