

116TH CONGRESS  
1ST SESSION

# H. R. 649

To condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 17, 2019

Mr. SMITH of New Jersey (for himself, Mr. SUOZZI, Mr. McCAUL, Mr. CHABOT, Mr. SHERMAN, Mr. CONNOLLY, Mr. SIRES, Mr. KENNEDY, Ms. PINGREE, Mr. COHEN, Mr. MEADOWS, Mr. WILSON of South Carolina, Mr. KRISHNAMOORTHY, and Mrs. WAGNER) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Intelligence (Permanent Select), and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China.

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 “Uyghur Human Rights  
5 Policy Act of 2019”.

1 **SEC. 2. STATEMENT OF PURPOSE.**

2 The purpose of this Act is to direct United States  
3 resources to address gross violations of universally recog-  
4 nized human rights, including the mass internment of over  
5 1,000,000 Uyghurs and other predominantly Muslim eth-  
6 nic minorities in China and the intimidation and threats  
7 faced by United States citizens and legal permanent resi-  
8 dents.

9 **SEC. 3. APPROPRIATE CONGRESSIONAL COMMITTEES.**

10 In this section, the term “appropriate congressional  
11 committees” means—

12 (1) the Committee on Foreign Relations, the  
13 Committee on Armed Services, the Select Committee  
14 on Intelligence, the Committee on Banking, Hous-  
15 ing, and Urban Affairs, the Committee on the Judi-  
16 ciary, and the Committee on Appropriations of the  
17 Senate; and

18 (2) the Committee on Foreign Affairs, the  
19 Committee on Armed Services, the Permanent Select  
20 Committee on Intelligence, the Committee on Finan-  
21 cial Services, the Committee on the Judiciary, and  
22 the Committee on Appropriations of the House of  
23 Representatives.

24 **SEC. 4. FINDINGS.**

25 Congress makes the following findings:

1           (1) The Government of the People’s Republic of  
2           China (PRC) has a long history of repressing ap-  
3           proximately 13,000,000 Turkic, moderate Sunni  
4           Muslims, particularly Uyghurs, in the nominally au-  
5           tonomous Xinjiang region. These actions are in con-  
6           travention of international human rights standards,  
7           including the Universal Declaration of Human  
8           Rights and the International Covenant on Civil and  
9           Political Rights, which China has signed but not yet  
10          ratified.

11          (2) In recent decades, central and regional Chi-  
12          nese government policies have systematically dis-  
13          criminated against Uyghurs, ethnic Kazakhs, and  
14          other Muslims in Xinjiang by denying them a range  
15          of civil and political rights, including the freedoms of  
16          expression, religion, movement, and a fair trial,  
17          among others.

18          (3) Increased unrest in the Xinjiang region as  
19          a result of the central government’s severe repres-  
20          sion is used in Orwellian fashion by the Government  
21          of the People’s Republic of China as evidence of  
22          “terrorism” and “separatism” and as an excuse for  
23          further disproportionate response.

24          (4) In 2014, Chinese authorities launched their  
25          latest “Strike Hard against Violent Extremism”

1 campaign, in which the pretext of wide-scale, inter-  
2 nationally linked threats of terrorism were used to  
3 justify pervasive restrictions on, and gross human  
4 rights violations of, the ethnic minority communities  
5 of Xinjiang.

6 (5) Those policies included—

7 (A) pervasive, high-tech surveillance across  
8 the region, including the arbitrary collection of  
9 biodata, including DNA samples from children,  
10 without their knowledge or consent;

11 (B) the use of QR codes outside homes to  
12 gather information on how frequently individ-  
13 uals pray;

14 (C) facial and voice recognition software  
15 and “predictive policing” databases; and

16 (D) severe restrictions on the freedom of  
17 movement across the region.

18 (6) Chinese security forces have never been held  
19 accountable for credible reports of mass shootings in  
20 Alaqagha (2014), Hanerik (2013), and Siriqbuya  
21 (2013), as well as the extrajudicial killings of  
22 Abdulbasit Ablimit (2013) and Rozi Osman (2014).

23 (7)(A) The August 2016 transfer of former  
24 Tibet Autonomous Region Party Secretary Chen  
25 Quanguo to become the Xinjiang Party Secretary

1 prompted an acceleration in the crackdown across  
2 the region.

3 (B) Local officials in Xinjiang have used  
4 chilling political rhetoric to describe the purpose of  
5 government policy including “eradicating tumors”  
6 and “spray[ing] chemicals” on crops to kill the  
7 “weeds”.

8 (C) Uyghurs are forced to celebrate Chinese  
9 cultural traditions, such as Chinese New Year, and  
10 unique Uyghur culture is facing eradication due to  
11 state control over Uyghur cultural heritage, such as  
12 muqam (a musical tradition) and meshrep (tradi-  
13 tional cultural gatherings), and due to elimination of  
14 the Uyghur language as a medium of instruction in  
15 Xinjiang schools and universities.

16 (8) In 2017, credible reports found that family  
17 members of Uyghurs living outside of China had  
18 gone missing inside China, that Chinese authorities  
19 were pressuring those outside the country to return,  
20 and that individuals were being arbitrarily detained  
21 in large numbers.

22 (9) There is ample credible evidence provided  
23 by scholars, human rights organizations, journalists,  
24 and think tanks substantiating the establishment by  
25 Chinese authorities of “political reeducation” camps.

1           (10) Independent organizations conducted  
2 interviews, including testimonies from Kayrat  
3 Samarkan, Omir Bekali, and Mihrigul Tursun, along  
4 with others who had been detained in such facilities,  
5 who described forced political indoctrination, torture,  
6 beatings, food deprivation, and solitary confinement,  
7 as well as uncertainty as to the length of detention,  
8 humiliation, and denial of religious, cultural, and lin-  
9 guistic freedoms, and confirmed that they were told  
10 by guards that the only way to secure release was  
11 to demonstrate sufficient political loyalty. Poor con-  
12 ditions and lack of medical treatment at such facili-  
13 ties appear to have contributed to the deaths of  
14 some detainees, including the elderly and infirm.  
15 Uyghurs Muhammed Salih Hajim (2018), Yaqupjan  
16 Naman (2018), Abdughappar Abdujappar (2018),  
17 Ayhan Memet (2018), Abdulreshit Seley Hajim  
18 (2018), Nurimangul Memet (2018), Adalet Teyip  
19 (2018), Abdulehed Mehsum (2017), Hesen Imin  
20 (2017), and Sawut Raxman (2017) reportedly died  
21 while in the custody of the Chinese authorities in  
22 “political reeducation” camps, without proper inves-  
23 tigation of the circumstances.

24           (11) Uyghurs and Kazakhs, who have now ob-  
25 tained permanent residence or citizenship in other

1 countries, attest to receiving threats and harassment  
2 from Chinese officials.

3 (12) Under pressure from the Government of  
4 the People's Republic of China, countries have fore-  
5 ibly returned Uyghurs to China in violation of the  
6 non-refoulement principle and their well-founded  
7 fear of persecution. States returning Uyghurs in-  
8 clude Egypt (2017), the United Arab Emirates  
9 (2017), Malaysia (2011, 2013), Thailand (2011,  
10 2015), Laos (2010), Burma (2010), Cambodia  
11 (2009), Vietnam (2014), Kazakhstan (1999, 2001,  
12 2003, 2006), Uzbekistan (2007), Tajikistan (2011),  
13 Pakistan (2003, 2009, 2011), Nepal (2002), and  
14 India (2016).

15 (13) Six journalists for Radio Free Asia's  
16 Uyghur service have publicly detailed abuses their  
17 family members in Xinjiang have endured in re-  
18 sponse to their work exposing abusive policies across  
19 the region.

20 (14) Several United States-based companies are  
21 conducting business with Xinjiang authorities with-  
22 out sufficient due diligence or safeguards to ensure  
23 their business operations do not create or contribute  
24 to human rights violations.

1           (15) The Government of the People’s Republic  
2 of China is increasingly investing in the “Belt and  
3 Road Initiative” across Xinjiang and throughout  
4 Central Asia, extending its influence through organi-  
5 zations such as the Shanghai Cooperation Organiza-  
6 tion without regard to the political, cultural, or lin-  
7 guistic rights of ethnic minorities.

8           (16) The Secretary of State, Congressional-Ex-  
9 ecutive Commission on China, Tom Lantos Human  
10 Rights Commission, and individual members of the  
11 executive branch and Congress have all expressed  
12 growing concern regarding the pervasive human  
13 rights abuses across Xinjiang and the “political re-  
14 education” camps.

15           (17) In August 2018, the United Nations Com-  
16 mittee to Eliminate Racial Discrimination challenged  
17 the Government of the People’s Republic of China  
18 over abuses in Xinjiang, including the establishment  
19 of mass arbitrary detention camps.

20           (18) Between August and September 2018,  
21 Chinese authorities responded to these allegations by  
22 either flatly denying them or insisting that the facili-  
23 ties are “vocational training centers”.

24           (19) In September 2018, newly appointed  
25 United Nations High Commissioner for Human

1 Rights Michele Bachelet noted in her first speech as  
2 High Commissioner the “deeply disturbing allega-  
3 tions of large-scale arbitrary detentions of Uighurs  
4 and other Muslim communities, in so-called re-edu-  
5 cation camps across Xinjiang”.

6 (20) On September 18, 2018, the Washington  
7 Post editorial board wrote, “At stake is not just the  
8 welfare of the Uighurs, but also whether the tech-  
9 nologies of the 21st century will be employed to  
10 smother human freedom.”.

11 (21) In December 2018 testimony before the  
12 Subcommittee on East Asia, the Pacific, and Inter-  
13 national Cybersecurity Policy of the Committee on  
14 Foreign Relations of the Senate, Deputy Assistant  
15 Secretary for Democracy, Human Rights and Labor  
16 Scott Busby testified that the number of those de-  
17 tained in camps since April 2017 was “at least  
18 800,000 and possibly more than 2 million”.

19 (22) In December 2018, independent media re-  
20 ports pointed to growing evidence of forced labor in  
21 the camps, as well as reports of individuals who have  
22 been released from camps being forced to labor in  
23 nearby factories for low wages under threat of being  
24 sent back to “political reeducation” camps.

1           (23) In December 2018 and January 2019,  
2 Chinese officials organized visits to “political reedu-  
3 cation” camps in Xinjiang for a small group of for-  
4 eign journalists and diplomats from 12 non-Western  
5 countries. In the months preceding the visits, inter-  
6 national media reported that officials worked to re-  
7 move security features from some “political reeduca-  
8 tion” facilities, and coached detainees and area resi-  
9 dents not to make negative comments about the  
10 camps. Reports also indicated that officials had  
11 transferred large numbers of detainees to detention  
12 facilities in other parts of China.

13           (24) Experts have described the Xinjiang region  
14 as “a police state to rival North Korea, with a for-  
15 malized racism on the order of South African apart-  
16 heid” and the repression in the Xinjiang region as  
17 a “slow motion Tiananmen”.

18 **SEC. 5. SENSE OF CONGRESS.**

19 It is the sense of Congress that—

20           (1) the President should condemn abuses  
21 against Turkic Muslims by Chinese authorities in  
22 Xinjiang and call on Chinese President Xi Jinping  
23 to recognize the profound abuse and likely lasting  
24 damage of China’s current policies, and immediately  
25 close the “political reeducation” camps, lift all re-

1        restrictions on and ensure respect for internationally  
2        guaranteed human rights across the region, and  
3        allow for reestablishment of contact between those  
4        inside and outside China;

5            (2) the United States Government should de-  
6        velop a strategy to support the United Nations High  
7        Commissioner for Human Rights and numerous  
8        United Nations Special Rapporteurs' urgent calls for  
9        immediate and unfettered access to Xinjiang, includ-  
10       ing the “political reeducation” camps and instruct  
11       representatives of the United States at the United  
12       Nations to use the voice and vote of the United  
13       States to condemn the mass arbitrary detainment,  
14       torture, and forced labor of Turkic Muslims in the  
15       People's Republic of China;

16           (3) the Secretary of State should consider the  
17       applicability of existing authorities, including the  
18       Global Magnitsky Act (subtitle F of Public Law  
19       114–328), to impose targeted sanctions on members  
20       of the Government of the People's Republic of  
21       China, the Chinese Communist Party, and state se-  
22       curity apparatus, including Xinjiang Party Secretary  
23       Chen Quanguo and other officials credibly alleged to  
24       be responsible for human rights abuses in Xinjiang  
25       and elsewhere;

1           (4) the Secretary of State should fully imple-  
2           ment the provisions of the Frank Wolf International  
3           Religious Freedom Act (Public Law 114–281) and  
4           consider strategically employing sanctions and other  
5           tools under the International Religious Freedom Act  
6           (22 U.S.C. 6401 et seq.) and to employ measures re-  
7           quired as part of the “Country of Particular Con-  
8           cern” (CPC) designation for the Government of the  
9           People’s Republic of China that directly address par-  
10          ticularly severe violations of religious freedom;

11          (5) the Secretary of Commerce should review  
12          and consider the prohibition on the sale or provision  
13          of any United States-made goods or services to any  
14          state agent in Xinjiang, and add the Xinjiang  
15          branch of the Chinese Communist Party, the  
16          Xinjiang Public Security Bureau, and the Xinjiang  
17          Office of the United Front Work Department, or  
18          any entity acting on their behalf to facilitate the  
19          mass internment or forced labor of Turkic Muslims,  
20          to the “Entity List” administered by the Depart-  
21          ment of Commerce;

22          (6) the Secretary of State should explore appro-  
23          priate mechanisms to establish a voluntary database  
24          to which United States citizens or permanent resi-  
25          dent family members of the Uyghur diaspora can

1 provide details about missing family members, with  
2 a view towards pressing for information and ac-  
3 countability from the Government of the People's  
4 Republic of China, and take appropriate measures to  
5 expedite the asylum claims of Uyghurs, Kazakhs,  
6 and other Turkic Muslim minorities;

7 (7) United States companies and individuals  
8 selling goods or services or otherwise operating in  
9 Xinjiang should take steps, including in any public  
10 or financial filings, to publicly assert that their com-  
11 mercial activities are not contributing to human  
12 rights violations in Xinjiang or elsewhere in China  
13 and that their supply chains are not compromised by  
14 forced labor;

15 (8) the Federal Bureau of Investigation and ap-  
16 propriate United States law enforcement entities  
17 should track and take steps to hold accountable offi-  
18 cials from China who harass, threaten, or intimidate  
19 United States citizens and legal permanent resi-  
20 dents, including Turkic Muslims, Uyghur-Americans,  
21 Chinese-Americans, and Chinese nationals legally  
22 studying or working in the United States; and

23 (9) the Secretary of State should work with tra-  
24 ditional United States allies and partners to take

1 similar steps and coordinate closely on targeted  
2 sanctions and visa restrictions.

3 **SEC. 6. NATIONAL SECURITY REPORT.**

4 (a) IN GENERAL.—Not later than 180 days after the  
5 date of the enactment of this Act, the Director of National  
6 Intelligence, in coordination with the Secretary of State,  
7 shall provide to the appropriate congressional committees  
8 a classified and unclassified report to assess national and  
9 regional security threats posed by the crackdown across  
10 Xinjiang, the frequency with which Central and Southeast  
11 Asian governments are forcibly returning Turkic Muslim  
12 refugees and asylum seekers, and the transfer or develop-  
13 ment of technology used by the Government of the Peo-  
14 ple’s Republic of China that facilitates the mass intern-  
15 ment and surveillance of Turkic Muslims, including tech-  
16 nology relating to predictive policing and large-scale data  
17 collection and analysis.

18 (b) ANNEX.—The report required under subsection  
19 (a) shall include an annex with a list of all Chinese compa-  
20 nies involved in the construction or operation of the “polit-  
21 ical education” camps, and the provision or operation of  
22 surveillance technology or operations, across Xinjiang.

1 **SEC. 7. PROTECTING CITIZENS AND RESIDENTS OF THE**  
2 **UNITED STATES FROM INTIMIDATION AND**  
3 **COERCION.**

4 (a) **IN GENERAL.**—Not later than 90 days after the  
5 date of the enactment of this Act, the Director of the Fed-  
6 eral Bureau of Investigation, in consultation with the Sec-  
7 retary of State, shall provide a report to the appropriate  
8 congressional committees that outlines any and all efforts  
9 to provide information to and protect United States citi-  
10 zens and residents, including ethnic Uyghurs and Chinese  
11 nationals legally studying or working temporarily in the  
12 United States who have experienced harassment or intimi-  
13 dation by officials or agents of the Government of the Peo-  
14 ple’s Republic of China and the Communist Party within  
15 the United States and those whose families in China have  
16 experienced threats or detention because of their work or  
17 advocacy.

18 (b) **DATABASE OF DETAINED FAMILY MEMBERS OF**  
19 **UNITED STATES CITIZENS AND RESIDENTS.**—The Sec-  
20 retary of State should explore appropriate mechanisms to  
21 establish a voluntary database to which United States citi-  
22 zens or permanent resident family members of the Uyghur  
23 diaspora can provide details about missing family mem-  
24 bers, with a view towards pressing for information and ac-  
25 countability from the Government of the People’s Republic  
26 of China and to take appropriate measures to expedite the

1 asylum claims of Uyghurs, Kazakhs, and other Turkic  
2 Muslim minorities.

3 **SEC. 8. REPORT ON PUBLIC DIPLOMACY.**

4 (a) REPORT.—Not later than 120 days after the date  
5 of the enactment of this Act, the CEO of the United  
6 States Agency for Global Media shall submit to the appro-  
7 priate congressional committees a report that—

8 (1) describes the current status and reach of  
9 United States broadcasting to the Xinjiang region  
10 and Uyghur speaking communities globally, barriers  
11 to the free flow of news and information to these  
12 communities, and, if appropriate, detailed technical  
13 and fiscal requirements necessary to increase broad-  
14 casting and other media to these communities glob-  
15 ally;

16 (2) describes efforts to intimidate Radio Free  
17 Asia and Voice of America reporters reporting on  
18 human rights issues in the People’s Republic of  
19 China; and

20 (3) in consultation with the Global Engagement  
21 Center at the Department of State, describes and  
22 assesses disinformation and propaganda by the Gov-  
23 ernment of the People’s Republic of China or other  
24 members of the Shanghai Cooperation Organization  
25 targeting Uyghur communities globally and efforts

1 to downplay gross violations of universally recog-  
2 nized human rights occurring in the Xinjiang region  
3 and any activities or programs that address these ef-  
4 forts.

5 (b) SENSE OF CONGRESS.—It is the sense of Con-  
6 gress that the journalists of the Uyghur language service  
7 of Radio Free Asia should be highly commended for their  
8 reporting on the human rights and political situation in  
9 Xinjiang despite efforts to silence or intimidate their re-  
10 porting through the detention of family members and rel-  
11 atives by the Government of the People’s Republic of  
12 China.

13 **SEC. 9. ANNUAL REPORT.**

14 (a) IN GENERAL.—Not later than 180 days after the  
15 date of the enactment of this Act, and annually thereafter,  
16 the Secretary of State, after consulting relevant Federal  
17 agencies and civil society organizations, shall submit to the  
18 appropriate congressional committees and make available  
19 on the website of the Department of State an interagency  
20 report that includes—

21 (1) an assessment of the number of individuals  
22 detained in political “reeducation camps” and condi-  
23 tions in the camps for detainees in the Xinjiang re-  
24 gion, including whether detainees endure torture,  
25 forced renunciation of faith, or other mistreatment;

1           (2) a description, as possible, of the geographic  
2 location of the camps and estimates of the number  
3 of people detained in such facilities;

4           (3) a description, as possible, of the methods  
5 used by People’s Republic of China authorities to  
6 “reeducate” Uyghur detainees as well as the Peo-  
7 ple’s Republic of China agencies in charge of reedu-  
8 cation;

9           (4) an assessment of the number of individuals  
10 being arbitrarily detained, including in pretrial de-  
11 tention centers and prisons;

12           (5) an assessment of forced labor in the camps  
13 and in regional factories for low wages under threat  
14 of being sent back to “political reeducation” camps;

15           (6) a list of Chinese companies and industries  
16 benefiting from such labor, and a description of ac-  
17 tions taken to address forced labor in Xinjiang con-  
18 current with the People’s Republic of China’s Tier  
19 3 designation under the 2018 Trafficking in Persons  
20 Report;

21           (7) an assessment of the level of access People’s  
22 Republic of China authorities grant to diplomats,  
23 journalists, and others to the Xinjiang region and a  
24 description of measures used to impede efforts to

1 monitor human rights conditions in the Xinjiang re-  
2 gion;

3 (8) an assessment of the repressive surveillance,  
4 detection, and control methods used by People’s Re-  
5 public of China authorities in the Xinjiang region,  
6 and a list of individuals who hold senior leadership  
7 positions and are responsible for “high-tech” polic-  
8 ing, mass incarceration, and reeducation efforts tar-  
9 geting Uyghur and other predominantly Muslim eth-  
10 nic minorities in the Xinjiang region; and

11 (9) a description of United States diplomatic ef-  
12 forts to address the gross violations of universally  
13 recognized rights in the Xinjiang region and to pro-  
14 tect asylum seekers from the region, including in  
15 multilateral institutions and through bilateral rela-  
16 tions with the People’s Republic of China, the na-  
17 tions of the Organization of Islamic Cooperation  
18 (OIC), and other countries.

19 (b) TERMINATION.—The Secretary of State may ter-  
20 minate the report required under subsection (a) if the Sec-  
21 retary certifies to the appropriate congressional commit-  
22 tees that the gross violations of universally recognized  
23 human rights and mass detention of Uyghurs and other  
24 predominantly Muslim ethnic minorities have ended in the  
25 Xinjiang region.

1 **SEC. 10. SPECIAL COORDINATOR AT THE DEPARTMENT OF**  
2 **STATE.**

3 (a) **IN GENERAL.**—The Secretary of State should  
4 consider the establishment of a new position within the  
5 Department of State, the United States Special Coordi-  
6 nator for Xinjiang, who will coordinate diplomatic, polit-  
7 ical, public diplomacy, financial assistance, sanctions,  
8 counterterrorism, security resources, and congressional re-  
9 porting requirements within the United States Govern-  
10 ment to respond to the gross violations of universally rec-  
11 ognized human rights occurring in the Xinjiang region,  
12 including by addressing the mass detentions of Uyghurs  
13 and other predominantly Muslim ethnic minorities, the de-  
14 ployment of technologically advanced surveillance and po-  
15 lice detection methods, and the counterterrorism and  
16 counter-radicalism claims used to justify the policies of the  
17 Government of the People’s Republic of China in Xinjiang.

18 (b) **APPOINTMENT.**—If the Secretary determines that  
19 establishment of the position described in subsection (a)  
20 is appropriate, the Secretary may appoint the Special Co-  
21 ordinator from among officers and employees of the De-  
22 partment of State. The Secretary may allow such officer  
23 or employee to retain the position (and the responsibilities  
24 associated with such position) held by such officer or em-  
25 ployee prior to the appointment of such officer or employee  
26 to the position of Special Coordinator.

1           (c) TERMINATION.—The Secretary of State may ter-  
2           minate the Special Coordinator position 45 days after cer-  
3           tifying to the appropriate congressional committees that  
4           the gross violations of universally recognized human rights  
5           and mass detention of Uyghurs and other predominantly  
6           Muslim ethnic minorities have ended in the Xinjiang re-  
7           gion.

8           (d) CONSULTATION.—The Secretary shall consult  
9           with the chairman and ranking minority members of the  
10          appropriate congressional committees prior to the designa-  
11          tion of the Special Coordinator under this section.

○