

Congressional-Executive Commission on China

Hearing

on

Implementation of the Uyghur Forced Labor Prevention Act and the Impact on Global Supply Chains

Tuesday, April 18, 2023 – 10:00 a.m.

2360 Rayburn House Office Building & Virtual via Cisco Webex

Statement of Senator Jeff Merkley

Cochair

Congressional-Executive Commission on China

- Mr. Chairman, thank you very much. The Uyghur Forced Labor Prevention Act is a testament to why the Congressional-Executive Commission on China exists. Horrified by the evidence documented by the Commission's tireless researchers that the products of slave labor reach American shelves in vast quantities, the four most recent chairs of this Commission acted, and coming from the Senate side, a special recognition to Senator Rubio who partnered in the bipartisan effort on the Senate side. On a bipartisan and bicameral basis, we introduced, advocated for, and passed landmark legislation that sent a resounding and unequivocal message that the United States would not stand idly by as the world witnesses the evils of genocide and the evils of slave labor.
- This law, the Uyghur Forced Labor Prevention Act, aims to target China's ability to profit from genocide, hold corporations that trade in products of forced labor accountable, and protect American consumers from being unwitting accomplices in these horrors. In the 16 months since it became law and 10 months since its key provisions went into effect, the UFLPA has made a difference. As we'll hear today, it's put businesses on notice that they can no longer claim it's too difficult to trace their supply chains. Armed with substantial new resources provided by Congress, U.S. Customs and Border Protection now devotes unprecedented attention to investigating those supply chains and stopping problematic imports. As a result, direct exports from Xinjiang have plummeted and businesses are changing their practices to speed up production capacity elsewhere in the world, increasing the diversification and sustainability of their supply chains.
- But as much as we've accomplished, it's only the tip of the iceberg. Compliance with this law requires a paradigm shift. It requires companies to be vigilant in the same way we expect them to guard against bribery and corruption and money laundering. Companies that resist compliance or look to exploit loopholes need to be held accountable. The U.S. government's Forced Labor Enforcement Task Force needs to implement the law even more aggressively, with particular attention to transshipment of Xinjiang-origin goods via third countries. Congress needs to make sure these efforts are fully funded and that any gaps we identify are plugged. And countries around the world need to take their own actions to make sure that the purveyors of forced labor can't just send their goods elsewhere. That action by other countries is needed to avoid bifurcated supply chains that allow companies to sell clean products in the

United States and turn around and pocket the proceeds of tainted forced labor products elsewhere.

- It's a big challenge to implement a law, and it's a big challenge to implement this law with the complexity of international trade. But we owe it to the millions of exploited Uyghurs and other ethnic minorities in China, and as my colleague mentioned, this isn't just about China, this is about taking on this issue and setting a model for how we deal with it around the world. We owe it to American consumers, who don't want to be part of economic machinery of genocide, and to the businesses doing the right thing who want to play on a level playing field. It is a honor and a responsibility to take on this task in partnership with my colleagues on both sides of the house and both sides of the aisle. Thank you, Mr. Chairman.