

119TH CONGRESS  
2D SESSION

# H. R. 10346

To ensure that goods made using or containing cobalt extracted or processed with the use of child or forced labor in the Democratic Republic of the Congo do not enter the United States market.

---

## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 10, 2026

Mr. SMITH of New Jersey introduced the following bill; which was referred to the Committee on Ways and Means

---

## A BILL

To ensure that goods made using or containing cobalt extracted or processed with the use of child or forced labor in the Democratic Republic of the Congo do not enter the United States market.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Stop China’s Exploi-  
5 tation of Congolese Children and Adult Forced Labor  
6 through Cobalt Mining Act”.

7 **SEC. 2. FINDINGS.**

8 Congress makes the following findings:

1           (1) Cobalt is an essential component of most  
2           lithium-ion batteries, which are key components in  
3           many smartphones, laptops, and electric vehicles,  
4           among other electronic devices. According to the  
5           International Energy Agency (IEA), worldwide de-  
6           mand is expected to increase over 1,000 percent for  
7           lithium and 600 percent for cobalt by 2040, as de-  
8           mands for alternative energy systems and battery  
9           storage are expected to grow significantly during  
10          this period.

11          (2) More than one-half of the world's cobalt re-  
12          sources are in the DRC, which supplied approxi-  
13          mately 73 percent of the global cobalt mine produc-  
14          tion in 2025.

15          (3) Fifteen of the DRC's 19 cobalt mines are  
16          reportedly owned wholly or in part by companies lo-  
17          cated in the People's Republic of China.

18          (4) Numerous analysts report significant con-  
19          cerns with forced labor, including forced or inden-  
20          tured child labor, in the DRC mining industry. Mili-  
21          tias in the DRC engage in these illicit mining activi-  
22          ties to finance and sustain themselves.

23          (5) Approximately 15 to 30 percent of cobalt  
24          produced in the DRC comes from artisanal and  
25          small-scale mining. An estimated 255,000 miners

1 work in artisanal and small-scale mining in the  
2 DRC, of whom at least 40,000 are children.

3 (6) Section 307 of the Tariff Act of 1930 (19  
4 U.S.C. 1307) states that it is illegal to import into  
5 the United States “goods, wares, articles, and mer-  
6 chandise mined, produced, or manufactured wholly  
7 or in part” by forced labor, including forced or in-  
8 dentured child labor. Such merchandise is subject to  
9 exclusion or seizure and may lead to criminal inves-  
10 tigation of the importer.

11 **SEC. 3. INVESTIGATION.**

12 (a) IN GENERAL.—Not later than 180 days after the  
13 date of the enactment of this Act, the Forced Labor En-  
14 forcement Task Force, established under section 741 of  
15 the United States-Mexico-Canada Agreement Implementa-  
16 tion Act (19 U.S.C. 4682), in consultation with the heads  
17 of other relevant Federal agencies, shall complete and sub-  
18 mit to the appropriate congressional committees the re-  
19 sults of an investigation into the alleged use of forced  
20 labor in the cobalt mining industry of the DRC that—

21 (1) contains a strategy for the United States  
22 Government to effectively enforce section 307 of the  
23 Tariff Act of 1930 (19 U.S.C. 1307) to prevent the  
24 importation into the United States of cobalt mined  
25 by forced labor that includes measures that—

1 (A) can trace the origin of goods and offer  
2 greater supply chain transparency relating to  
3 cobalt from the DRC; and

4 (B) ensure that cobalt mined by forced  
5 labor does not enter the United States;

6 (2) contains a strategy to ensure that cobalt  
7 mined by forced labor does not enter the United  
8 States market as goods imported from third coun-  
9 tries; and

10 (3) contains a strategy to ensure that cobalt  
11 mined by forced labor and denied entry to the  
12 United States market does not later enter the  
13 United States market.

14 (b) MATTERS TO BE INCLUDED.—The investigation  
15 required by subsection (a) shall include the following:

16 (1) A list of—

17 (A) entities in the DRC that potentially  
18 mine or process cobalt using forced labor; and

19 (B) categories of downstream products  
20 that include cobalt mined in the DRC and are,  
21 therefore, identified as priority sectors for en-  
22 forcement under section 307 of the Tariff Act  
23 of 1930 (19 U.S.C. 1307).

24 (2) Recommendations for efforts, initiatives,  
25 and tools and technologies to be adopted to ensure

1       that U.S. Customs and Border Protection can accu-  
2       rately identify and trace cobalt mined by forced  
3       labor in the DRC.

4           (3) A description of how the list of entities re-  
5       quired by subparagraph (A) of paragraph (1) shall  
6       be regularly updated and reported to the appropriate  
7       congressional committees.

8           (4) A strategy to coordinate and collaborate  
9       with appropriate nongovernmental organizations and  
10      private sector entities to implement the enforcement  
11      strategy for cobalt mined with forced labor and to  
12      create and update the list of entities required in sub-  
13      paragraph (A) of paragraph (1).

14      (c) FORM.—The report required by subsection (a)  
15      and any publicly published updates described by sub-  
16      section (d) shall be submitted in unclassified form, but  
17      may include a classified annex, if necessary.

18      (d) UPDATES.—After the submission of the strategy  
19      required by subsection (a), the Forced Labor Enforcement  
20      Task Force shall provide briefings to the appropriate con-  
21      gressional committees on a semiannual basis and, as appli-  
22      cable, on—

23           (1) any updates to the strategy required by  
24      subsection (a);

1           (2) any additional actions taken to prevent the  
2           importation of cobalt mined with forced labor, in-  
3           cluding actions described in this Act; and

4           (3) any action U.S. Customs and Border Pro-  
5           tection has taken to enforce section 307 of the Tar-  
6           iff Act of 1930 (19 U.S.C. 1307) with respect to co-  
7           balt mined in the DRC.

8           (e) SUNSET.—This section shall cease to have effect  
9           on the earlier of—

10           (1) the date that is 8 years after the date of the  
11           enactment of this Act; or

12           (2) the date on which the President submits to  
13           the appropriate congressional committees a deter-  
14           mination that forced labor in the DRC mining in-  
15           dustry has ended.

16 **SEC. 4. DEFINITIONS.**

17           In this Act:

18           (1) APPROPRIATE CONGRESSIONAL COMMIT-  
19           TEES.—The term “appropriate congressional com-  
20           mittees” means—

21                   (A) the Committee on Ways and Means of  
22                   the House of Representatives; and

23                   (B) the Committee on Finance of the Sen-  
24                   ate.

1           (2) ARTISANAL AND SMALL-SCALE MINING.—

2           The term “artisanal and small-scale mining”—

3                   (A) means mining with minimal to no  
4                   mechanization; and

5                   (B) includes the use of intensive hand  
6                   tools.

7           (3) DRC.—The term “DRC” means the Demo-  
8           cratic Republic of the Congo.

9           (4) FORCED LABOR.—The term “forced labor”  
10          has the meaning given that term in section 307 of  
11          the Tariff Act of 1930 (19 U.S.C. 1307).

○