

# Congress of the United States

Washington, DC 20510

June 5, 2023

The Honorable Troy A. Miller  
Acting Commissioner  
U.S. Customs and Border Protection  
1300 Pennsylvania Ave. NW  
Washington, DC 20229

Dear Acting Commissioner Miller:

We write today in response to reports that Shein, a major Chinese e-commerce company, may be continuing to export apparel to the U.S. containing cotton from the Xinjiang Uyghur Autonomous Region.<sup>1</sup> As you know, the Uyghurs are a predominantly Muslim religious minority group who are routinely repressed by the Chinese Communist Party, including systematic physical abuses, arbitrary and discriminatory detention, and serious human rights violations. While Xinjiang produces about 84 percent of China's cotton, the region's cotton industry has come under heavy scrutiny due to the use of forced labor where Uyghurs are subjected to separation from families and communities, intensive surveillance, long work hours, and mandatory political indoctrination.<sup>2</sup>

In January 2021, U.S. Customs and Border Patrol (CBP) issued a Withhold Release Order (WRO) to detain all products containing cotton from Xinjiang at ports of entry based on a number of identified forced labor indicators.<sup>3</sup> WROs allow CBP to detain products in question at all U.S. ports of entry until or unless importers can prove the absence of forced labor in the product's supply chain. Since June 21, 2022, these same imports from the Xinjiang region must be blocked at U.S. ports due to the rebuttable presumption of forced labor as outlined in the *Uyghur Forced Labor Prevention Act* (UFLPA). Based on recent reporting by Bloomberg and other sources, however, it appears that a variety of clothing items shipped to American consumers may have been made with cotton originating from Xinjiang. Shein, and potentially other companies with similar direct-to-consumer business models, may be actively skirting import restrictions and evading CBP enforcement, selling goods in the U.S. in violation of the UFLPA. Further, shipments from fast-fashion, affordable clothing companies like Shein may not meet the \$800 value minimum requirement for imports subjected to CBP reporting.

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<sup>1</sup> Prasso, Sheridan, "Shein's Cotton Tied to Chinese Region Accused of Forced Labor," Bloomberg, web, 20 November 2022, accessed 22 May 2023, <https://www.bloomberg.com/news/features/2022-11-21/shein-s-cotton-clothes-tied-to-xinjiang-china-region-accused-of-forced-labor?leadSource=uverify%20wall>.

<sup>2</sup> Britten, Fleur, "US ban on cotton from forced Uyghur labour comes into force," The Guardian, web, 21 June 2022, accessed 22 May 2023, <https://www.theguardian.com/world/2022/jun/21/us-ban-on-cotton-from-forced-uyghur-labour-comes-into-force#:~:text=About%20%25%20of%20the%20world's,of%20that%20comes%20from%20Xinjiang>.

<sup>3</sup> U.S. Customs and Border Protection, "CBP Issues Region-Wide Withhold Release Order on Products Made by Slave Labor in Xinjiang," web, 13 January 2021, 22 May 2023, <https://www.cbp.gov/newsroom/national-media-release/cbp-issues-region-wide-withhold-release-order-products-made-slave>.

Given these troublingly reports, as well as the increased popularity of Chinese e-commerce applications in the U.S. like Shein, we ask that you please answer the following questions by June 30, 2023.

1. How is CBP currently screening imports of goods from companies like Shein, Temu, and other apparel companies that ship from China directly to U.S. consumers?
  - a. How have CBP processes been adjusted since implementation of the WRO on cotton from Xinjiang and the UFLPA?
  - b. How do shipments directly to U.S. consumers present particular enforcement challenges for CBP?
2. As noted above, the UFLPA prohibits importation of goods from Xinjiang unless CBP can determine the goods were not manufactured by convict or forced labor. Yet, there are recent reports that Shein has plans to expand its U.S. distribution centers.<sup>4</sup> How is CBP monitoring the planned development of these U.S. centers to ensure UFLPA is not violated?
3. Please share the number of shipments of products containing cotton that CBP has blocked under the authority of the UFLPA since its effective date of June 21, 2022.
4. Please detail CBP efforts to use modern technology products and how CBP collaborates with the private sector to effectively track global supply chains.

Thank you for your consideration of this important issue and we look forward to your response. If you have any questions, please do not hesitate to reach out to Chase Sauvage ([chase.sauvage@mail.house.gov](mailto:chase.sauvage@mail.house.gov)) in Congressman Pfluger's office or Kate Stokes ([kate.stokes@mail.house.gov](mailto:kate.stokes@mail.house.gov)) in Congresswoman Titus's office.

Sincerely,



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August Pfluger  
Member of Congress



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Dina Titus  
Member of Congress

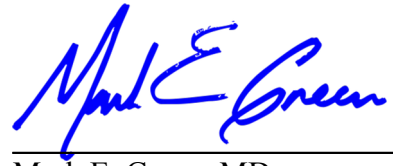
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<sup>4</sup> Yang, Jing, "Fast-Fashion Giant Shein Plans U.S. Expansion as Sales Climb," web, 2022 September 15, accessed 2023 May 22, <https://www.wsj.com/articles/fast-fashion-giant-shein-plans-more-u-s-distribution-centers-as-sales-climb-11663236002>.



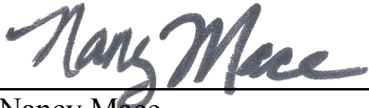
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Michael Waltz  
Member of Congress



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Mark E. Green, MD  
Member of Congress



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Nancy Mace  
Member of Congress



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Elise M. Stefanik  
Member of Congress



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Zach Nunn  
Member of Congress



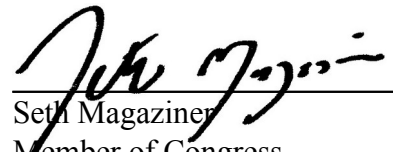
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Christopher H. Smith  
Member of Congress



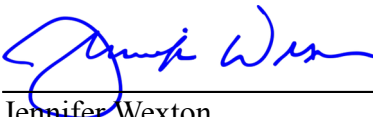
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Michael Guest  
Member of Congress



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Seth Magaziner  
Member of Congress



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Jennifer Wexton  
Member of Congress



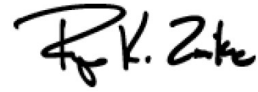
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Daniel T. Kildee  
Member of Congress



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Ken Calvert  
Member of Congress



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Ryan K. Zinke  
Member of Congress



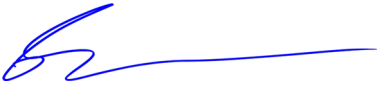
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Jake Ellzey  
Member of Congress



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David G. Valadao  
Member of Congress



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Brian J. Mast  
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Mike Flood  
Member of Congress



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Stephen F. Lynch  
Member of Congress



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Cory Mills  
Member of Congress



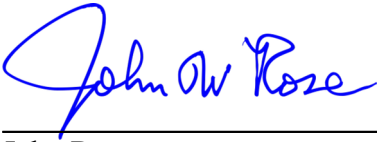
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Mike Garcia  
Member of Congress



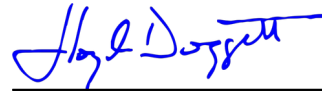
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Earl Blumenauer  
Member of Congress



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John Rose  
Member of Congress



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Lloyd Doggett  
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Max L. Miller  
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Kelly Armstrong  
Member of Congress