

Congress of the United States
Washington, DC 20515

October 26, 2023

The Honorable Antony Blinken
Secretary
U.S. Department of State
2201 C Street, NW
Washington, D.C. 20520

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
2707 Martin Luther King Jr Avenue SE
Washington, D.C. 20528

Dear Secretaries Blinken and Mayorkas,

We write to urge you to impose an import ban on applicable products of the Fufeng Group Ltd. (Fufeng Group) pursuant to the *Uyghur Forced Labor Prevention Act* (UFLPA) (P.L. 117-78) and to immediately open a sanctions investigation of Fufeng for violations of the *Uyghur Human Rights Policy Act of 2020* (UHRPA) (P.L. 116-145). The Fufeng Group is a People's Republic of China (PRC) bio-fermentation products manufacturer with close ties to the Chinese Communist Party (CCP). Fufeng's connections to the genocide taking place in the Xinjiang Uyghur Autonomous Region (XUAR) through its facilities in the region and its probable use of forced labor clearly merit a sanctions investigation and import ban.

As you know, in December 2021, Congress passed and President Biden signed into law the UFLPA. This important legislation applies a rebuttable presumption that goods derived in whole or in part from the XUAR use forced labor. As a result, the UFLPA, as well as Section 307 of the Tariff Act of 1930, as amended (19 U.S.C. §1307) prohibit these goods from being imported into the United States. The UFLPA additionally amends the UHRPA to include forced labor as a sanctionable offense. Congress clearly intends for the executive branch to use these laws to hold perpetrators of forced labor accountable for their actions.

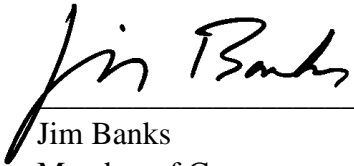
The Fufeng Group clearly merits a sanctions investigation for likely UHRPA violations. It employs nearly 1,800 people across its XUAR operations, who manufacture its agricultural amino acids and xanthan gum. Its biotechnologies subsidiary is located in Ganquanbao Industrial Park, in close proximity to three Uyghur "re-education" camps. In addition to that facility, Fufeng has a formal partnership with a wholly-owned subsidiary of the Xinjiang Production and Construction Corps (XPCC), the paramilitary corporate conglomerate that executes the CCP's policies in the XUAR. As you are aware, in 2020, the United States sanctioned the XPCC, as well as individual XPCC members, for their human rights abuses. Fufeng's XPCC-controlled partner possesses a "National Comprehensive Vocational Training Base." Given that the CCP has often used vocational training as a euphemism for forced labor, and XPCC is at the center of

the forced labor system in the XUAR, this strongly suggests that Fufeng also utilizes such labor at its production facilities.

Given its presence in the XUAR and its demonstrated ties to forced labor, Fufeng more than qualifies for U.S. Customs and Border Protection (CBP) to block the import of Fufeng products into the United States under the UFLPA. We understand that, for a brief period of time, the CBP did detain products from the Fufeng Group, but, for unknown reasons, its shipments resumed despite UFLPA and Section 307 prohibitions. The fact that the Biden administration is permitting Fufeng's U.S. imports in spite of the antidumping duty order on xanthan gum, as well as taking no action to block Fufeng's imports pursuant to the UFLPA and Section 307, is deeply troubling. There is ample evidence of Fufeng's involvement in forced labor for CBP to impose import bans against Fufeng products, both directly and indirectly imported into the United States.

Executive branch agencies have a duty to uphold the laws of this country and to adhere to congressional intent. The passage of the *Uyghur Forced Labor Prevention Act* is insufficient to hold users of forced labor accountable so long as this administration delays in applying penalties for forced labor to PRC entities like the Fufeng Group.

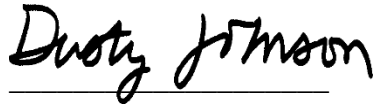
Sincerely,



Jim Banks
Member of Congress



John Moolenaar
Member of Congress



Dusty Johnson
Member of Congress



Brad Finstad
Member of Congress