

May 2, 2023

Mr. Troy Miller  
Acting Commissioner  
U.S. Customs and Border Protection  
1300 Pennsylvania Avenue NW  
Washington, D.C. 20229

Dear Mr. Miller:

I write to raise serious concerns with regard to the Ford Motor Company's possible complicity in human trafficking and forced labor. Specifically, I urge you to consider imposing a Withhold Release Order (WRO) on any Ford product manufactured under the company's recent joint venture with the Peoples' Republic of China's (PRC) Zhejiang Huayou Cobalt Company and PT Vale Indonesia.

As you may know, on March 30, 2023, the Ford Motor Company entered into a joint venture with PRC-based Huayou Cobalt Company and PT Vale Indonesia to develop a nickel processing facility in Indonesia for the production of electric vehicle (EV) batteries. This is deeply concerning, as Huayou has been credibly implicated in the forced labor and human trafficking of child laborers in its cobalt mines in the Democratic Republic of the Congo (DRC), and young children have been gravely wounded and have perished in the mines.<sup>1</sup> The U.S. Department of Labor's 2022 annual Trafficking Victims Protection Reauthorization Act (TVPRA) report on the "List of Goods Produced by Child Labor or Forced Labor" details the forced labor and trafficking of children in Chinese mines in the DRC, and also discusses the prevalence of forced labor abuses by Chinese companies in Xinjiang.<sup>2</sup> Given this history, there is a high likelihood that Huayou will also introduce forced and child labor to Indonesia.

In a statement published on Ford's website, Huayou's Senior Vice President, George Fang, characterized the joint venture as "one of the flagship projects under the Belt and Road Initiative."<sup>3</sup> As you know, China's Belt and Road Initiative is one of the primary mechanisms the Chinese Communist Party uses to spread its influence around the world and gain control of critical infrastructure and natural resources. It should be of the utmost importance to the U.S. Government to hold American citizens accountable for explicitly acting in the strategic interest of our country's primary geopolitical adversary.

As you know, Section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) directs you to prevent goods, produced in a country that uses forced labor, from being imported into the U.S.

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<sup>1</sup> <https://www.internationalrightsadvocates.org/cases/cobalt>

<sup>2</sup> [https://www.dol.gov/sites/dolgov/files/ILAB/child\\_labor\\_reports/tda2021/2022-TVPRA-List-of-Goods-v3.pdf](https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2021/2022-TVPRA-List-of-Goods-v3.pdf)

<sup>3</sup> <https://media.ford.com/content/fordmedia/fna/us/en/news/2023/03/30/pt-vale-indonesia-and-huayou-sign-nickel-agreement-with-ford-mot.html>

through the issuance of a WRO. Given Ford's joint venture with Huayou, a company responsible for the trafficking, exploitation, and enslavement of children, I respectfully request an investigation into whether Ford's joint venture will result in imported goods made in whole or in part with forced labor or child labor. I urge you to impose an immediate WRO on these goods if you determine that forced labor has been utilized in their production.

Thank you for your attention to this important matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'M. Rubio', with a stylized flourish at the end.

Marco Rubio  
U.S. Senator