



ONE HUNDRED SEVENTEENTH CONGRESS
SENATOR JEFF MERKLEY, CHAIRMAN
REPRESENTATIVE JAMES P. MCGOVERN, COCHAIRMAN

February 2, 2022

The Honorable Patrick Leahy
Chairman
Senate Appropriations Committee
United States Senate
Washington, DC 20510

The Honorable Rosa DeLauro
Chairwoman
House Appropriations Committee
U.S. House of Representatives
Washington, DC 20515

The Honorable Richard Shelby
Vice Chairman
Senate Appropriations Committee
United States Senate
Washington, DC 20510

The Honorable Kay Granger
Ranking Member
House Appropriations Committee
U.S. House of Representatives
Washington, DC 20515

Dear Chairs Leahy and DeLauro, Vice Chairman Shelby and Ranking Member Granger:

As you negotiate the Fiscal Year 2022 Homeland Security Appropriations bill, we write to request increased funding for Customs and Border Protection Agency activities to implement the *Uyghur Forced Labor Prevention Act* (PL 117-78).

We appreciate the Committees' attention to devoting increased resources to Customs and Border Protection (CBP) for forced labor enforcement which, illegal under U.S. law since 1930, is receiving greater scrutiny from both Congress and the Executive Branch.

One area that has received especially strong attention from policymakers is the nexus of forced labor and crimes against humanity under committed by the Chinese Communist Party and government in the Xinjiang Uyghur Autonomous Region (XUAR). The Biden Administration, following its predecessor, has determined that these crimes against Uyghurs and others amount to genocide.

Congress, on a bipartisan basis, has responded to this grave abuse by unanimously passing the *Uyghur Forced Labor Prevention Act*, which was signed into law on December 23, 2021. In light of the high prevalence of forced labor in the XUAR and in coercive labor transfer programs elsewhere in China, the legislation presumptively bans the import of any goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part in the XUAR or by certain entities identified by the Administration that are engaged in labor transfer programs. This ban goes into effect on June 21, 2022. The legislation also sets out a process for the Forced Labor Prevention Task Force, led by the Department of Homeland Security, to devise and

implement a strategy to prevent such goods made from forced labor from entering the United States, including a process by which importers can provide evidence that XUAR-connected products were not made with forced labor.

During Congressional consideration of the *Uyghur Forced Labor Prevention Act*, the Biden Administration communicated to both House and Senate leaders a desire for sufficient resources to be able to implement the bill and achieve the shared objective of banning imports from the XUAR made with forced labor, including the ability to properly assess any information provided by companies to prove that the products they seek to import do not include components made with forced labor.

The House Subcommittee provided \$9.2 million in its Committee-approved FY2022 Homeland Security Appropriations bill and the Senate Subcommittee provided \$10 million in its draft to strengthen CBP's enforcement actions and processes to prevent the importation of products made with forced labor. Given the subsequent enactment of the *Uyghur Forced Labor Prevention Act* and the request by the Biden Administration for additional resources to implement it, we respectfully request that the conference report on the FY2022 bill include an even greater amount for forced labor enforcement.

We thank you for your consideration of our request.

Sincerely,



Senator Jeffrey A. Merkley
Chairman



Representative James P. McGovern
Cochair



Senator Marco Rubio
Ranking Member



Representative Christopher H. Smith
Ranking Member