

SUBCHAPTER IV—TRADE AND RULE OF
LAW ISSUES IN THE PEOPLE'S REPUBLIC
OF CHINA

PART A—TASK FORCE ON PROHIBITION OF IM-
PORTATION OF PRODUCTS OF FORCED OR PRIS-
ON LABOR FROM THE PEOPLE'S REPUBLIC OF
CHINA

§ 6961. Establishment of Task Force

There is hereby established a task force on prohibition of importation of products of forced or prison labor from the People's Republic of China (hereafter in this part referred to as the "Task Force").

(Pub. L. 106-286, div. B, title V, §501, Oct. 10, 2000, 114 Stat. 903.)

§ 6962. Functions of Task Force

The Task Force shall monitor and promote effective enforcement of and compliance with section 1307 of title 19 by performing the following functions:

(1) Coordinate closely with the United States Customs Service to promote maximum effectiveness in the enforcement by the Customs Service of section 1307 of title 19 with respect to the products of the People's Republic of China. In order to assure such coordination, the Customs Service shall keep the Task Force informed, on a regular basis, of the progress of its investigations of allegations that goods are being entered into the United States, or that such entry is being attempted, in violation of the prohibition in section 1307 of title 19 on entry into the United States of goods mined, produced, or manufactured wholly or in part in the People's Republic of China by convict labor, forced labor, or indentured labor under penal sanctions. Such investigations may include visits to foreign sites where goods allegedly are being mined, produced, or manufactured in a manner that would lead to prohibition of their importation into the United States under section 1307 of title 19.

(2) Make recommendations to the Customs Service on seeking new agreements with the People's Republic of China to allow Customs Service officials to visit sites where goods may be mined, produced, or manufactured by convict labor, forced labor, or indentured labor under penal sanctions.

(3) Work with the Customs Service to assist the People's Republic of China and other foreign governments in monitoring the sale of goods mined, produced, or manufactured by convict labor, forced labor, or indentured labor under penal sanctions to ensure that such goods are not exported to the United States.

(4) Coordinate closely with the Customs Service to promote maximum effectiveness in the enforcement by the Customs Service of section 1307 of title 19 with respect to the products of the People's Republic of China. In order to assure such coordination, the Customs Service shall keep the Task Force informed, on a regular basis, of the progress of its monitoring of ports of the United States to ensure that goods mined, produced, or manu-

factured wholly or in part in the People's Republic of China by convict labor, forced labor, or indentured labor under penal sanctions are not imported into the United States.

(5) Advise the Customs Service in performing such other functions, consistent with existing authority, to ensure the effective enforcement of section 1307 of title 19.

(6) Provide to the Customs Service all information obtained by the departments represented on the Task Force relating to the use of convict labor, forced labor, or/and indentured labor under penal sanctions in the mining, production, or manufacture of goods which may be imported into the United States.

(Pub. L. 106-286, div. B, title V, §502, Oct. 10, 2000, 114 Stat. 903.)

TRANSFER OF FUNCTIONS

For transfer of functions, personnel, assets, and liabilities of the United States Customs Service of the Department of the Treasury, including functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 203(1), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6. For establishment of U.S. Customs and Border Protection in the Department of Homeland Security, treated as if included in Pub. L. 107-296 as of Nov. 25, 2002, see section 211 of Title 6, as amended generally by Pub. L. 114-125, and section 802(b) of Pub. L. 114-125, set out as a note under section 211 of Title 6.

§ 6963. Composition of Task Force

The Secretary of the Treasury, the Secretary of Commerce, the Secretary of Labor, the Secretary of State, the Commissioner of U.S. Customs and Border Protection, and the heads of other executive branch agencies, as appropriate, acting through their respective designees at or above the level of Deputy Assistant Secretary, or in the case of the Customs Service, at or above the level of Assistant Commissioner, shall compose the Task Force. The designee of the Secretary of the Treasury shall chair the Task Force.

(Pub. L. 106-286, div. B, title V, §503, Oct. 10, 2000, 114 Stat. 904; Pub. L. 114-125, title VIII, §802(d)(2), Feb. 24, 2016, 130 Stat. 210.)

CHANGE OF NAME

"Commissioner of U.S. Customs and Border Protection" substituted for "Commissioner of Customs" in text on authority of section 802(d)(2) of Pub. L. 114-125, set out as a note under section 211 of Title 6, Domestic Security.

TRANSFER OF FUNCTIONS

For transfer of functions, personnel, assets, and liabilities of the United States Customs Service of the Department of the Treasury, including functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 203(1), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6. For establishment of U.S. Customs and Border Protection in the Department of Homeland Security, treated as if included in Pub. L. 107-296 as of

Nov. 25, 2002, see section 211 of Title 6, as amended generally by Pub. L. 114-125, and section 802(b) of Pub. L. 114-125, set out as a note under section 211 of Title 6.

§ 6964. Authorization of appropriations

There are authorized to be appropriated for fiscal year 2001, and each fiscal year thereafter, such sums as may be necessary for the Task Force to carry out the functions described in section 6962 of this title.

(Pub. L. 106-286, div. B, title V, §504, Oct. 10, 2000, 114 Stat. 904.)

§ 6965. Reports to Congress

(a) Frequency of reports

Not later than the date that is 1 year after October 10, 2000, and not later than the end of each 1-year period thereafter, the Task Force shall submit to the Congress a report on the work of the Task Force during the preceding 1-year period.

(b) Contents of reports

Each report under subsection (a) shall set forth, at a minimum—

(1) the number of allegations of violations of section 1307 of title 19 with respect to products of the Peoples'¹ Republic of China that were investigated during the preceding 1-year period;

(2) the number of actual violations of section 1307 of title 19 with respect to the products of the People's Republic of China that were discovered during the preceding 1-year period;

(3) in the case of each attempted entry of products of the People's Republic of China in violation of such section 1307 of title 19 discovered during the preceding 1-year period—

(A) the identity of the exporter of the goods;

(B) the identity of the person or persons who attempted to sell the goods for export; and

(C) the identity of all parties involved in transshipment of the goods; and

(4) such other information as the Task Force considers useful in monitoring and enforcing compliance with section 1307 of title 19.

(Pub. L. 106-286, div. B, title V, §505, Oct. 10, 2000, 114 Stat. 904.)

PART B—ASSISTANCE TO DEVELOP COMMERCIAL AND LABOR RULE OF LAW

§ 6981. Establishment of technical assistance and rule of law programs

(a) Commerce rule of law program

The Secretary of Commerce, in consultation with the Secretary of State, is authorized to establish a program to conduct rule of law training and technical assistance related to commercial activities in the People's Republic of China.

(b) Labor rule of law program

(1) In general

The Secretary of Labor, in consultation with the Secretary of State, is authorized to estab-

lish a program to conduct rule of law training and technical assistance related to the protection of internationally recognized worker rights in the People's Republic of China.

(2) Use of amounts

In carrying out paragraph (1), the Secretary of Labor shall focus on activities including, but not limited to—

(A) developing,¹ laws, regulations, and other measures to implement internationally recognized worker rights;

(B) establishing national mechanisms for the enforcement of national labor laws and regulations;

(C) training government officials concerned with implementation and enforcement of national labor laws and regulations; and

(D) developing an educational infrastructure to educate workers about their legal rights and protections under national labor laws and regulations.

(3) Limitation

The Secretary of Labor may not provide assistance under the program established under this subsection to the All-China Federation of Trade Unions.

(c) Legal system and civil society rule of law program

The Secretary of State is authorized to establish a program to conduct rule of law training and technical assistance related to development of the legal system and civil society generally in the People's Republic of China.

(d) Conduct of programs

The programs authorized by this section may be used to conduct activities such as seminars and workshops, drafting of commercial and labor codes, legal training, publications, financing the operating costs for nongovernmental organizations working in this area, and funding the travel of individuals to the United States and to the People's Republic of China to provide and receive training.

(Pub. L. 106-286, div. B, title V, §511, Oct. 10, 2000, 114 Stat. 905.)

§ 6982. Administrative authorities

In carrying out the programs authorized by section 6981 of this title, the Secretary of Commerce and the Secretary of Labor (in consultation with the Secretary of State) may utilize any of the authorities contained in the Foreign Assistance Act of 1961 [22 U.S.C. 2151 et seq.] and the Foreign Service Act of 1980 [22 U.S.C. 3901 et seq.].

(Pub. L. 106-286, div. B, title V, §512, Oct. 10, 2000, 114 Stat. 906.)

REFERENCES IN TEXT

The Foreign Assistance Act of 1961, referred to in text, is Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424, as amended, which is classified principally to chapter 32 (§2151 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

¹ So in original. Probably should be "People's".

¹ So in original. Comma probably should not appear.