



ONE HUNDRED SEVENTEENTH CONGRESS
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February 16, 2022

Mr. Andy Jassy
Chief Executive Officer
Amazon Services, Inc.
410 Terry Avenue
North Seattle, WA 98109-5210

Dear Mr. Jassy:

We write to you again on behalf of labor rights advocate Tang Mingfang who was imprisoned, and reportedly tortured for leaking documents that revealed illegal labor practices in a factory producing Amazon products in Hunan province. We wrote to you on July 29, 2021, requesting Amazon advocate for Tang's exoneration and release, but have not received a reply. Tang recently completed his prison term and we repeat our request that you publicly support his court appeal to clear his arrest record and urge you to compensate him for the fines he was forced to pay and for serving time in prison for exposing labor abuses in your supply chain. As you are no doubt aware, the information provided by Tang led to changes at the factory that Amazon contracts with, including compensation to unpaid workers.

As you know, in 2019, the *Guardian* and China Labor Watch revealed that student interns were required to work overtime and on night shifts at Amazon's supplier Hengyang Foxconn. It is our understanding that this facility produces Amazon devices such as Amazon Echos, Amazon Echo Dots, and Amazon Kindles. Requiring student interns to work overtime and on night shifts is against article 16 of the People Republic of China's (PRC) Regulations on the Management of Vocational School Student Internships. Teachers reportedly received subsidies to force students at the factories to work overtime and on night shifts, and one student interviewed said they were required to work overtime against their will. In addition, around a third of the factory's workforce were dispatch workers, despite the Interim Provisions on Labor Dispatch limiting dispatch workers to ten percent of an employer's workforce. Dispatch workers—similar to “temp” workers in the United States—are often paid less and are more vulnerable to exploitation than their direct-hire counterparts. In response, both Foxconn and Amazon launched investigations into these allegations and Foxconn was required to dismiss the factory supervisor and human resources manager and to pay compensation to the underpaid workers.

Tang Mingfang, a 42-year-old former employee of Foxconn affiliate Hengyang Futaihong Precision Industry Co., Ltd., who leaked the documents used in the reporting of the *Guardian* and China Labor Watch, served a two-year prison sentence and fined 10,000 RMB (approximately

1,500 USD) for exposing these labor violations. According to PRC court documents, Tang was detained in September 2019 for “leaking confidential company information.” After Tang repeatedly refused to sign a confession, his interrogators hit him and left him handcuffed in stress positions for a prolonged period of time. When he could not take such treatment anymore, he signed a confession to the alleged crime.

We ask that you publicly demonstrate enhanced company policies to protect whistleblowers, particularly in the PRC, stating that the exposure of labor abuses and forced labor in the Amazon supply chain is not exposure of company secrets or a violation of company policy. In fact, Amazon suppliers should face clear consequences for participating in the arrest and detention of those documenting and exposing forced labor. We are also interested in knowing whether the Foxconn factory suffered any penalty for participating in Tang’s arrest and prison sentence. Words on paper are not enough when those exposing labor abuses and forced labor face torture and detention in the PRC.

According to Amazon’s code of conduct, “Amazon expects suppliers to protect worker whistleblower confidentiality and prohibit retaliation against workers who report workplace grievances.” Instead of protecting Tang, however, Foxconn “brought in authorities to investigate the leak” of information that exposed labor violations.

Individuals like Tang are essential for uncovering unlawful labor practices and labor abuse in factories in order to protect workers, U.S. companies, and American consumers. The PRC does not adequately enforce its own labor laws, and workers are prevented from forming independent trade unions. In addition, reporting by the *South China Morning Post* and the *Sourcing Journal* has found significant problems in the PRC’s labor auditing industry including bribery, fraudulent consulting practices, and falsification of factory information in order to pass audits. Without Tang, Amazon may not have discovered the illegal use and abuse of student interns in its factories.

We ask you again to publicly advocate for Tang’s complete exoneration and to ensure others exposing forced labor in the PRC are protected. Doing so would provide a concrete example of Amazon’s commitment to ending labor abuses and forced labor in its supply chain and will protect both workers and whistleblowers at factories and facilities supplying Amazon products worldwide. Thank you for your consideration.

Sincerely,



Senator Jeffrey A. Merkley
Chairman



Representative James P. McGovern
Cochair



Senator Marco Rubio
Ranking Member



Representative Christopher H. Smith
Ranking Member