

ORAL TESTIMONY OF SCOTT N. PAUL  
PRESIDENT, ALLIANCE FOR AMERICAN MANUFACTURING  
BEFORE THE DEPARTMENT OF HOMELAND SECURITY  
UFLPA PUBLIC HEARING  
APRIL 8, 2022

On behalf of the Alliance for American Manufacturing (AAM), we appreciate the opportunity to offer brief comments on methods to prevent the importation of goods mined, produced, or manufactured with forced labor by Uighurs under the Chinese Communist Party's scheme.

I submitted extensive comments for the record on behalf of AAM on March 10. My remarks today will emphasize several key points made in that submission.

First, the UFLPA was a strong, bipartisan statement by U.S. policymakers that goods produced with China's state-sponsored forced labor regime will, beginning on June 21, have no place in our market.

Second, as the largest economy in the world, it is the moral responsibility and the legal obligation of our government to impose rigorous restrictions on the importation of such goods, including a rebuttable presumption that the goods from the region and other associated entities are made with forced labor. The Forced Labor Enforcement Task Force (FLETF) should fully implement the law and reject attempts to create loopholes or establish criteria that can be easily evaded by importers.

Third, to ensure that importers cannot circumvent the burden of proof established by Congress, a strong "clear and convincing" evidentiary standard must be established and overcome only with verifiable information backed by internationally recognized standards. The task force should establish clear guidance on the types of information that can be provided by importers with respect to their due diligence processes. Any information sourced from or provided by Chinese government authorities, or affiliated entities, who are simultaneously oppressing millions of Muslim minorities, cannot be considered dependable.

Fourth, the law must be implemented in a manner that enables CBP to more effectively utilize Section 307 of the Tariff Act of 1930, which too often has been poorly enforced and easily escaped by importers of products traced to the region. Any exceptions to the import prohibition should be granted infrequently, narrowly, and only after "clear and compelling" evidence is provided by an importer that has completed a robust due diligence process.

Fifth, AAM urges enforcement policies that squash attempts to create or exploit loopholes that undermine the law, including transshipment, supply chain gimmicks, obscuring actual sourcing, and other questionable evasion practices.

Finally, arguments will undoubtedly be made suggesting that implementing a prohibition on such goods made with forced labor is too difficult, will be too costly, or will conflict with other priorities. We strongly urge that these claims be loudly challenged and that our shared moral and legal obligations to the fundamental premise of freedom and human dignity prevail. We must stand together in opposition to the genocide and crimes against humanity being committed by China's

government with its abhorrent policies. There should be no doubting that Congress clearly intended for there to be a zero-tolerance policy with respect to products made by forced labor.

Thank you.