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1 December 2022

U.S. Customs and Border Protection (CBP)
Office of the Commissioner
1300 Pennsylvania Avenue N.W.
Washington, DC 20229

Attn: Troy A. Miller, Acting Commissioner

VIA EMAIL: cbp.goes.support@dhs.gov (for delivery to Commissioner Miller)
HARD COPY: via USPS

Dear Commissioner Miller:

I read with great interest the announcement that on November 23, 2022 U.S. Customs and Border Protection (CBP) issued a Withhold Release Order (WRO) against Central Romana Corporation Limited. For this, I commend you and your agency; yet, I am left with a question:

Why only Central Romana and not ***Consortio Azucarero de Empresas Industriales (CAEI)*** and ***Consortio Azúcarero Central (CAC)***?

These two Dominican sugar companies were not included in the WRO although their human and labor rights abuses are equal if not worse than those of Central Romana. The five indicators of forced labor of the 11 that the International Labor Organization (ILO) identified during its investigation: abuse of vulnerability, isolation, withholding of wages, abusive working and living conditions, and excessive overtime are indicators also identified by the US Ways and Means Trade Subcommittee, as well as by the US Department of Labor (USDOL) in the Seventh Periodic Review.

On December 22, 2011, I submitted a complaint to the United States Department of Labor (USDOL) regarding rampant labor and human rights abuses in the sugarcane industry of the Dominican Republic (including human trafficking and child labor), which were in violation of the terms of the Dominican Republic-Central America-United States Trade Agreement (CAFTA-DR). Ongoing oversight by the USDOL led to a series of periodic reviews to track the implementation of recommendations made in the first Report of Review in 2013. The Seventh Periodic Review dated September 13, 2022 confirms that many of the labor and human rights issues in the industry persist, including violations of labor laws, unsanitary and/or unsafe living and working conditions, forced labor, limitations on movement and association, etc.

On July 19, 2022, the US Ways and Means Trade Subcommittee released a statement after a congressional investigatory delegation was sent to the Dominican Republic. While acknowledging that progress had been made since the original complaint of 2011, they confirmed that “indicators of forced labor persist;”

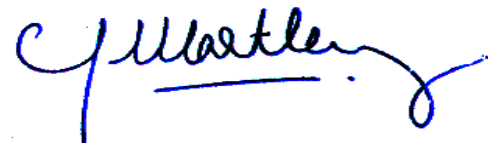
that workers “live with their families in company-provided housing settlements called *bateyes*, under harsh and substandard conditions;” and, that a “culture of fear appears to permeate the industry, where company supervisors, armed guards, and officials from an unrepresentative union monitor workers both in the fields and in the bateyes.” On January 13, 2022, the Subcommittee wrote “to request that the United States Trade Representative (USTR), the United States Department of Labor (DOL), and the United States Customs and Border Protection (CBP) review the allegations of labor exploitation and forced labor in the Dominican Republic’s sugar industry.”

While the CBP obviously identified “indicators” in the case of Central Romana, they pervade the sugar industry in the DR. Although Consorcio Azucarero de Empresas Industriales (CAEI) and Consorcio Azúcarero Central (CAC) were part of the USDOL’s 2022 Review, along with Central Romana, these private companies were not identified in the Report with regard to specific findings as to human rights and labor infractions. However, ongoing violations were referenced in the Report, as well as in the US Ways and Means Trade Subcommittee statement.

I urge that the CBP request detailed information from the USDOL (not publicly disclosed in the Report of the Seventh Periodic Review) regarding the “indicators of forced labor” that were identified during the two-week mission to the Dominican Republic in March 2022, as these relate specifically to Consorcio Azucarero de Empresas Industriales (CAEI) and Consorcio Azúcarero Central (CAC), and to then take the appropriate action.

I would be happy to provide any information that would be of assistance to your agency and staff. I respectfully await your detailed response.

Most sincerely,

A handwritten signature in blue ink, appearing to read "C. Hartley", with a horizontal line underneath the name.

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