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- o The Smoot-Hawley Tariff Act of 1930 contains a general ban on import of prison products, but exempts those not produced in the U.S. in sufficient quantity to meet demand. Customs has ruled that voluntary paid labor by prisoners does not disqualify a product.
 - The law has been applied sparingly: we know of only eight cases in which imports have actually been prohibited, most from Mexico. No formal complaint has ever been brought against Chinese products.
 - Senator Helms has proposed legislation to ban all prison products and make it easier to file complaints.
- o The magnitude of prison exports is unclear. Critics charge they constitute a significant percentage of China's \$15 billion exports to the U.S.
 - We have been cooperating with Customs for over a year in developing better information on prison exports, and have uncovered evidence of a few million dollars' worth, mostly cheap footwear.
- o Chinese officials have consistently maintained that they do not authorize exports of prison products, and that no such products are exported to the U.S.
- o But the human rights organization Asia Watch has obtained and published apparently genuine articles from the March 1989 and May 1990 issues of the Chinese prison system's internal journal describing export strategies and case studies of successful sales to Japan, Germany and the U.S.
 - The articles prove that at least until mid-1990, the export of prison products to the U.S. was officially condoned and encouraged. Together with our evidence of exports in late 1990, they constitute a prima facie case that such exports are still authorized.

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