



July 6, 2026

VIA USTR PORTAL

The Honorable Jamieson L. Greer
Ambassador
Office of the U.S. Trade Representative
600 17th Street NW
Washington, DC 20006

Re: *Initiation of Section 301 Investigations of Acts, Policies, and Practices of Various Economies Related to the Failure to Impose and Effectively Enforce a Prohibition on the Importation of Goods Produced with Forced Labor (Docket No. USTR-2026-0265)*

Dear Ambassador Greer:

On behalf of the American Coalition for Fair Trade in Seafood (“Coalition”), an ad hoc coalition of seafood industry members, we hereby submit the following information in response to the Office of the United States Trade Representative’s (“USTR”) request for comments with respect to the proposed actions to be taken in the in its *Section 301 investigations on Acts, Policies, and Practices of Various Economies Related to the Failure to Impose and Effectively Enforce a Prohibition on the Importation of Goods Produced with Forced Labor*.¹ The Coalition commends USTR’s proposal to impose additional duties on products from Vietnam to address its failure to impose and effectively enforce a prohibition on the importation of goods produced with forced labor and urges the Administration to consider a higher additional duty rate, congruent with the severity of Vietnam’s violations. The Coalition also urges the Administration to conduct an

¹ *Initiation of Section 301 Investigations of Acts, Policies, and Practices of Various Economies Related to the Failure to Impose and Effectively Enforce a Prohibition on the Importation of Goods Produced with Forced Labor*, 91 Fed. Reg. 12,884 (Off. of the U.S. Trade Rep. Mar. 17, 2026).

assessment on the imports of goods made with forced labor from other trade partners into Vietnam for incorporation into products exported to the United States.

I. INTRODUCTION

As USTR found in its report, Vietnam has consistently and systematically failed to impose and effectively enforce a prohibition on forced labor imports.² Indeed, Vietnam does not appear to have any legal mechanism banning the importation of goods produced from forced labor.³ Further, evidence collected by USTR confirms that Vietnam does, in fact, import a substantial volume of goods tied to forced labor, which are then incorporated into downstream products exported to the United States.⁴ The scope of such goods ranges broadly and includes minerals, metals, textiles, aquaculture products, batteries, semiconductors, and other electrical components. It is not a coincidence that Vietnam was the top exporter to the U.S. of products covered by the Uyghur Forced Labor Prevention Act in 2023.⁵ Moreover, beyond the extensive use of imports made with forced labor, Vietnam continues to rely heavily on forced labor for production within the country. Indeed, the Coalition conservatively estimates that, in 2025, Vietnamese exports of goods made with forced labor to the U.S. potentially reached US\$ 29 billion, or 14.7 percent of the total Vietnamese exports to the U.S.⁶ The actual figure is very likely much higher.

² See USTR, *Report in Section 301 Investigations: Acts, Policies, and Practices of Various Economies Related to the Failure to Impose and Effectively Enforce a Prohibition on the Importation of Goods Produced with Forced Labor* (June 2, 2026) at 79 (“USTR Report”).

³ *Id.*

⁴ *Id.* at 91.

⁵ An Hai, *Vietnam Overtakes China as Largest Exporter of Goods Made With Uyghur Forced Labor* (Jan. 31, 2024), available [online](#).

⁶ According to the U.S. Dep’t of Labor, *2024 List of Goods Produced by Child Labor or Forced Labor* (Sep. 2024) (“2024 Forced Labor Report”), the goods identified as being associated with forced labor concerns in Vietnam include fish, footwear, garments, textiles, and cotton textile products made with Chinese cotton. For illustrative purposes, the Coalition mapped these product categories to the corresponding HTSUS chapters—03 (0302–0307), 64, 61–62, 50–60, and 52, 55, and 58–63, respectively—and extracted the related U.S. import data from USITC DataWeb. Imports under these chapters totaled approximately US\$29.1 billion in 2025, compared with total U.S. imports from

Section 307 importantly mandates that products made with forced labor are banned from the U.S. market. As such, tariffs here may not be enough, and actual import bans should be pursued consistent with the requirements of U.S. law. It is imperative that USTR and the Administration work to both investigate forced labor practices and enforce the legal prohibitions against the importation of such goods. As USTR conducts an assessment regarding the U.S. importation of goods from Vietnam that are produced in whole or in part from forced labor abroad, import prohibitions should be top of mind. We recommend that USTR investigate imports of the items listed above for forced labor violations through the instant investigation, beginning with the importation of metals and aquaculture products from Vietnam as these supply chains then to be among the most straightforward. If any of these imported goods are derived from forced labor, the Administration has a legal obligation to ban these imports.

II. FORCED LABOR IS WIDESPREAD IN VIETNAM, INCLUDING THE SEAFOOD INDUSTRY

As previously detailed in the Coalition's comments to USTR,⁷ Vietnam is a significant and growing source of seafood capacity. This capacity has been fueled, in large part, by government subsidies and other distortive market practices. These distortive practices include forced labor and the failure to address goods made with forced labor in the supply chain. The use of forced labor throughout various parts of the Vietnamese supply chains is well established—as is the government's failure to impose adequate protections to ensure that their supply chains do not take

Vietnam of approximately US\$198.1 billion. This estimate is conservative and reflects only instances of forced labor identified in the U.S. Department of Labor. It does not account for additional instances of forced labor that may exist but are not captured in the Department of Labor's published findings.

⁷ Letter from Wiley Rein LLP to Off. of the U.S. Trade Rep., re: *Initiation of Section 301 Investigations of Acts, Policies, and Practices of Various Economies Related to the Failure to Impose and Effectively Enforce a Prohibition on the Importation of Goods Produced with Forced Labor* (Docket No. USTR-2026-01330) (April 15, 2026).

advantage of goods made with forced labor.⁸ Indeed, as the USTR found, Vietnam does not have a ban on the importation of goods produced with forced or compulsory labor.⁹

Vietnam's failure to impose and enforce a prohibition on the importation of goods produced with forced labor is unsurprising given the lack of effective protections against forced labor within the country. As detailed in Human Rights Watch recently released report, Vietnam maintains multiple restrictions to basic human rights.¹⁰ Notably, the country continues to prohibit independent labor unions and civil society organizations, restricting workers' representation to government-controlled unions.¹¹ Recently, the revised Trade Union Law failed to provide for independent worker representation and maintained state control through the Vietnam General Confederation of Labor.¹² Vietnam has also not ratified International Labour Organization Convention No. 87 on freedom of association.¹³ Although the government asserts that the Vietnam General Confederation of Labor functions as a "labor confederation" representing enterprise-level unions, it lacks independence and does not truly consist of labor unions; its leadership is appointed by the Vietnamese government or the Party.¹⁴ The U.S. Department of Commerce has likewise recognized Vietnam's failure to effectively prohibit the use of child and forced labor. As the agency has explained, Vietnamese law ostensibly prohibiting such practices "lack {} specific

⁸ See, e.g., 2024 Forced Labor Report at 20, available [online](#). See also Executive Off. of the President of the U.S., 2026 *National Trade Estimate Report on Foreign Trade Barriers*, U.S. Trade Rep. (Mar. 4, 2026) at 522, available [online](#).

⁹ USTR Report at 79.

¹⁰ Human Rights Watch, *Vietnam – Events of 2025* (last accessed Apr. 10, 2025), available [online](#).

¹¹ *Id.*

¹³ *Id.*

¹³ *Id.*

¹⁴ *Id.*

penalties for violations” and include “no clear legal consequences to deter such practices.”¹⁵ Accordingly, Commerce found that there was a “lack of immediate measures and clear timeline rais{ing} concerns about the urgency and effectiveness of” Vietnam’s commitments to address child and forced labor.¹⁶ In fact, Commerce concluded that Vietnam allows “some of the worst forms of child labor to persist.”¹⁷

Vietnam’s aquaculture and seafood sectors in particular presents documented risks of forced labor and child labor, driven by informal employment and weak labor enforcement. The ILO found that 13 percent of migrant workers in fishing and seafood processing were in forced labor conditions.¹⁸ Reports from Verité,¹⁹ EJF, and the U.S. State Department²⁰ further confirm trafficking and labor-abuse vulnerabilities across Vietnam’s seafood supply chains. In short, despite recent steps taken to strengthen the forced labor laws in the United States, many U.S. trading partners, including Vietnam, have failed to adopt similar policies while also allowing forced labor to persist in their own countries.

III. THE DOMESTIC SEAFOOD INDUSTRY HAS SIGNIFICANT CAPACITY TO INCREASE PRODUCTION

The U.S. has one of the most abundant ocean resources in the world, and potential to be the world’s dominant seafood leader. Hower, “unfair trade practices have put our seafood markets

¹⁵ Memorandum from Economic Analysis Unit, through Steven Presing, Acting Deputy Asst. Sec’y for Policy and Negotiations, Enf’t and Compliance, to Ryan Majerus, Deputy Asst. Sec’y for Policy and Negotiations, re: *Review of Vietnam’s Status as a Non-market Economy Country* (Aug 1, 2024) at 45.

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ Int’l Labour Org., *Survey highlights challenging conditions faced by migrant workers in Asia’s fishing and seafood processing industries* (Feb. 24, 2026), available [online](#).

¹⁹ Verite, *Commodity Atlas: Fish* (last accessed June 30, 2026), available [online](#).

²⁰ U.S. Department of State, *2024 Trafficking in Persons Report: Vietnam* (last accessed June 30, 2026), available [online](#).

at a competitive disadvantage”.²¹ In the fourth sunset review of the antidumping duty orders on imports of frozen fish fillets from Vietnam, the International Trade Commission (“ITC”) found that the capacity utilization ratio of the U.S. industry was lower than in most prior proceedings, at only 63.4 percent.²² The ITC likewise found low capacity utilization for the U.S. shrimp industry.²³ Accordingly, the U.S. seafood industry has substantial unused capacity to expand production and could supply a greater portion of the U.S. market if able to compete on a level playing field. As such, the proposed additional tariffs are unlikely to result in a shortage of domestic supply.

IV. CONCLUSION

Despite recent steps taken to strengthen the forced labor laws in the United States, many U.S. trading partners, including Vietnam, have failed to adopt similar policies while also allowing forced labor to persist in their own countries. There is also extensive evidence that Vietnam continues to export goods to the U.S. that incorporate inputs made with forced labor in other trade partners. Not only that, but there is evidence that Vietnam continues to view the United States as a hostile and potentially aggressive power rather than a genuine strategic partner, rendering trade negotiations with Vietnam ineffective.²⁴ Therefore, the Coalition applauds USTR’s proposal to impose additional duties on products from Vietnam and requests that the Administration consider a higher additional duty rate, congruent with the severity of Vietnam’s violations. The Coalition also urges the Administration to conduct an assessment on the imports of goods made with forced

²¹ *Restoring American Seafood Competitiveness*, Exec. Order 14,276, 90 Fed. Reg. 16,993 (Apr. 17, 2025), available [online](#).

²² *Certain Frozen Fish Fillets from Vietnam*, Inv. No. 731-TA-1012, USITC Pub. No. 5754 (June 2026) (Fourth Rev.) at 12.

²³ *Frozen Warmwater Shrimp from Ecuador, India, Indonesia, and Vietnam*, Inv. Nos. 701-TA-699-700 and 702 and 731-TA-1660, USITC Pub. No. 5566 (Dec. 2024) (Final) at Table C-1.

²⁴ Project 88, *Hanoi is planning for a 2nd American invasion: US policy heightening tensions and fueling repression* (Feb. 3, 2026), available [online](#).

The Honorable Jamieson L. Greer

July 6, 2026

Page 7

PUBLIC DOCUMENT

labor from other trade partners into Vietnam for incorporation into products exported to the United States.

Respectfully submitted,

/s/ Nazak Nikakhtar

Nazak Nikakhtar, Esq.

*Counsel to the American Coalition for Fair
Trade in Seafood*