

105TH CONGRESS  
1ST SESSION

# H. R. 2195

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 6, 1997

Received; read twice and referred to the Committee on Finance

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## AN ACT

To provide for certain measures to increase monitoring of  
products that are made with forced labor.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. FINDINGS.**

4       The Congress makes the following findings:

1           (1) The United States Customs Service has  
2           identified goods, wares, articles, and merchandise  
3           mined, produced, or manufactured under conditions  
4           of convict labor, forced labor, and indentured labor  
5           in several countries.

6           (2) The United States Customs Service has ac-  
7           tively pursued attempts to import products made  
8           with forced labor, resulting in seizures, detention or-  
9           ders, fines, and criminal prosecutions.

10          (3) The United States Customs Service has  
11          taken 21 formal administrative actions in the form  
12          of detention orders against different products des-  
13          tined for the United States market, found to have  
14          been made with forced labor, including products  
15          from the People's Republic of China.

16          (4) The United States Customs Service does  
17          not currently have the tools to obtain the timely and  
18          in-depth verification necessary to identify and inter-  
19          dict products made with forced labor that are des-  
20          tined for the United States market.

21   **SEC. 2. AUTHORIZATION FOR ADDITIONAL CUSTOMS PER-**  
22                           **SONNEL TO MONITOR THE IMPORTATION OF**  
23                           **PRODUCTS MADE WITH FORCED LABOR.**

24          There are authorized to be appropriated for monitor-  
25   ing by the United States Customs Service of the importa-

tion into the United States of products made with forced labor, the importation of which violates section 307 of the Tariff Act of 1930 or section 1761 of title 18, United States Code, \$2,000,000 for fiscal year 1999.

**SEC. 3. REPORTING REQUIREMENT ON FORCED LABOR  
PRODUCTS DESTINED FOR THE UNITED  
STATES MARKET.**

(a) REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act, the Commissioner of Customs shall prepare and transmit to the Congress a report on products made with forced labor that are destined for the United States market.

(b) CONTENTS OF REPORT.—The report under subsection (a) shall include information concerning the following:

(1) The extent of the use of forced labor in manufacturing products destined for the United States market.

(2) The volume of products made with forced labor, destined for the United States market, that is in violation of section 307 of the Tariff Act of 1930 or section 1761 of the title 18, United States Code, and is seized by the United States Customs Service.

(3) The progress of the United States Customs Service in identifying and interdicting products

1       made with forced labor that are destined for the  
2       United States market.

3   **SEC. 4. RENEGOTIATING MEMORANDA OF UNDERSTAND-**  
4                   **ING ON FORCED LABOR.**

5       It is the sense of the Congress that the President  
6   should determine whether any country with which the  
7   United States has a memorandum of understanding with  
8   respect to reciprocal trade which involves goods made with  
9   forced labor is frustrating implementation of the memo-  
10   randum. Should an affirmative determination be made,  
11   the President should immediately commence negotiations  
12   to replace the current memorandum of understanding with  
13   one providing for effective procedures for the monitoring  
14   of forced labor, including improved procedures to request  
15   investigations of suspected prison labor facilities by inter-  
16   national monitors.

17   **SEC. 5. DEFINITION OF FORCED LABOR.**

18       As used in this Act, the term “forced labor” means  
19   convict labor, forced labor, or indentured labor, as such  
20   terms are used in section 307 of the Tariff Act of 1930.

      Passed the House of Representatives November 5,  
1997.

Attest:

ROBIN H. CARLE,  
*Clerk.*