

HOUSE RESOLUTION NO. 168

Reps. Johnsen, Aragona, Bierlein, BeGole, Rigas, St. Germaine and Phil Green offered the following resolution:

1 A resolution to affirm that the State of Michigan recognizes
2 the importance of and commits to promoting the ethical and
3 responsible manufacturing practices in the production of electric
4 vehicles and solar panels.

5 Whereas, Public Law No. 117-78, otherwise known as the Uyghur
6 Forced Labor Prevention Act (UFLPA), was adopted by Congress in
7 2021 with overwhelming bipartisan support following national
8 concerns regarding the use of forced labor in China's Xinjiang
9 region to produce large lithium-ion batteries manufactured to power
10 electric vehicles, including in the mining of materials by Uyghurs
11 and other Muslim minorities. The federal government also recognizes
12 that polysilicon, a critical component in the production of

1 approximately 95% of the world's solar panels, is produced by these
2 same minority populations. Nearly half of global polysilicon
3 production comes from the Xinjiang region. Under the UFLPA, there
4 is a rebuttable presumption that any product manufactured in whole
5 or in part in the Xinjiang Uyghur Autonomous Region was produced by
6 forced labor. The State of Michigan recognizes the inhumane
7 treatment of what is estimated to be at least 100,000 Uyghur
8 Muslims who are subjected to forced labor in the Xinjiang region;
9 and

10 Whereas, The use of inhumane labor conditions in the
11 manufacturing of lithium-ion batteries is not limited to the
12 treatment of Uyghurs in the Xinjiang region. Michigan also
13 recognizes that 60% of the world's cobalt production is the result
14 of forced labor - including oppressive child labor - notably
15 through cobalt ore mined in dangerous conditions. We recognize the
16 inhumane treatment of an estimated 40,000 child laborers in the
17 Democratic Republic of the Congo who supply cobalt to China that is
18 used in the manufacturing of lithium-ion batteries. The United
19 States Department of Labor has also recently recognized that
20 "downstream products containing lithium-ion batteries may be
21 produced with an input produced with child labor, such as electric
22 cars," which we unequivocally condemn; and

23 Whereas, In May of 2023, the United States Department of
24 Treasury and the Internal Revenue Service issued a notice of
25 proposed rulemaking announcing restrictions on the application of
26 newly created tax credits for electric vehicles, stipulating that
27 starting "in 2024, an eligible clean vehicle may not contain any
28 battery components that are manufactured by a foreign entity of
29 concern, and beginning in 2025, an eligible clean vehicle may not

1 contain any critical materials that were extracted, processed, or
2 recycled by a foreign entity of concern." Further, the Department
3 of Treasury has proposed interpreting certain provisions of the
4 CHIPS and Science Act, Public Law No. 117-168, to define any
5 company subject to China's jurisdiction a "foreign entity of
6 concern," thereby preventing federal tax credits from supporting
7 sales of electric vehicles made with battery components from
8 Chinese entities; and

9 Whereas, The members of this legislative body condemn the use
10 of forced labor in the manufacturing of components and materials
11 used in electric vehicles and solar panels, including those sourced
12 from Xinjiang, China. In furtherance of that condemnation, the
13 State of Michigan affirms its support of the UFLPA and calls upon
14 the sister branches of our state government, as well as our federal
15 government, to enforce its provisions. We must also strive to
16 ensure that electric vehicles and solar panels sold within the
17 borders of our state have been manufactured in compliance with
18 ethical labor practices and with recognition of basic human rights.
19 We recognize the use of forced labor is repugnant and deplorable,
20 violates basic human rights, constitutes unacceptable
21 discrimination, and damages free and fair competition. It is the
22 social responsibility of individuals worldwide to ensure that
23 forced and child labor not be used in the production and
24 manufacturing of goods and services, which we affirm our commitment
25 to today; now, therefore, be it

26 Resolved by the House of Representatives, That we affirm that
27 the State of Michigan recognizes the importance of and commits to
28 promoting the ethical and responsible manufacturing practices in
29 the production of electric vehicles and solar panels; and be it

1 further

2 Resolved, That copies of this resolution be transmitted to the
3 Governor, the President of the United States, the President of the
4 United States Senate, the Speaker of the United States House of
5 Representatives, the Secretary of the United States Department of
6 Treasury, the Commissioner of the Internal Revenue Service, and the
7 Michigan congressional delegation.