

Congress of the United States
House of Representatives
Washington, D.C. 20515

July 21, 2023

The Honorable Gene L. Dodaro
U.S. Comptroller General
U.S. Government Accountability Office
441 G Street, NW
Washington, DC 20548

Dear Comptroller General Dodaro:

We write to request that the U.S. Government Accountability Office (GAO) assess the scope of the problem of oppressive child labor, the capacity of government agencies to monitor, research, and conduct enforcement of our child labor laws, and the effectiveness of current efforts to address the employment of illegal child labor.

Congress intended to eliminate oppressive child labor in the *Fair Labor Standards Act of 1938* (FLSA). Nevertheless, 85 years after passage of that landmark law, child labor in the U.S. is on the rise. High-profile exposés of companies illegally employing and overworking children in dangerous jobs¹ put a face on the numbers available in the Wage and Hour Division's (WHD)

¹ *A New Child Labor Crisis in America*, N.Y. TIMES (Mar. 9, 2023), <https://www.nytimes.com/2023/03/09/podcasts/the-daily/migrant-child-labor-america.html>; David J. Neal, *A Restaurant's Florida Franchisees Illegally Used Child Labor and Owed Workers \$24,000*, MIAMI HERALD (Mar. 8, 2023), <https://www.miamiherald.com/news/business/article272835475.html>; *How Child Labor Violations Have Quadrupled Since 2015*, 1A: NPR (Mar. 6, 2023), <https://www.npr.org/2023/03/06/1161486299/how-child-labor-violations-have-quadrupled-since-2015>; Nandita Bose & Mica Rosenberg, *U.S. to Crack Down on Child Labor Amid Massive Uptick*, REUTERS (Feb. 27, 2023), <https://www.reuters.com/business/us-crack-down-child-labor-amid-massive-uptick-2023-02-27/>; Hannah Dreier, *Alone and Exploited, Migrant Children Work Brutal Jobs Across the U.S.*, N.Y. TIMES (Feb. 25, 2023), <https://www.nytimes.com/2023/02/25/us/unaccompanied-migrant-child-workers-exploitation.html>; Terri Gerstein, *Child Labor Has Made a Comeback*, SLATE (Nov. 16, 2022), <https://slate.com/business/2022/11/packers-sanitation-child-labor-department-hyundai-chipotle.html>; *Child Labor Allegations at Alabama Hyundai Factory Lead to Class Action Lawsuit*, FOX 23 NEWS (Aug. 2, 2022), https://www.fox23.com/news/trending/child-labor-allegations-at-alabama-hyundai-factory-lead-to-class-action-lawsuit/article_96833571-664a-57ce-9413-f32a7018ec0b.html.

own data, which show a near quadrupling of the number of children involved in child labor violations since 2015—and these are just the cases that have been detected.²

This surge in child labor violations is happening while decades of budget constraints have left key agencies with less capacity to address the problem. The U.S. Department of Labor’s (DOL) Wage and Hour Division (WHD) has expended steadily decreasing effort on enforcement in the last five years.³ Moreover, the Department of Health and Human Services’ National Institute for Occupational Safety and Health (NIOSH), which conducted a robust body of research on children’s occupational illness and injury in the 1990s, has cut back that work significantly, leaving policymakers with an “absence of timely, valid, and reliable injury data.”⁴

Given the breadth and complexity of these issues, we ask that GAO undertake an investigation into the illegal use of child labor in the United States and, specifically, answer the following questions:

- What has been learned about the extent of child labor in the U.S. and related illness and injury among child workers since GAO reported on these matters in 2018,⁵ and what information gaps remain?
- What strategic changes has DOL made in its enforcement practices to address child labor violations, and what is known about the effectiveness of specific enforcement tools, including the hot goods provision, and challenges, if any, in applying them?
- To what extent is DOL coordinating with other agencies to prevent and detect child labor violations, including through the new Interagency Child Labor Task Force?
- To what extent are NIOSH and DOL conducting research and statistic programs that track child labor and child workers’ occupational illness and injury and inform DOL’s strategic enforcement practices?

² See Wage & Hr. Div., *Child Labor*, U.S. DEP’T OF LAB., <https://www.dol.gov/agencies/whd/data/charts/child-labor> (last viewed Mar. 13, 2023) (showing 1,012 children in child labor violations in FY15 compared to 3,876 in FY22).

³ According to WHD data, the number of personnel hours spent on enforcement has decreased *every year since FY17*. See Wage & Hr. Div., *WHD: All Acts*, U.S. DEP’T OF LAB., <https://www.dol.gov/agencies/whd/data/charts/all-acts> (last viewed Mar. 13, 2023).

⁴ Barbara C. Lee & Marsha A. Salzwedel, *Safeguarding Youth from Agricultural Injury and Illness: The United States’ Experience*, FRONTIERS PUB. HEALTH (Jan. 30, 2023), <https://fjfsdata01prod.blob.core.windows.net/articles/files/1048576/pubmed-zip/.versions/1/.package-entries/fpubh-11-1048576/fpubh-11-1048576.pdf?sv=2018-03-28&sr=b&sig=cNjNVr1%2BGfQKPeOItn4O1wIB39G0gqRUb9yH%2BRj3QP4%3D&se=2023-05-19T16%3A06%3A02Z&sp=r&rsd=attachment%3B%20filename%2A%3DUTF-8%27%27fpubh-11-1048576.pdf>.

⁵ GOV’T ACCOUNTABILITY OFF., GAO-19-26, WORKING CHILDREN: FEDERAL INJURY DATA AND COMPLIANCE STRATEGIES COULD BE STRENGTHENED (2018).

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If you or your staff have any questions as you address these matters, please contact Bob Shull of the House Committee on Education and the Workforce Democratic staff at Robert.Shull@mail.house.gov and Veronica Goodman in Senator Casey's office at Veronica_Goodman@casey.senate.gov. Thank you for your assistance in addressing these important issues.

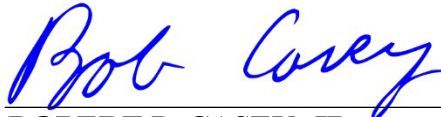
Sincerely,



ROBERT C. "BOBBY" SCOTT

Ranking Member

House Committee on Education
and the Workforce



ROBERT P. CASEY, JR.

United States Senator



DANIEL T. KILDEE

Member of Congress