

SEPTEMBER 17, 2020

**RULES COMMITTEE PRINT 116–65**  
**TEXT OF H.R. 6210, UYGHUR FORCED LABOR**  
**PREVENTION ACT**

**[Showing the text of H.R. 6210, as introduced, with  
modifications]**

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Uyghur Forced Labor  
3 Prevention Act”.

4 **SEC. 2. FINDINGS.**

5       Congress finds the following:

6           (1) In the Xinjiang Uyghur Autonomous Re-  
7 gion of China, the Government of the People’s Re-  
8 public of China has, since 2017, arbitrarily detained  
9 as many as 1.8 million Uyghurs, Kazakhs, Kyrgyz,  
10 and members of other Muslim minority groups in a  
11 system of extrajudicial mass internment camps, and  
12 has subjected detainees to forced labor, torture, po-  
13 litical indoctrination, and other severe human rights  
14 abuses.

15           (2) Forced labor exists within the Xinjiang  
16 Uyghur Autonomous Region’s system of mass in-  
17 ternment camps, and throughout the region, and is  
18 confirmed by the testimony of former camp detain-

1       ees, satellite imagery, and official leaked documents  
2       from the Government of the People’s Republic of  
3       China as part of a targeted campaign of repression  
4       of Muslim ethnic minorities.

5           (3) In addition to reports from researchers and  
6       civil society groups documenting evidence that many  
7       factories and other suppliers in the Xinjiang Uyghur  
8       Autonomous Region are exploiting forced labor, the  
9       Department of Commerce’s Bureau of Industry and  
10      Security on July 22, 2020, added eleven entities to  
11      the entity list after determining the entities had  
12      been “implicated in human rights violations and  
13      abuses in the implementation of China’s campaign of  
14      repression, mass arbitrary detention, forced labor  
15      and high-technology surveillance against Uyghurs,  
16      Kazakhs, and other members of Muslim minority  
17      groups in the Xinjiang Uyghur Autonomous Re-  
18      gion”.

19           (4) Audits and efforts to vet products and sup-  
20      ply chains in the Xinjiang Uyghur Autonomous Re-  
21      gion are unreliable due to the extent forced labor  
22      has been integrated into the regional economy, the  
23      mixing of involuntary labor with voluntary labor, the  
24      inability of witnesses to speak freely about working  
25      conditions given government surveillance and coer-

1        cion, and the incentive of government officials to  
2        conceal government-sponsored forced labor.

3            (5) The Department of State’s June 2019 Traf-  
4        ficking in Persons Report found that “Authorities  
5        offer subsidies incentivizing Chinese companies to  
6        open factories in close proximity to the internment  
7        camps, and local governments receive additional  
8        funds for each inmate forced to work in these sites  
9        at a fraction of minimum wage or without any com-  
10        pensation.”.

11           (6) U.S. Customs and Border Protection has  
12        issued eight “Withhold Release Orders” on certain  
13        garments, hair products, cotton, processed cotton,  
14        and computer parts suspected to be produced with  
15        prison or forced labor in the Xinjiang Uyghur Au-  
16        tonomous Region.

17           (7) In its 2019 Annual Report, the Congres-  
18        sional-Executive Commission on China (CECC)  
19        found that products reportedly produced with forced  
20        labor by current and former mass internment camp  
21        detainees included textiles, electronics, food prod-  
22        ucts, shoes, tea, and handicrafts.

23           (8) Section 307 of the Tariff Act of 1930 (19  
24        U.S.C. 1307) states that it is illegal to import into  
25        the United States “goods, wares, articles, and mer-

1        chandise mined, produced, or manufactured wholly  
2        or in part” by forced labor. Such merchandise is  
3        subject to exclusion or seizure and may lead to  
4        criminal investigation of the importer.

5                (9) The policies of the Government of the Peo-  
6        ple’s Republic of China are in contravention of inter-  
7        national human rights instruments signed by that  
8        government, including—

9                        (A) the Universal Declaration of Human  
10                      Rights and the International Covenant on Civil  
11                      and Political Rights, which the People’s Repub-  
12                      lic of China has signed but not yet ratified;

13                     (B) the International Covenant on Eco-  
14                     nomic, Social, and Cultural Rights, ratified by  
15                     the People’s Republic of China in 2001; and

16                     (C) the United Nations Protocol to Pre-  
17                     vent, Suppress and Punish Trafficking in Per-  
18                     sons, Especially Women and Children (Palermo  
19                     Protocol), to which the People’s Republic of  
20                     China has been a state party since February  
21                     2010.

22        **SEC. 3. STATEMENT OF POLICY.**

23        It is the policy of the United States—

24                (1) to prohibit the import of all goods, wares,  
25        articles, or merchandise mined, produced, or manu-

1 factured, wholly or in part, by forced labor from the  
2 People's Republic of China and particularly any such  
3 goods, wares, articles, or merchandise produced in  
4 the Xinjiang Uyghur Autonomous Region of China;

5 (2) to encourage the international community  
6 to reduce the import of any goods made with forced  
7 labor from the People's Republic of China, particu-  
8 larly those goods mined, manufactured, or produced  
9 in the Xinjiang Uyghur Autonomous Region;

10 (3) to coordinate with Mexico and Canada to ef-  
11 fectively implement Article 23.6 of the United  
12 States-Mexico-Canada Agreement to prohibit the im-  
13 portation of goods produced in whole or in part by  
14 forced or compulsory labor, which includes goods  
15 produced in whole or in part by forced or compul-  
16 sory labor in the People's Republic of China;

17 (4) to actively work to prevent, publicly de-  
18 nounce, and end human trafficking as a horrific as-  
19 sult on human dignity and to restore the lives of  
20 those affected by human trafficking, a modern form  
21 of slavery;

22 (5) to regard the prevention of atrocities as in  
23 its national interest, including efforts to prevent tor-  
24 ture, enforced disappearances, severe deprivation of  
25 liberty, including mass internment, arbitrary deten-

1       tion, and widespread and systematic use of forced  
2       labor, and persecution targeting any identifiable eth-  
3       nic or religious group; and

4               (6) to address gross violations of human rights  
5       in the Xinjiang Uyghur Autonomous Region through  
6       bilateral diplomatic channels and multilateral insti-  
7       tutions where both the United States and the Peo-  
8       ple’s Republic of China are members and with all  
9       the authorities available to the United States Gov-  
10      ernment, including visa and financial sanctions, ex-  
11      port restrictions, and import controls.

12 **SEC. 4. PROHIBITION ON IMPORTATION OF GOODS MADE**  
13                   **IN THE XINJIANG UYGHUR AUTONOMOUS RE-**  
14                   **GION.**

15       (a) IN GENERAL.—Except as provided in subsection  
16 (b), all goods, wares, articles, and merchandise mined,  
17 produced, or manufactured wholly or in part in the  
18 Xinjiang Uyghur Autonomous Region of China, or by per-  
19 sons working with the Xinjiang Uyghur Autonomous Re-  
20 gion government for purposes of the “poverty alleviation”  
21 program or the “pairing-assistance” program which sub-  
22 sidizes the establishment of manufacturing facilities in the  
23 Xinjiang Uyghur Autonomous Region, shall be deemed to  
24 be goods, wares, articles, and merchandise described in  
25 section 307 of the Tariff Act of 1930 (19 U.S.C. 1307)

1 and shall not be entitled to entry at any of the ports of  
2 the United States.

3 (b) EXCEPTION.—The prohibition described in sub-  
4 section (a) shall not apply if the Commissioner of U.S.  
5 Customs and Border Protection—

6 (1) determines, by clear and convincing evi-  
7 dence, that any specific goods, wares, articles, or  
8 merchandise described in subsection (a) were not  
9 produced wholly or in part by convict labor, forced  
10 labor, or indentured labor under penal sanctions;  
11 and

12 (2) submits to the appropriate congressional  
13 committees and makes available to the public a re-  
14 port that contains such determination.

15 (c) EFFECTIVE DATE.—This section shall take effect  
16 on the date that is 120 days after the date of the enact-  
17 ment of this Act.

18 **SEC. 5. ENFORCEMENT STRATEGY TO ADDRESS FORCED**  
19 **LABOR IN THE XINJIANG UYGHUR AUTONO-**  
20 **MOUS REGION.**

21 (a) IN GENERAL.—Not later than 120 days after the  
22 date of the enactment of this Act, the Forced Labor En-  
23 forcement Task Force, established under section 741 of  
24 the United States-Mexico-Canada Agreement Implementa-  
25 tion Act (19 U.S.C. 4681), shall submit to the appropriate

1 congressional committees a report that contains an en-  
2 forcement strategy to effectively address forced labor in  
3 the Xinjiang Uyghur Autonomous Region of China. The  
4 enforcement strategy shall describe the specific enforce-  
5 ment plans of the United States Government regarding—

6           (1) goods, wares, articles, and merchandise de-  
7           scribed in section 4(a) that are imported into the  
8           United States directly from the Xinjiang Uyghur  
9           Autonomous Region;

10           (2) goods, wares, articles, and merchandise de-  
11           scribed in section 4(a) that are imported into the  
12           United States from the People’s Republic of China  
13           and are mined, produced, or manufactured in part  
14           in the Xinjiang Uyghur Autonomous Region or by  
15           persons working with the Xinjiang Uyghur Autono-  
16           mous Region government for purposes of the “pov-  
17           erty alleviation” program or the “pairing-assistance”  
18           program; and

19           (3) goods, wares, articles, and merchandise de-  
20           scribed in section 4(a) that are imported into the  
21           United States from third countries and are mined,  
22           produced, or manufactured in part in the Xinjiang  
23           Uyghur Autonomous Region or by persons working  
24           with the Xinjiang Uyghur Autonomous Region gov-



1           ernment for purposes of the “poverty alleviation”  
2           program or the “pairing-assistance” program.

3           (b) MATTERS TO BE INCLUDED.—The strategy re-  
4           quired by subsection (a) shall include the following:

5                   (1) A description of the actions taken by the  
6                   United States Government to address forced labor in  
7                   the Xinjiang Uyghur Autonomous Region under sec-  
8                   tion 307 of the Tariff Act of 1930 (19 U.S.C.  
9                   1307), including a description of all Withhold Re-  
10                  lease Orders issued, goods detained, and fines  
11                  issued.

12                   (2) A list of products made wholly or in part  
13                   by forced or involuntary labor in the Xinjiang  
14                   Uyghur Autonomous Region and a list of businesses  
15                   that sold products in the United States made wholly  
16                   or in part by forced or involuntary labor in the  
17                   Xinjiang Uyghur Autonomous Region.

18                   (3) A list of facilities and entities, including the  
19                   Xinjiang Production and Construction Corps, that  
20                   source material from the Xinjiang Uyghur Autono-  
21                   mous Region or by persons working with the  
22                   Xinjiang Uyghur Autonomous Region government  
23                   for purposes of the “poverty alleviation” program or  
24                   the “pairing-assistance” program, a plan for identi-  
25                   fying additional such facilities and entities, and

1 facility- and entity-specific enforcement plans, in-  
2 cluding issuing specific Withhold Release Orders to  
3 support enforcement of section 4, with regard to  
4 each listed facility or entity.

5 (4) A list of high-priority sectors for enforce-  
6 ment, which shall include cotton and tomatoes, and  
7 a sector-specific enforcement plan for each high-pri-  
8 ority sector.

9 (5) A description of the additional resources  
10 necessary for U.S. Customs and Border Protection  
11 to effectively implement the enforcement strategy.

12 (6) A plan to coordinate and collaborate with  
13 appropriate nongovernmental organizations and pri-  
14 vate sector entities to discuss the enforcement strat-  
15 egy for products made in the Xinjiang Uyghur Au-  
16 tonomous Region.

17 (c) FORM.—The report required by subsection (a)  
18 shall be submitted in unclassified form, but may include  
19 a classified annex, if necessary.

20 (d) UPDATES.—The Forced Labor Enforcement  
21 Task Force shall provide briefings to the appropriate con-  
22 gressional committees on a quarterly basis and, as applica-  
23 ble, on any updates to the strategy required by subsection  
24 (a) or any additional actions taken to address forced labor

1 in the Xinjiang Uyghur Autonomous Region, including ac-  
2 tions described in this Act.

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

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

7 (2) the date on which the President submits to  
8 the appropriate congressional committees a deter-  
9 mination that the Government of the People’s Re-  
10 public of China has ended mass internment, forced  
11 labor, and any other gross violations of human  
12 rights experienced by Uyghurs, Kazakhs, Kyrgyz,  
13 and members of other Muslim minority groups in  
14 the Xinjiang Uyghur Autonomous Region.

15 **SEC. 6. DETERMINATION RELATING TO CRIMES AGAINST**  
16 **HUMANITY OR GENOCIDE IN THE XINJIANG**  
17 **UYGHUR AUTONOMOUS REGION.**

18 (a) IN GENERAL.—Not later than 90 days after the  
19 date of the enactment of this Act, the Secretary of State  
20 shall—

21 (1) determine if the practice of forced labor or  
22 other crimes against Uyghurs, Kazakhs, Kyrgyz,  
23 and members of other Muslim minority groups in  
24 the Xinjiang Uyghur Autonomous Region of China  
25 can be considered systematic and widespread and

1       therefore constitutes crimes against humanity or  
2       constitutes genocide as defined in subsection (a) of  
3       section 1091 of title 18, United States Code; and

4           (2) submit to the appropriate congressional  
5       committees and make available to the public a report  
6       that contains such determination.

7       (b) FORM.—The report required by subsection (a)—

8           (1) shall be submitted in unclassified form but  
9       may include a classified annex, if necessary; and

10          (2) may be included in the report required by  
11       section 7.

12 **SEC. 7. DIPLOMATIC STRATEGY TO ADDRESS FORCED**  
13                   **LABOR IN THE XINJIANG UYGHUR AUTONO-**  
14                   **MOUS REGION.**

15       (a) IN GENERAL.—Not later than 90 days after the  
16       date of the enactment of this Act, the Secretary of State,  
17       in coordination with the heads of other appropriate Fed-  
18       eral departments and agencies, shall submit to the appro-  
19       priate congressional committees a report that contains a  
20       United States strategy to promote initiatives to enhance  
21       international awareness of and to address forced labor in  
22       the Xinjiang Uyghur Autonomous Region of China.

23       (b) MATTERS TO BE INCLUDED.—The strategy re-  
24       quired by subsection (a) shall include—

1           (1) a plan to enhance bilateral and multilateral  
2           coordination, including sustained engagement with  
3           the governments of United States partners and al-  
4           lies, to end forced labor of Uyghurs, Kazakhs,  
5           Kyrgyz, and members of other Muslim minority  
6           groups in the Xinjiang Uyghur Autonomous Region;

7           (2) public affairs, public diplomacy, and  
8           counter-messaging efforts to promote awareness of  
9           the human rights situation, including forced labor in  
10          the Xinjiang Uyghur Autonomous Region; and

11          (3) opportunities to coordinate and collaborate  
12          with appropriate nongovernmental organizations and  
13          private sector entities to raise awareness about  
14          forced labor made products from the Xinjiang  
15          Uyghur Autonomous Region and to provide assist-  
16          ance to Uyghurs, Kazakhs, Kyrgyz, and members of  
17          other Muslim minority groups, including those for-  
18          merly detained in mass internment camps in the re-  
19          gion.

20          (c) ADDITIONAL MATTERS TO BE INCLUDED.—The  
21          report required by subsection (a) shall also include—

22                  (1) to the extent practicable, a list of—

23                          (A) entities in the People’s Republic of  
24                          China or affiliates of such entities that directly

1 or indirectly use forced or involuntary labor in  
2 the Xinjiang Uyghur Autonomous Region; and

3 (B) Foreign persons that acted as agents  
4 of the entities or affiliates of entities described  
5 in subparagraph (A) to import goods into the  
6 United States; and

7 (2) a description of actions taken by the United  
8 States Government to address forced labor in the  
9 Xinjiang Uyghur Autonomous Region under existing  
10 authorities, including—

11 (A) the Trafficking Victims Protection Act  
12 of 2000 (Public Law 106–386; 22 U.S.C. 7101  
13 et seq.);

14 (B) the Ellie Wiesel Genocide and Atroc-  
15 ities Prevention Act of 2018 (Public Law 115–  
16 441; 22 U.S.C. 2656 note); and

17 (C) the Global Magnitsky Human Rights  
18 Accountability Act (22 U.S.C. 2656 note).

19 (d) FORM.—The report required by subsection (a)  
20 shall be submitted in unclassified form, but may include  
21 a classified annex, if necessary.

22 (e) UPDATES.—The Secretary of State shall include  
23 any updates to the strategy required by subsection (a) in  
24 the annual Trafficking in Persons report required by sec-

1 tion 110(b) of the Trafficking Victims Protection Act of  
2 2000 (22 U.S.C. 7107(b)).

3 (f) SUNSET.—This section shall cease to have effect  
4 the earlier of—

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

7 (2) the date on which the President submits to  
8 the appropriate congressional committees a deter-  
9 mination that the Government of the People’s Re-  
10 public of China has ended mass internment, forced  
11 labor, and any other gross violations of human  
12 rights experienced by Uyghurs, Kazakhs, Kyrgyz,  
13 and members of other Muslim minority groups in  
14 the Xinjiang Uyghur Autonomous Region.

15 **SEC. 8. IMPOSITION OF SANCTIONS RELATING TO FORCED**  
16 **LABOR IN THE XINJIANG UYGHUR AUTONO-**  
17 **MOUS REGION.**

18 (a) REPORT REQUIRED.—

19 (1) IN GENERAL.—Not later than 180 days  
20 after the date of the enactment of this Act, and not  
21 less frequently than annually thereafter, the Presi-  
22 dent shall submit to the appropriate congressional  
23 committees a report that identifies each foreign per-  
24 son, including any official of the Government of the

1 People's Republic of China, that the President deter-  
2 mines—

3 (A) knowingly engages in, is responsible  
4 for, or facilitates the forced labor of Uyghurs,  
5 Kazakhs, Kyrgyz, and members of other Mus-  
6 lim minority groups in the Xinjiang Uyghur  
7 Autonomous Region of China; and

8 (B) knowingly engages in, contributes to,  
9 assists, or provides financial, material or tech-  
10 nological support for efforts to contravene  
11 United States law regarding the importation of  
12 forced labor goods from the Xinjiang Uyghur  
13 Autonomous Region.

14 (2) FORM.—The report required under para-  
15 graph (1) shall be submitted in unclassified form,  
16 but may contain a classified annex.

17 (b) IMPOSITION OF SANCTIONS.—The President shall  
18 impose the sanctions described in subsection (c) with re-  
19 spect to each foreign person identified in the report re-  
20 quired under subsection (a)(1).

21 (c) SANCTIONS DESCRIBED.—The sanctions de-  
22 scribed in this subsection are the following:

23 (1) ASSET BLOCKING.—The President shall ex-  
24 ercise all of the powers granted to the President  
25 under the International Emergency Economic Pow-



1       ers Act (50 U.S.C. 1701 et seq.) to the extent nec-  
2       essary to block and prohibit all transactions in prop-  
3       erty and interests in property of a foreign person  
4       identified in the report required under subsection  
5       (a)(1) if such property and interests in property—

6               (A) are in the United States;

7               (B) come within the United States; or

8               (C) come within the possession or control  
9       of a United States person.

10       (2) INELIGIBILITY FOR VISAS, ADMISSION, OR  
11       PAROLE.—

12               (A) VISAS, ADMISSION, OR PAROLE.—An  
13       alien described in subsection (a)(1) is—

14                   (i) inadmissible to the United States;

15                   (ii) ineligible to receive a visa or other  
16       documentation to enter the United States;

17       and

18                   (iii) otherwise ineligible to be admitted  
19       or paroled into the United States or to re-  
20       ceive any other benefit under the Immigra-  
21       tion and Nationality Act (8 U.S.C. 1101 et  
22       seq.).

23       (B) CURRENT VISAS REVOKED.—

24               (i) IN GENERAL.—An alien described  
25       in subsection (a)(1) is subject to revocation

1 of any visa or other entry documentation  
2 regardless of when the visa or other entry  
3 documentation is or was issued.

4 (ii) IMMEDIATE EFFECT.—A revoca-  
5 tion under clause (i) shall—

6 (I) take effect immediately; and

7 (II) automatically cancel any  
8 other valid visa or entry documenta-  
9 tion that is in the alien's possession.

10 (d) IMPLEMENTATION; PENALTIES.—

11 (1) IMPLEMENTATION.—The President may ex-  
12 ercise all authorities provided under sections 203  
13 and 205 of the International Emergency Economic  
14 Powers Act (50 U.S.C. 1702 and 1704) to carry out  
15 this section.

16 (2) PENALTIES.—The penalties provided for in  
17 subsections (b) and (c) of section 206 of the Inter-  
18 national Emergency Economic Powers Act (50  
19 U.S.C. 1705) shall apply to a foreign person that  
20 violates, attempts to violate, conspires to violate, or  
21 causes a violation of paragraph (1) to the same ex-  
22 tent that such penalties apply to a person that com-  
23 mits an unlawful act described in subsection (a) of  
24 such section 206.

1 (e) WAIVER.—The President may waive the applica-  
2 tion of sanctions under this section with respect to a for-  
3 eign person identified in the report required under sub-  
4 section (a)(1) if the President determines and certifies to  
5 the appropriate congressional committees that such a  
6 waiver is in the national interest of the United States.

7 (f) EXCEPTIONS.—

8 (1) EXCEPTION FOR INTELLIGENCE ACTIVI-  
9 TIES.—Sanctions under this section shall not apply  
10 to any activity subject to the reporting requirements  
11 under title V of the National Security Act of 1947  
12 (50 U.S.C. 3091 et seq.) or any authorized intel-  
13 ligence activities of the United States.

14 (2) EXCEPTION TO COMPLY WITH INTER-  
15 NATIONAL OBLIGATIONS AND FOR LAW ENFORCE-  
16 MENT ACTIVITIES.—Sanctions under subsection  
17 (c)(2) shall not apply with respect to an alien if ad-  
18 mitting or paroling the alien into the United States  
19 is necessary—

20 (A) to permit the United States to comply  
21 with the Agreement regarding the Head-  
22 quarters of the United Nations, signed at Lake  
23 Success June 26, 1947, and entered into force  
24 November 21, 1947, between the United Na-

1           tions and the United States, or other applicable  
2           international obligations; or

3                   (B) to carry out or assist law enforcement  
4           activity in the United States.

5           (g) TERMINATION OF SANCTIONS.—The President  
6   may terminate the application of sanctions under this sec-  
7   tion with respect to a foreign person if the President deter-  
8   mines and reports to the appropriate congressional com-  
9   mittees not less than 15 days before the termination takes  
10  effect that—

11           (1) information exists that the person did not  
12   engage in the activity for which sanctions were im-  
13   posed;

14           (2) the person has been prosecuted appro-  
15   priately for the activity for which sanctions were im-  
16   posed;

17           (3) the person has credibly demonstrated a sig-  
18   nificant change in behavior, has paid an appropriate  
19   consequence for the activity for which sanctions were  
20   imposed, and has credibly committed to not engage  
21   in an activity described in subsection (a)(1) in the  
22   future; or

23           (4) the termination of the sanctions is in the  
24   national security interests of the United States.

1 (h) SUNSET.—This section, and any sanctions im-  
2 posed under this section, shall terminate on the date that  
3 is 5 years after the date of the enactment of this Act.

4 (i) DEFINITIONS OF ADMISSION; ADMITTED;  
5 ALIEN.—In this section, the terms “admission”, “admit-  
6 ted”, and “alien” have the meanings given those terms  
7 in section 101 of the Immigration and Nationality Act (8  
8 U.S.C. 1101).

9 **SEC. 9. DISCLOSURES TO THE SECURITIES AND EXCHANGE**  
10 **COMMISSION OF CERTAIN ACTIVITIES RE-**  
11 **LATED TO THE XINJIANG UYGHUR AUTONO-**  
12 **MOUS REGION.**

13 (a) POLICY STATEMENT.—It is the policy of the  
14 United States to protect American investors, through  
15 stronger disclosure requirements, alerting them to the  
16 presence of Chinese and other companies complicit in  
17 gross violations of human rights in United States capital  
18 markets, including American and foreign companies listed  
19 on United States exchanges that enable the mass intern-  
20 ment and population surveillance of Uyghurs, Kazakhs,  
21 Kyrgyz, and other Muslim minorities and source products  
22 made with forced labor in the Xinjiang Uyghur Autono-  
23 mous Region of China. Such involvements represent clear,  
24 material risks to the share values and corporate reputa-  
25 tions of certain of these companies and hence to prospec-

1 tive American investors, particularly given that the United  
2 States Government has employed sanctions and export re-  
3 strictions to target individuals and entities contributing to  
4 human rights abuses in the People’s Republic of China.

5 (b) DISCLOSURE OF CERTAIN ACTIVITIES RELATING  
6 TO THE XINJIANG UYGHUR AUTONOMOUS REGION.—

7 (1) IN GENERAL.—Section 13 of the Securities  
8 Exchange Act of 1934 (15 U.S.C. 78m) is amended  
9 by adding at the end the following new subsection:

10 “(s) DISCLOSURE OF CERTAIN ACTIVITIES RELAT-  
11 ING TO THE XINJIANG UYGHUR AUTONOMOUS REGION.—

12 “(1) IN GENERAL.—Each issuer required to file  
13 an annual or quarterly report under subsection (a)  
14 shall disclose in that report the information required  
15 by paragraph (2) if, during the period covered by  
16 the report, the issuer or any affiliate of the issuer—

17 “(A) knowingly engaged in an activity with  
18 an entity or the affiliate of an entity engaged  
19 in creating or providing technology or other as-  
20 sistance to create mass population surveillance  
21 systems in the Xinjiang Uyghur Autonomous  
22 Region of China, including any entity included  
23 on the Department of Commerce’s ‘Entity List’  
24 in the Xinjiang Uyghur Autonomous Region;

1           “(B) knowingly engaged in an activity with  
2           an entity or an affiliate of an entity building  
3           and running detention facilities for Uyghurs,  
4           Kazakhs, Kyrgyz, and other members of Mus-  
5           lim minority groups in the Xinjiang Uyghur  
6           Autonomous Region;

7           “(C) knowingly engaged in an activity with  
8           an entity or an affiliate of an entity described  
9           in section 7(c)(1) of the Uyghur Forced Labor  
10          Prevention Act, including—

11           “(i) any entity engaged in the ‘pair-  
12           ing-assistance’ program which subsidizes  
13           the establishment of manufacturing facili-  
14           ties in the Xinjiang Uyghur Autonomous  
15           Region; or

16           “(ii) any entity for which the Depart-  
17           ment of Homeland Security has issued a  
18           ‘Withhold Release Order’ under section  
19           307 of the Tariff Act of 1930 (19 U.S.C.  
20           1307); or

21          “(D) knowingly conducted any transaction  
22          or had dealings with—

23           “(i) any person the property and in-  
24           terests in property of which were sanc-  
25           tioned by the Secretary of State for the de-

1                   tention or abuse of Uyghurs, Kazakhs,  
2                   Kyrgyz, or other members of Muslim mi-  
3                   nority groups in the Xinjiang Uyghur Au-  
4                   tonomous Region;

5                   “(ii) any person the property and in-  
6                   terests in property of which are sanctioned  
7                   pursuant to the Global Magnitsky Human  
8                   Rights Accountability Act (22 U.S.C. 2656  
9                   note); or

10                   “(iii) any person or entity responsible  
11                   for, or complicit in, committing atrocities  
12                   in the Xinjiang Uyghur Autonomous Re-  
13                   gion.

14                   “(2) INFORMATION REQUIRED.—

15                   “(A) IN GENERAL.—If an issuer described  
16                   under paragraph (1) or an affiliate of the issuer  
17                   has engaged in any activity described in para-  
18                   graph (1), the information required by this  
19                   paragraph is a detailed description of each such  
20                   activity, including—

21                   “(i) the nature and extent of the ac-  
22                   tivity;

23                   “(ii) the gross revenues and net prof-  
24                   its, if any, attributable to the activity; and



1                   “(iii) whether the issuer or the affil-  
2                   iate of the issuer (as the case may be) in-  
3                   tends to continue the activity.

4                   “(B) EXCEPTION.—The requirement to  
5                   disclose information under this paragraph shall  
6                   not include information on activities of the  
7                   issuer or any affiliate of the issuer activities re-  
8                   lating to—

9                   “(i) the import of manufactured  
10                  goods, including electronics, food products,  
11                  textiles, shoes, and teas, that originated in  
12                  the Xinjiang Uyghur Autonomous Region;  
13                  or

14                  “(ii) manufactured goods containing  
15                  materials that originated or are sourced in  
16                  the Xinjiang Uyghur Autonomous Region.

17                  “(3) NOTICE OF DISCLOSURES.—If an issuer  
18                  reports under paragraph (1) that the issuer or an  
19                  affiliate of the issuer has knowingly engaged in any  
20                  activity described in that paragraph, the issuer shall  
21                  separately file with the Commission, concurrently  
22                  with the annual or quarterly report under subsection  
23                  (a), a notice that the disclosure of that activity has  
24                  been included in that annual or quarterly report that

1 identifies the issuer and contains the information re-  
2 quired by paragraph (2).

3 “(4) PUBLIC DISCLOSURE OF INFORMATION.—  
4 Upon receiving a notice under paragraph (3) that an  
5 annual or quarterly report includes a disclosure of  
6 an activity described in paragraph (1), the Commis-  
7 sion shall promptly—

8 “(A) transmit the report to—

9 “(i) the President;

10 “(ii) the Committee on Foreign Af-  
11 fairs and the Committee on Financial  
12 Services of the House of Representatives;  
13 and

14 “(iii) the Committee on Foreign Rela-  
15 tions and the Committee on Banking,  
16 Housing, and Urban Affairs of the Senate;  
17 and

18 “(B) make the information provided in the  
19 disclosure and the notice available to the public  
20 by posting the information on the Internet  
21 website of the Commission.

22 “(5) INVESTIGATIONS.—Upon receiving a re-  
23 port under paragraph (4) that includes a disclosure  
24 of an activity described in paragraph (1), the Presi-  
25 dent shall—

1           “(A) make a determination with respect to  
2           whether any investigation is needed into the  
3           possible imposition of sanctions under the Glob-  
4           al Magnitsky Human Rights Accountability Act  
5           (22 U.S.C. 2656 note) or section 8 of the  
6           Uyghur Forced Labor Prevention Act or wheth-  
7           er criminal investigations are warranted under  
8           statutes intended to hold accountable individ-  
9           uals or entities involved in the importation of  
10          goods produced by forced labor, including under  
11          section 545, 1589, or 1761 of title 18, United  
12          States Code; and

13          “(B) not later than 180 days after initi-  
14          ating any such investigation, make a determina-  
15          tion with respect to whether a sanction should  
16          be imposed or criminal investigations initiated  
17          with respect to the issuer or the affiliate of the  
18          issuer (as the case may be).

19          “(6) ATROCITIES DEFINED.—In this subsection,  
20          the term ‘atrocities’ has the meaning given the term  
21          in section 6(2) of the Elie Wiesel Genocide and  
22          Atrocities Prevention Act of 2018 (Public Law 115–  
23          441; 22 U.S.C. 2656 note).”.

1 (c) SUNSET.—Section 13(s) of the Securities Ex-  
2 change Act of 1934, as added by subsection (b), is re-  
3 pealed on the earlier of—

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

6 (2) the date on which the President submits to  
7 the appropriate congressional committees a deter-  
8 mination that the Government of the People’s Re-  
9 public of China has ended mass internment, forced  
10 labor, and any other gross violations of human  
11 rights experienced by Uyghurs, Kazakhs, Kyrgyz,  
12 and members of other Muslim minority groups in  
13 the Xinjiang Uyghur Autonomous Region.

14 (d) EFFECTIVE DATE.—The amendment made by  
15 subsection (b) shall take effect with respect to reports re-  
16 quired to be filed with the Securities and Exchange Com-  
17 mission after the date that is 180 days after the date of  
18 the enactment of this Act.

19 **SEC. 10. DEFINITIONS.**

20 In this Act:

21 (1) APPROPRIATE CONGRESSIONAL COMMIT-  
22 TEES.—The term “appropriate congressional com-  
23 mittees” means—

24 (A) the Committee on Foreign Affairs, the  
25 Committee on Financial Services, and the Com-

1           mittee on Ways and Means of the House of  
2           Representatives; and

3                   (B) the Committee on Foreign Relations,  
4           the Committee on Banking, Housing, and  
5           Urban Affairs, and the Committee on Finance  
6           of the Senate.

7           (2) ATROCITIES.—The term “atrocities” has  
8           the meaning given the term in section 6(2) of the  
9           Elie Wiesel Genocide and Atrocities Prevention Act  
10          of 2018 (Public Law 115–441; 22 U.S.C. 2656  
11          note).

12          (3) CRIMES AGAINST HUMANITY.—The term  
13          “crimes against humanity” includes, when com-  
14          mitted as part of a widespread or systematic attack  
15          directed against any civilian population, with knowl-  
16          edge of the attack—

17                   (A) murder;

18                   (B) deportation or forcible transfer of pop-  
19          ulation;

20                   (C) torture;

21                   (D) extermination;

22                   (E) enslavement;

23                   (F) rape, sexual slavery, or any other form  
24          of sexual violence of comparable severity;

1 (G) persecution against any identifiable  
2 group or collectivity on political, racial, na-  
3 tional, ethnic, cultural, religious, gender, or  
4 other grounds that are universally recognized as  
5 impermissible under international law; and

6 (H) enforced disappearance of persons.

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

10 (5) FOREIGN PERSON.—The term “foreign per-  
11 son” means a person that is not a United States  
12 person.

13 (6) PERSON.—The term “person” means an in-  
14 dividual or entity.

15 (7) MASS POPULATION SURVEILLANCE SYS-  
16 TEM.—The term “mass population surveillance sys-  
17 tem” means installation and integration of facial  
18 recognition cameras, biometric data collection, cell  
19 phone surveillance, and artificial intelligence tech-  
20 nology with the “Sharp Eyes” and “Integrated Joint  
21 Operations Platform” or other technologies that are  
22 used by Chinese security forces for surveillance and  
23 big-data predictive policing.

24 (8) UNITED STATES PERSON.—The term  
25 “United States person” means—

1                   (A) a United States citizen or an alien law-  
2                   fully admitted for permanent residence to the  
3                   United States; or

4                   (B) an entity organized under the laws of  
5                   the United States or any jurisdiction within the  
6                   United States, including a foreign branch of  
7                   such an entity.

