

Uyghur Forced Labor Prevention Act

CBP UFLPA Implementation Questions

Contact us at: UFLPAInquiry@cbp.dhs.gov

The Uyghur Forced Labor Prevention Act (UFLPA) was signed into law by President Biden on December 23, 2021.

It establishes a rebuttable presumption that the importation of any goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part in the Xinjiang Uyghur Autonomous Region of the People's Republic of China, or produced by certain entities, is prohibited by Section 307 of the Tariff Act of 1930 and that such goods, wares, articles, and merchandise are not entitled to entry to the United States. The presumption applies unless the Commissioner of U.S. Customs and Border Protection (CBP) determines that the importer of record has complied with specified conditions and, by clear and convincing evidence, that the goods, wares, articles, or merchandise were not produced using forced labor.

The UFLPA also requires the interagency Forced Labor Enforcement Task Force, chaired by the Secretary of Homeland Security, and in consultation with the Secretary of Commerce and Director of National Intelligence, to develop and submit to Congress a strategy for supporting CBP's enforcement of Section 307 of the Tariff Act of 1930 with respect to goods, wares, articles, and merchandise produced with forced labor in the People's Republic of China.

CBP's Operational Guidance for Importers

CBP has released [importer guidance](#) to assist the trade community in preparing for the implementation of the UFLPA rebuttable presumption that goes into effect on June 21, 2022. Please be aware that this is CBP's importer guidance, which provides transparency to CBP's operational approach, and not the Forced Labor Enforcement Task Force's Strategy, which will provide additional importer guidance, required by the UFLPA.

Have questions about the Uyghur Forced Labor Prevention Act Strategy?

Check the below Frequently Asked Questions to see if your questions about the [Uyghur Forced Labor Prevention Act](#) (UFLPA) may be answered here.

[Frequently Asked Questions](#)

UFLPA Public Service Announcement



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[UFLPA Known Importer Letter](#)

Dear [Importer],

As you are likely aware, Congress recently passed, and the President signed into law, the Uyghur Forced Labor Prevention Act ("the Act"). The Act, codified under 22 U.S.C. §6901 note, established a rebuttable presumption that any goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part in the Xinjiang Uyghur Autonomous Region (XUAR) of the People's Republic of China or produced by an entity on a list required by clause (i), (ii), (iv) or (v) of section 2(d)(2)(B) are prohibited under section 307 of the Tariff Act of 1930 (19 U.S.C. §1307) are not entitled to entry at any of the ports of the United States.

The Act requires CBP to apply the rebuttable presumption unless the importer can overcome the presumption of forced labor by establishing, by clear and convincing evidence, that the good, ware, article, or merchandise was not mined, produced, or manufactured wholly or in part by forced labor. This elevated standard will require the importer to not only use due diligence in evaluation of its supply chain, but also to respond completely and substantively to CBP requests for information regarding entries it may review.

As your company has previously imported merchandise sourced from locations or entities potentially subject to the Act, you are being notified that any future entries of such merchandise may be subject to CBP enforcement action, including seizure, forfeiture and/or penalties, or other appropriate action under the customs laws. In any future CBP enforcement action related to such merchandise, CBP will take into consideration the fact that you have been provided this notice in determining appropriate administrative remedies.

In anticipation of the rebuttable presumption becoming effective on June 21, 2022, an implementation strategy and guidance for the trade community will be issued to ensure compliance with the Act. CBP is urging importers to be proactive and closely review their supply chains to ensure any goods or materials are not sourced from the XUAR in violation of the Act. It is incumbent upon you as an importer to apply due diligence, effective supply chain tracing, and supply chain management measures to ensure that such imports are free from any goods mined, produced, or manufactured wholly or in part with forced labor from the People's Republic of China, especially from the XUAR.

For the most up-to-date information on CBP's UFLPA implementation, please see our website at <https://www.cbp.gov/trade/forced-labor/UFLPA>. Questions regarding UFLPA may be submitted to UFLPAInquiry@cbp.dhs.gov.

Sincerely,

Thomas Overacker, Executive Director

Cargo and Conveyance Security

Office of Field Operations

[CTPAT - UFLPA Known Importer Letter](#)

Dear [Importer],

As you are likely aware, Congress recently passed, and the President signed into law, the Uyghur Forced Labor Prevention Act ("the Act"). The Act, codified under 22 U.S.C. §6901 note, established a rebuttable presumption that any goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part in the Xinjiang Uyghur Autonomous Region (XUAR) of the People's Republic of China or produced by an entity on a list required by clause (i), (ii), (iv) or (v) of section 2(d)(2)(B) are prohibited under section 307 of the Tariff Act of 1930 (19 U.S.C. §1307) are not entitled to entry at any of the ports of the United States.

The Act requires CBP to apply the rebuttable presumption unless the importer can overcome the presumption of forced labor by establishing, by clear and convincing evidence, that the good, ware, article, or merchandise was not mined, produced, or manufactured wholly or in part by forced labor. This elevated standard will require the importer to not only use due diligence in evaluation of its supply chain, but also to respond completely and substantively to CBP requests for information regarding entries it may review.

As your company has previously imported merchandise from locations or entities potentially subject to the Act, you are being notified that subsequent entries of such merchandise may result in, among other things, suspension or removal from the Customs Trade Partnership Against Terrorism (CTPAT) program, seizure, forfeiture and/or penalties, or other appropriate action under the customs laws. Please note that this notice may serve as an aggravating factor should CBP take enforcement action upon determining future violations of the Act.

In anticipation of the rebuttable presumption becoming effective on June 21, 2022, an implementation strategy and guidance for the trade community will be issued to ensure compliance with the Act. CBP is urging importers to be proactive and closely review their supply chains to ensure any goods or materials are not sourced from the XUAR in violation of the Act. It is incumbent upon you as an importer to apply due diligence, effective supply chain tracing, and supply chain management measures to ensure that such imports are free from any goods mined, produced, or manufactured wholly or in part with forced labor from the People's Republic of China, especially from the XUAR.

For the most up-to-date information on CBP's UFLPA implementation, please see our website at www.cbp.gov/trade/forced-labor/UFLPA. Questions regarding UFLPA may be submitted to UFLPAInquiry@cbp.dhs.gov.

Sincerely,

Thomas Overacker, Executive Director

Cargo and Conveyance Security

Office of Field Operations

[Advanced Notice of Known Importer Letter](#)

The [Uyghur Forced Labor Prevention Act](#) (UFLPA), hereafter referred to as "the Act", was signed into law by President Biden on December 23, 2021.

The Act establishes a rebuttable presumption that the importation of any goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part in the Xinjiang Uyghur Autonomous Region of the People's Republic of China, or produced by an entity on a list required by clause (i), (ii), (iv) or (v) of section 2(d)(2)(B) of the Act, is prohibited by Section 307 of the Tariff Act of 1930 and that such goods, wares, articles, and merchandise are not entitled to entry to the United States. The rebuttable presumption goes into effect on June 21, 2022.

In advance of June 21st, CBP will be issuing letters to importers identified as having previously imported merchandise that may be subject to the Act to encourage those importers to address any forced labor issues in their supply chains in a timely manner.

Please note that if you do not receive a letter from CBP, this does not mean that your supply chain is free of forced labor. All importers are expected to review their supply chains thoroughly and institute reliable measures to ensure imported goods are not produced wholly or in part with convict labor, forced labor, and/or indentured labor (including forced or indentured child labor).

[Resources](#)

[Uyghur Forced Labor Prevention Act Fact Sheet](#)

[Uyghur Forced Labor Prevention Act Importer Overview](#)

[H.R. 6256 - Uyghur Forced Labor Prevention Act](#)

[White House: Bill Signed: H.R. 6256](#)

[DHS Press Release on UFLPA Public Comment Period](#)

[DHS Frequently Asked Questions](#)

[UFLPA Related Federal Register Notices](#)

[Federal Register Notice Seeking Public Comment](#)

DHS issued a Notice Seeking Public Comments in the Federal Register on January 24, 2022 on methods to prevent the importation of goods produced using forced labor from the People's Republic of China, specifically from the Xinjiang Uyghur Autonomous Region.

Tags:
[Forced Labor](#) , [Trade](#)

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