

DECEMBER 2025

Improving Transparency and Human Rights in Procurement

An Incentive-Based Approach

AUTHOR

Andrew Friedman

A Report of the CSIS Human Rights Initiative

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Introduction

The U.S. government is the single largest purchaser of goods in the world.¹ In fiscal year 2024, the U.S. government obligated \$755 billion, with approximately \$259 billion spent on products, including many items that require multitiered and geographically diverse supply chains.² U.S. government needs are myriad and include multiple areas where supply chains are often laden with human rights abuses.

For example, the seafood industry has been a common focus of human rights and environmental advocates due to a panoply of reports of child and forced labor, environmental crimes, distortion of markets, and conflict resulting from illegal, unreported, and unregulated fishing.³ In 2022, the U.S. government spent \$400 million on seafood.⁴ The U.S. government also spends significantly on fruits and vegetables for consumption, including for schools, community organizations, and food pantries. This is another industry that is rife with human rights abuses, including both child labor and human trafficking.⁵ While there have been recent efforts to ensure greater onshoring of fruits and vegetables that are purchased by the U.S. government, this alone would not alleviate the problem.⁶

[The U.S. government's] . . . large purchasing power creates significant opportunities to foster positive change in supply chains and makes government procurement an important, and underutilized, inroad for the protection of human rights.

This large purchasing power creates significant opportunities to foster positive change in supply chains and makes government procurement an important, and underutilized, inroad for the protection of human rights. This report aims to explore potential means for utilizing this capacity and creating greater space for human rights protections within federal government procurement.

Limited Consideration Beyond Price

Federal regulations concerning human rights protections in public procurement, and public procurement writ large, implicate a multitude of legal authorities. The main body of law governing federal procurement is the Federal Acquisition Regulation (FAR), which includes both statutory and administrative law for government agencies procuring goods and services.

Under the FAR, as long as minimum compliance is met, greater performance in the sphere of human rights does not improve a bid's viability. Under FAR 15.101-2, standard products or services are procured under a "Lowest Priced Technically Acceptable" (LPTA) standard. If the technical requirements are met, the lowest prices provide the greatest value to the U.S. government and thus should be procured. Further, this standard does not allow for trade-offs such as human rights considerations, as some other procurement processes do.⁷

There are limited means within the FAR that allow for the potential inclusion of human rights considerations; however, they are based largely on discretion and leave little room for standardization. This creates a situation in which, according to attorney Isabelle Glimcher, "contractors have little reason to believe rights compliance will affect their business with the U.S. government."⁸ Without such predictability, bids are incentivized to focus primarily, if not exclusively, on price.

An avenue exists for "innovative" procurement procedures to be piloted by select executive agencies that could, theoretically, take human rights into greater account. The administrator of the Office of Federal Procurement Policy, a Senate-confirmed position under the Office of Management and Budget, may "develop innovative procurement methods and procedures to be tested by

selected executive agencies.”⁹ This option requires the approval of the head of the executive agencies whose procurement processes are implicated, as well as notification to the Committee on Oversight and Government Reform and the Senate Committee on Homeland Security and Governmental Affairs.

These limited discretionary and innovative approaches under the FAR may be at risk. In an April 2025 executive order (EO), “Restoring Common Sense to Federal Procurement” (EO 14275), President Trump required relevant stakeholders and federal agencies to “take appropriate actions to amend the FAR to ensure that it contains only provisions that are required by statute or that are otherwise necessary to support simplicity and usability, strengthen the efficacy of the procurement system, or protect economic or national security interests.”¹⁰

Human Rights in Procurement and National Security

The protection of human rights in supply chains is vital to both U.S. economic and national security interests. Forcing U.S. companies to compete on price against companies using supply chains with forced labor or other labor rights violations creates an unequal playing field.¹¹ As described by the Heritage Foundation, “American workers suffer when the U.S. opens its markets to foreign nations’ minimal labor standards and exploitative conditions.”¹² Additionally, human trafficking and forced labor can empower malign actors who are implicated in a wide range of international crimes, such as weapons and drug trafficking or corruption of public officials at home and abroad, as well as foment instability and distort markets, all of which are grave threats to U.S. national security.¹³

Much has been written about the opportunities that exist for the protection of human rights in the current federal procurement process.

A recent report from New York University’s (NYU) Stern School of Business creates a comprehensive list of recommendations to “leverage the existing procurement process, and the federal government’s impressive buying power, to drive rights compliance by contractors and improve rights protections for workers.” These recommendations call for a binding code of conduct for federal contractors, including both prime and subcontractors; human rights due diligence during the solicitation stage of procurement processes; the use of external, independent monitors to assess compliance and remediation; stricter requirements for high-risk industries and contractors; and the application of punitive measures only as a last resort.¹⁴ Further, the report recommends an analysis

of the amount of federal resources spent in high-risk sectors, including electronics, minerals, apparel, and food, to determine the extent of violations and further target interventions.

The International Corporate Accountability Roundtable (ICAR) similarly released a policy brief in October 2025 that provides recommendations predominantly targeted to the Federal Acquisition Regulatory Council in an effort to keep human rights as an element of procurement under the reforms envisioned in EO 14275.

This report is not meant to supplant NYU's or ICAR's analysis, or that of any other organizations or individuals who have done similar and important work.¹⁵ The author would endorse many, if not all, of the recommendations mentioned above, as well as many of those provided in other such analyses. However, given the guidance provided by EO 14275, protection of human rights through the procurement process moving forward is likely to be most impactful through legal reform rather than through leveraging the existing process.

Thus, the report will focus primarily, though not exclusively, on potential legislative approaches to further the protection of human rights through federal procurement. It prioritizes transparency as a means for the protection of human rights. Given the breadth of gaps in human rights protections in the federal procurement system, transparency is an important initial step, but it is a tool for the protection of human rights, not an end in itself.

This report will take an additive view, examining ways in which incentives can be created for bidders to protect human rights in their supply chains, creating opportunities for the private sector to move toward cleaner and more transparent supply chains while maintaining and deepening its procurement relationships with the federal government. It will also examine ways in which the federal government can work with the private sector to develop supply chains free of violations.

Gaps in Human Rights Protections in Procurement

The gaps in human rights protections in the U.S. federal procurement regime are well documented in the above-mentioned analyses, but a brief restatement is necessary to understand the ways in which an incentive-based system could improve human rights protections.

A Narrow Approach

The most glaring gap in the current procurement regime's protection of human rights is its narrow approach to human rights protections. Under the FAR, there are specific prohibitions on the acquisition of goods and services when human trafficking or forced or indentured child labor are an element of the supply chain, but not for many other human rights violations.

While protections against human trafficking and forced or indentured child labor are laudable, they are far from addressing the full range of rights that are at risk in the wide array of supply chains that are part of U.S. government procurement. A 2014 analysis by ICAR pointed to myriad other violations—including torture, restrictions on the freedom of movement, child labor, corruption, and low and unpaid wages—that can be found in supply chains of specific business sectors that are linked to U.S. government procurement processes. This included the procurement of electronics, apparel, minerals, and logistical and security support for efforts abroad.¹⁶ Under the current approach, many of these issues would not be cause for rejected bids or disqualification for companies attempting to sell goods and services to the government.

Depth of Supply Chains

A fundamental reality of modern supply chains is their multiple tiers. Take, for example, a desk. The Tier 1 supply chain consists of the company that directly supplies the desk to the buyer—in this case, the federal government. The Tier 2 supplier is the organization that assembles the desk. The Tier 3 supply chain may procure the materials for the desk. Further afield, entities in the supply chain can chop and process lumber, mine for iron, process it into steel, and then use that to mold screws. In any finished product, there are a multitude of pieces and parts, each of which has multiple tiers of suppliers implicated in its creation and usage.

Forced labor and human trafficking most often take place in tiers closer to the original source materials. It is not frequently the company selling directly to the federal government that utilizes forced labor; such practices are much more common in suppliers that are mining critical minerals needed for electronics, picking cotton or sewing textiles for apparel, or fishing for seafood for eventual consumption.¹⁷

While the language of the Federal Funding Accountability and Transparency Act (FFATA) requires transparency and disclosures across tiers, under the official interpretation of the law, requirements for federal contractors only extend to the first tier.¹⁸ This leaves bids intact and companies with histories of violations beyond the first tier unknown to procurement officers.

Commercially Available Off-the-Shelf Exemption

There are a multitude of other gaps surrounding human rights and federal procurement processes. Chief among them is the “Commercially Available Off-the-Shelf” (COTS) exemption, which exempts products from certain regulations that are available “in substantial quantities in the commercial marketplace,” an ever-growing category due to the ease and depth of online retail.¹⁹

The COTS exemption does not merely apply to human rights considerations, but also to several other laws and regulations surrounding public procurement. The exemption aims to increase efficiency by making widely available commercial products accessible to the federal government without additional burdens. Put differently, “the procurement risk of human rights abuses for . . . COTS is the same as the private market risk.”²⁰ This exemption negates the tremendous capabilities of the federal government, both through its significant procurement expertise and through the ability of its buying power to make consequential change.

Transparency in Procurement

Given the breadth of gaps in the federal procurement system, a large-scale reform effort that addresses each gap individually is difficult to envision in the near term. It also likely could not be accomplished without adding to the complexity of the current federal acquisition system, a key difficulty for procurement and contracting officers aiming to enforce provisions. For this reason, this report will focus on efforts to promote transparency across all tiers of supply chains.

What Is Transparency?

A key issue in promoting supply chain transparency is finding a coherent definition that contributes to human rights protections. The lack of clarity and multiple uses of the term have been identified by other authors as a concern. In particular, “transparency” has been defined to include a multitude of issues, including but not limited to visibility, disclosure, and traceability. Additionally, these terms have, at various times, been used synonymously with transparency.²¹

A literature review of 40 articles on supply chain sustainability and transparency points to eight categories of information that are often included in definitions of transparency:²²

1. **Materials Information:** The materials in the product, including source and quality.
2. **Process Information:** The process by which the product is produced, including methods, plans, and volumes.

3. **Traceability Information:** Information on the involved suppliers and their roles, including names and locations.
4. **Transaction Information:** Information on purchasing practices and other financial transaction information.
5. **Commitment Information:** Information on the social and environmental policies and commitments of actors across supply chains.
6. **Impact Information:** Sustainability and human rights impacts of the supply chain.
7. **Activity Information:** Information on activities taken to become more sustainable and human rights respecting.
8. **Effectiveness Information:** Evaluation of the effectiveness of such activities taken and their progress.

Taken together, the provision of substantive and comprehensive information across these eight categories constitutes viable supply chain transparency.

However, the existence of the information is not enough—its availability is key. For that reason, open and accessible information is also a key element of any legal regime aimed at promoting transparency. As one analyst put it,

If it's not open and accessible to all, it's not transparent. If you can't be fact checked by an independent third party, it's not transparent. If a brand asks for a supplier to share information with them and them alone, which is then uploaded into a closed service provider's database? That's sharing data, that's not transparency.²³

Expecting public transparency may be unrealistic across all of these categories of information. Some elements are likely to be proprietary, such that secrecy is needed to protect business operations. Legislation should be crafted in tandem with civil society, human rights organizations, companies, and trade organizations to ensure the maximum level of accessibility of data without compromising business operations. The goal of such reform is greater protection of human rights, which cannot be accomplished if information is hidden in closed systems.

Why Transparency?

Transparency allows for public scrutiny in ways that can meaningfully influence companies and thus drive real changes to supply chains in favor of greater human rights protections. While legislation may be ill equipped to address all of the gaps in human rights protections that exist in supply chains, transparency allows for external actors such as civil society and media to scrutinize supply chains and rally public pressure for improvement. In this way transparency is not, in itself, an end game, but rather a tool for the greater protection of human rights through both policy and public means.

When media and civil society have highlighted labor abuses and human rights violations in supply chains, the costs have been rapid and severe. Take, for example, Boohoo, a clothing brand that was

found to have exploitative and violative practices at a factory in England. Reports of underpay and lack of masking during the Covid-19 pandemic saw £1 billion wiped away from the company's value in a single day.²⁴

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Transparency also allows for continued accountability rather than a moment-in-time examination that comes from procurement decisions. In the Boohoo example above, not only have there been continued reports on the company's efforts to reform from researchers, but an investor suit is moving forward, seeking £100 million in damages years after the initial report was published.²⁵

The tendency of corporations to act in ways that avoid public criticism plays a crucial role in human rights governance within multinational enterprises and is a common focus of both practitioner and scholarly work on business and human rights policy.²⁶ The connection between reputational damage and profitability creates an undeniable incentive for compliance. Public opinion does not only exert negative pressure; it can also generate positive coverage for companies demonstrably committed to real and inclusive improvement of human rights.

The U.S. Congress has already recognized how invaluable transparency in supply chains is in preventing violations through the 2006 passage of the Federal Funding Accountability and Transparency Act. This act aimed to provide transparency across the supply chain, requiring disclosure of information on who and where work was performed without regard to tier. Implementation has, however, been limited to the first tier of supply chains.²⁷

Broader Public Appetite for Legal Consequences

The focus on transparency is based on the importance of shining a light on human rights and other violations from the private sector. In short, if companies are adequately incentivized to build or utilize transparent supply chains, human rights and other violations will come to light and the public outrage that stems from such violations will help change corporate behavior.

However, research shows that while public criticism is relevant in decisionmaking, it alone is not enough to foster adequate change. Large-scale survey research of more than 2400 American adults from the Journal of Business Ethics demonstrates that while public outrage is tremendously valuable, it is incomplete in the protection of human rights. When given a wide range of scenarios that run afoul of the United Nations' Guiding Principles on Business and Human Rights (UNGPs), in 40 percent of situations "the participants . . . felt that the business had not been involved in a human rights violation."²⁸ These numbers were particularly stark when the entity connected to such violations was a supplier rather than a subsidiary, a key element of modern supply chains.

Other responses demonstrate the importance of transparency as a guiding principle for regulation. While generally respondents responded positively to attempts at due diligence, whether or not it resulted in the human rights violations being negated, the opposite was true if a company identified risks but failed to act on them. According to the research, “people were 7 percentage points *more* likely to judge a company as involved in a violation if it had identified risks but failed to act on the information than if it had never sought the information in the first place” (emphasis added).²⁹ The research suggests that when information is available, the public wants action.

From the supply side, consultations conducted with environmental, social, and governance investors concerning the Uyghur Forced Labor Prevention Act (UFLPA) demonstrated that the risk of enforcement of the act, putting products at risk, was more compelling “than reputational, ethical, or even material risk . . . in changing corporate behavior.”³⁰ Put differently, the threat of legal sanction operates to change corporate behavior in a way that reputational risk (even alongside ethical and material risk) cannot do alone.

This reality creates an opening for a broader approach to punishment of violations in an environment where transparency is incentivized. In this manner, by incentivizing transparency and working with companies to improve the approach, there could be greater public understanding of potential violations and interest in closing many of the gaps raised above, including a more expansive understanding of human rights beyond forced and child labor, greater requirements surrounding supply chain tiers, as well as other exceptions that facilitate violations such as COTS.

A greater public demand signal for punishment is a key element of policy change, and policy change that results in greater threat of legal sanction is a key element in changing corporate behavior for the protection of human rights.

Why Incentives?

The current procurement process prioritizes price above all else, with limited ability to include other factors.³¹ This has the potential to create a “race to the bottom” in which potential contractors must find the cheapest subcontractors, who then must do the same down the line of supply chain tiers. Such competition for lower prices creates a system ripe for exploitation and violations, even by well-intentioned suppliers or corporations.

Consider the aforementioned desk example. If the ultimate bidder believes they can only win the bid if their desks are \$20 per unit, that leaves little margin for efforts to improve the conditions of the supply chains below. They will inevitably favor the cheapest option for tier two, the company charged with assembling the desk, and will contract with, and thereby reward, tier two companies who work with the cheapest option in tier three, the companies charged with acquiring materials. With each tier favoring the cheapest option, there is little room for considerations outside of price, such as transparency, human rights, or environmental safeguards.

U.S. taxpayers should also not be perpetuating or supporting forced labor, torture, child labor, corruption, or any of the other manifest violations that are found in the supply chains of products the U.S. government procures.

Incentivizing transparency serves to bring other considerations alongside the LPTA standard. The importance of safeguarding U.S. taxpayer money, a foundational purpose for the LPTA standard, cannot be overstated. Care should be taken to ensure the U.S. government is not overpaying for products it procures. However, the LPTA standard as it currently exists makes price the primary consideration. U.S. taxpayers should also not be perpetuating or supporting forced labor, torture, child labor, corruption, or any of the other manifest violations that are found in the supply chains of products the U.S. government procures.

The U.S. government has made significant efforts to rid U.S. markets of products produced using forced labor in particular, including through the UFLPA, the Countering America's Adversaries Through Sanctions Act (CAATSA), the work of the Department of Labor's International Labor Affairs Bureau, and through various other statutes, such as the Trafficking Victims Protection Act and its subsequent reauthorizations. All of these efforts demonstrate an understanding that U.S. consumers should not be purchasing products made with forced labor or other rights violations. Given this focus, federal procurement should be optimized to protect against similar, and other, violations.

How to Incentivize Transparency

One approach to priority government contracting with particular promise for driving more transparent supply chains is increasing the number of contracts awarded to a variety of businesses based on their ownership. This model, through the Small Business Administration, includes women-owned, veteran-owned, Native American-owned, and rural businesses. In its simplest form, this structure introduces into the government contracting process a series of methods to promote the participation of businesses with owners that have historically been underrepresented in government contracting.³² A similar model could be utilized for businesses with supply chains that have been certified as transparent.

In federal procurement, the process focusing on women-owned small businesses (WOSBs) and economically disadvantaged women-owned small businesses (EDWOSBs) is instructive. This allows contracting officers to set aside contracts and procurement processes for WOSBs and EDWOSBs in industries where such businesses are underrepresented.³³ This means that in procurement actions so designated, participation is limited to companies that have been classified as WOSBs or EDWOSBs. Such set-asides can be whole or partial, and can be severable portions of larger procurement actions.³⁴

Bid preferences provide another model that could be adapted to transparent supply chains. Bid preferences work during the stage of procurement in which bids are compared and ranked. They are calculated as a percentage of the bid for bidders certified in the relevant policy area—in this case, as having a transparent supply chain—to determine the successful bid. If a bid preference is set at 10 percent, and a bidder not certified as having a transparent supply chain submits a bid of \$1 million, a bidder certified as having a transparent supply chain could submit a bid of up to \$1.1 million and still be the preferred bid given a 10 percent bid preference. In various situations the raw number size of the preference can also be capped, so while 10 percent may be set as the bid preference, it may apply differently in larger procurement actions.³⁵ Should a bid preferences

model be utilized, it is important that the preference level be large enough to effectively incentivize transparency by serving as a significant factor in the bidding process. A 1 percent bid preference is unlikely to move the needle for many potential bidders.

In each of these examples, a key element is the ability to certify companies as having transparent supply chains. The Small Business Administration's approach, including a one-stop portal for certification and access to benefits, is a capable model for bureaucratic administration, but continual oversight and transparency methodology is likely to be outside the mandate and competence of the federal government and require an external body for verification.³⁶ This reality creates a need for a multistakeholder approach to determining appropriate methodologies and structures for transparency and verifiability. Development processes must be widely participatory, involving relevant industries, experts, and civil society organizations familiar with supply chain risk.

One example of this collaborative model is the International Code of Conduct Association (ICoCA). ICoCA is a multistakeholder initiative involving government, private security companies, and civil society that aims to ensure private security contractors abide by a code of conduct related to human rights and international humanitarian law. In addition to being representative of various stakeholders, the model includes a third-party verification process supported by membership dues and government funding that can convene members, receive complaints, and provide technical assistance, among other capabilities.³⁷

Efforts to verify and oversee supply chains vary widely in their depth, difficulty, and viable methodologies based on the type of product being procured. Transparency in the supply chain for computers, including the base minerals that may be mined in multiple countries across the globe and parts that may be assembled in multiple other countries, looks vastly different than transparency in the supply chain for produce that may be grown within a few miles of where it is consumed. Incentives should be aligned to the complexity of transparency efforts, with industries where transparency efforts are comparatively low cost and low effort receiving lower incentives than highly complex, geographically diverse industries that require significant time and investment from companies to develop and maintain transparency.

Given the broad input required and general complexity, the development of standards in the wide array of industries represented in federal procurement processes are likely to take time, so any legal regime should be phased in, with various industries piloted and improved upon in an ongoing and iterative process. In the medium to long term, the development of third-party monitoring would streamline procurement processes and improve government efficiency by creating pre-vetted lists and streamlining the process for awarding government contracts.

Working with Industry and Partner Countries to Build Clean Supply Chains

A favored criticism of supply chain due diligence initiatives from the private sector is the lack of “clean” supply chains in certain industries. Under this critique, certain products are impossible, or nearly impossible, to obtain without exposure to violations, be they human rights, labor rights, environmental standards, or various others. Such concerns are often raised for industries that rely on certain minerals, in particular those sourced from countries with limited regulatory oversight, weak human rights and environmental safeguards, rampant corruption, or limited adherence to the rule of law.

In a focus on transparency, such a criticism is particularly relevant, as companies that feel as though they cannot avoid such violations are unlikely to voluntarily expose themselves to the reputational damage associated with transparency, especially when myriad such violations themselves are not prohibitive in procurement processes.³⁸ This would damage the business case for transparency at the heart of an incentive-based system.

To answer this critique and improve supply chains, efforts to incentivize transparency should be paired with both pilot and large-scale initiatives to improve supply chains. Two approaches would be particularly impactful: first, the reinstatement of the Department of Labor’s International Labor Affairs Bureau (ILAB) grantmaking capabilities, aimed at countering forced labor and other labor rights violations, improving transparency, and strengthening civil society organizations working in the space; and second, the creation of an innovation fund aimed at piloting improvements in otherwise irreparably damaged supply chains.

ILAB's grantmaking capabilities have funded organizations that combat forced and child labor across the globe, while also working with countries as they aim to enforce laws doing the same. These efforts have brought vital support to supply chains that are laden with forced and child labor as well as many other ills, while also bringing to light some of the worst violators and most at-risk geographies and sectors. Many of these products are of categories that are ultimately procured by the U.S. government.

In addition to ILAB's support for transparency, the U.S. government should prioritize financial assistance to pilot new supply chains where clean ones are not present. One of the key reasons forced labor continues to be so prevalent in supply chains is the economic advantage it creates. Simply put, supply chains where human and labor rights are respected cannot compete economically with those where forced labor is utilized. Given this reality, there is an opportunity for U.S. innovation in supply chains with government support. The creation of a Fair Labor Innovation Fund that provides economic support for building new resilient, transparent, and rights-respecting supply chains would allow companies with an interest in clean, transparent supply chains to develop them where none exist.³⁹ It would also alleviate vetting concerns for transparent supply chains that can feed into a certification regime, as the supply chains developed would be pre-vetted. Such a fund could be housed within ILAB, where knowledge and technical expertise about industries and localities with the highest prevalence of labor violations would ensure coherence and complementarity with the agency's grantmaking and research, including the production of the "List of Products Produced by Forced or Indentured Child Labor."⁴⁰

This would not be the U.S. government's first foray into building supply chains free of labor abuses. Polysilicon is a key component of solar panels globally, and more than half of the world's polysilicon production takes place in Xinjiang in Western China, where state-imposed forced labor of the country's Uyghur and other Muslim minorities is rife.⁴¹ In response, in addition to the UFLPA, the U.S. International Development Finance Corporation has provided substantial loans to build up polysilicon production outside of the PRC.⁴²

In pairing these efforts, the U.S. government would encourage transparency and combat human rights and environmental violations from both the top down and the bottom up, combining its buying power with international partnerships to improve supply chains and encourage supply chain transparency.

Recommendations

Human rights protections within the federal procurement process are incomplete given limited focus areas and limited depth. The following recommendations emphasize changes that would improve transparency in federal procurement supply chains through incentivizing potential bidders to disclose information. Transparency, however, is intended as a tool, not an end in itself. These efforts to promote transparency need to be paired with meaningful legal consequences for human rights violations along the supply chain.

Further, for transparency to be fully viable, the U.S. government should increase assistance to clean supply chains, both in the form of loans and pilot funding and in the form of grants to civil society organizations that work on the ground and are best equipped to both report violations and assist in their structural change. Specific recommendations include the following:

- 1. Create bid incentives for transparent supply chains.**
 - a. To improve supply chain transparency and encourage “clean” supply chains, companies should be incentivized to create transparent supply chains through both set-asides and bid preferences. This would give companies with transparent supply chains greater access to U.S. federal procurement dollars.
- 2. Create a process for verification and certification of supply chain transparency utilizing both existing processes and a multistakeholder, consultative model.**

- a. Several models for verification and certification exist, and a consultative process is necessary to determine a path forward that ensures supply chains are sustainably transparent but also protects proprietary corporate information.
 - b. Include a broad definition of transparency that encompasses the following eight elements: materials information, process information, traceability information, transaction information, commitment information, impact information, activity information, and effectiveness information; and makes the information as widely available as is feasible without the disclosure of proprietary information.
- 3. Work with countries, companies, and civil society to develop clean supply chains for areas of federal procurement.**
- a. In order to provide alternative options for companies aiming to utilize clean supply chains, the United States should work with other countries aiming to develop clean supply chains that are pre-vetted by the U.S. government and can easily be included in any developed certification process.
 - b. The United States should also reinstate and expand the grantmaking capabilities of ILAB and ensure that these efforts are conducted in tandem, with pilot funds supported by civil society grantees that can develop new and innovative ways to support clean, transparent, and sustainable supply chains.
- 4. Address gaps in current law to allow for a more fulsome protection for human rights and environmental standards in line with incentivized transparency and greater public support for actions that ultimately result in greater penalties for violations.**
- a. A phased approach that gives transparency initiatives the ability to take root is necessary.
 - b. Early action would include addressing significant human rights gaps in the law, including expanding beyond forced and child labor. In the medium term, greater requirements surrounding supply chain tiers should be introduced, as well as other exemptions that reduce efficacy and human rights protections such as COTS.
 - c. After several years, a viable end goal—demonstrated by the United Kingdom’s 2023 Public Procurement Act—is mandatory exclusion for suppliers with confirmed human rights violations and discretionary exclusion for those where evidence of potential violations exists.⁴³

About the Author

Andrew Friedman is director and senior fellow in the Human Rights Initiative at the Center for Strategic and International Studies (CSIS). Andrew came to CSIS from the U.S. Agency for International Development (USAID), where he served as a democracy officer with USAID's Bureau for Africa, providing technical and strategic guidance for democracy, rights, and governance work across the region. Prior to his time in government, he served as a legal and democratic governance consultant working with various UN agencies, including the Secretariat, UN Women, and multiple UN Development Program Country Offices on constitutional and legal reform, good governance, transitional justice, and human rights. He also occasionally teaches courses in international law and human rights, serving as an adjunct professor at the University of Illinois Chicago College of Law and a lecturer at Syracuse University's Maxwell School of Citizenship and Public Affairs. He is also a member and contributor to both the International Academy of Constitutional Law and the African Network for Constitutional Lawyers, and he was recognized with an Amicus Mundi award from We The Action for pro bono work assisting in the passage of laws expanding the rights of sexual assault survivors in U.S. states.

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