

116TH CONGRESS  
2D SESSION

# S. 3471

To ensure that goods made with forced labor in the Xinjiang Uyghur Autonomous Region of the People’s Republic of China do not enter the United States market, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 12, 2020

Mr. RUBIO (for himself, Mr. MERKLEY, Mrs. BLACKBURN, Mr. VAN HOLLEN, Mr. ROMNEY, Mr. YOUNG, Mr. DAINES, Mr. COTTON, Mr. CRUZ, Mr. DURBIN, and Ms. WARREN) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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## A BILL

To ensure that goods made with forced labor in the Xinjiang Uyghur Autonomous Region of the People’s Republic of China do not enter the United States market, and for other purposes.

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 Forced Labor  
5 Prevention Act”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1           (1) In the Xinjiang Uyghur Autonomous Re-  
2           gion, the Government of the People’s Republic of  
3           China has established a system of extrajudicial mass  
4           internment camps arbitrarily detaining as many as  
5           1,800,000 Uyghurs, Kazakhs, Kyrgyz, and members  
6           of other Muslim minority groups who have been sub-  
7           jected to forced labor, torture, political indoctrina-  
8           tion, and severe human rights abuses.

9           (2) Forced labor exists within the Xinjiang  
10          Uyghur Autonomous Region’s system of mass in-  
11          ternment camps, and throughout the region, and is  
12          confirmed by the testimony of former camp detain-  
13          ees, satellite imagery, and official leaked documents  
14          from the Government of the People’s Republic of  
15          China as part of a targeted campaign of repression  
16          of Muslim ethnic minorities.

17          (3) There is a very high risk that many fac-  
18          tories and other suppliers in the Xinjiang Uyghur  
19          Autonomous Region are exploiting forced labor, ac-  
20          cording to reports from researchers, media, and civil  
21          society groups. Audits to vet products and supply  
22          chains in the Xinjiang Uyghur Autonomous Region  
23          are not possible because of the extent to which  
24          forced labor has contaminated the regional economy,  
25          the mixing of involuntary labor with voluntary labor,

1 the inability of witnesses to speak freely about work-  
2 ing conditions given heavy government surveillance  
3 and coercion, and the strong incentive of government  
4 officials to conceal government-sponsored forced  
5 labor.

6 (4) In its June 2019 Trafficking in Persons Re-  
7 port, the Department of State found, “Authorities  
8 offer subsidies incentivizing Chinese companies to  
9 open factories in close proximity to the internment  
10 camps, and local governments receive additional  
11 funds for each inmate forced to work in these sites  
12 at a fraction of minimum wage or without any com-  
13 pensation.”.

14 (5) In September 2019, U.S. Customs and Bor-  
15 der Protection issued a “withhold release order”  
16 with respect to garments produced by Hetian Taida  
17 Apparel Co., Ltd., because of “suspected prison or  
18 forced labor” from its factories in the Xinjiang  
19 Uyghur Autonomous Region.

20 (6) In its 2019 Annual Report, the Congres-  
21 sional-Executive Commission on China found that  
22 products reportedly produced with forced labor by  
23 current and former mass internment camp detainees  
24 included textiles, electronics, food products, shoes,  
25 tea, and handicrafts.

1           (7) According to public reports, companies that  
2           are or have been suspected of directly employing  
3           forced labor or sourcing from suppliers that are sus-  
4           pected of using forced labor include Adidas, Badger  
5           Sportswear, Calvin Klein, the Campbell Soup Com-  
6           pany, the Coca-Cola Company, COFCO Tunhe Com-  
7           pany, Costco, Esquel Group, Esprit, H&M, Hetian  
8           Taida, the Huafu Fashion Company, the Kraft  
9           Heinz Company, Litai Textiles, Nike, Inc., Pata-  
10          gonia, Inc., Tommy Hilfiger, the Urumqi Shengshi  
11          Huaer Culture Technology Company, the Yili Zhuo  
12          Wan Garment Manufacturing Company, and the  
13          Zhihui Haipai Internet of Things Technology Com-  
14          pany.

15           (8) Section 307 of the Tariff Act of 1930 (19  
16          U.S.C. 1307) prohibits the importation into the  
17          United States of “goods, wares, articles, and mer-  
18          chandise mined, produced, or manufactured wholly  
19          or in part” by forced labor. Such merchandise is  
20          subject to exclusion or seizure and may lead to  
21          criminal investigation of the importer.

22           (9) The policies of the Government of the Peo-  
23          ple’s Republic of China are in contravention of inter-  
24          national human rights standards, including—

1 (A) the Universal Declaration of Human  
2 Rights and the International Covenant on Civil  
3 and Political Rights, which the People’s Repub-  
4 lic of China has signed but not yet ratified;

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

8 (C) the United Nations Protocol to Pre-  
9 vent, Suppress, and Punish Trafficking in Per-  
10 sons, Especially Women and Children (com-  
11 monly referred to as the “Palermo Protocol”),  
12 to which the People’s Republic of China is a  
13 state party.

14 **SEC. 3. STATEMENT OF POLICY.**

15 It is the policy of the United States—

16 (1) to prohibit the importation of all goods pro-  
17 duced, in whole or in part, by forced labor from the  
18 People’s Republic of China and particularly any such  
19 goods produced in the Xinjiang Uyghur Autonomous  
20 Region in the People’s Republic of China;

21 (2) to encourage the international community  
22 to reduce the importation of any goods produced by  
23 forced labor from the People’s Republic of China,  
24 particularly those goods produced in the Xinjiang  
25 Uyghur Autonomous Region;

1           (3) to actively work to prevent, publicly de-  
2           nounce, and end human trafficking as a horrific as-  
3           sault on human dignity and to restore the lives of  
4           those affected by human trafficking, a modern form  
5           of slavery;

6           (4) to regard the prevention of atrocities as in  
7           the national interest of the United States, including  
8           efforts to prevent—

9                   (A) torture;

10                   (B) enforced disappearances;

11                   (C) severe deprivation of liberty, including  
12                   mass internment, arbitrary detention, and wide-  
13                   spread and systematic use of forced labor; and

14                   (D) persecution targeting any identifiable  
15                   ethnic or religious group; and

16           (5) to address gross violations of human rights  
17           in Xinjiang Uyghur Autonomous Region—

18                   (A) through bilateral diplomatic channels  
19                   and multilateral institutions in which both the  
20                   United States and the People’s Republic of  
21                   China are members; and

22                   (B) by using all the authorities available to  
23                   the United States Government, including visa  
24                   and financial sanctions, export restrictions, and  
25                   import controls.

1 **SEC. 4. DEFINITIONS.**

2 In this Act:

3 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**  
4 **TEES.**—The term “appropriate congressional com-  
5 mittees” means—

6 (A) the Committee on Foreign Relations  
7 and the Committee on Banking, Housing, and  
8 Urban Affairs of the Senate; and

9 (B) the Committee on Foreign Affairs and  
10 the Committee on Financial Services of the  
11 House of Representatives.

12 (2) **ENTITY.**—The term “entity” means a part-  
13 nership, association, trust, joint venture, corpora-  
14 tion, group, subgroup, or other organization.

15 (3) **FORCED LABOR.**—The term “forced labor”  
16 has the meaning given that term in section 307 of  
17 the Tariff Act of 1930 (19 U.S.C. 1307).

18 (4) **FOREIGN PERSON.**—The term “foreign per-  
19 son” means any person that is not a United States  
20 person—

21 (A) an individual who is not a United  
22 States citizen or an alien lawfully admitted for  
23 permanent residence to the United States; or

24 (B) an entity that is not a United States  
25 person.

1 (5) PERSON.—The term “person” means an in-  
2 dividual or entity.

3 (6) UNITED STATES PERSON.—The term  
4 “United States person” means—

5 (A) an individual who is a United States  
6 citizen or an alien lawfully admitted for perma-  
7 nent residence to the United States;

8 (B) an entity organized under the laws of  
9 the United States or any jurisdiction within the  
10 United States, including a foreign branch of  
11 such an entity; or

12 (C) any person in the United States.

13 **SEC. 5. REBUTTABLE PRESUMPTION THAT IMPORT PROHI-**  
14 **BITION APPLIES TO GOODS PRODUCED IN**  
15 **THE XINJIANG UYGHUR AUTONOMOUS RE-**  
16 **GION.**

17 (a) IN GENERAL.—Not later than 120 days after the  
18 date of the enactment of this Act, and except as provided  
19 in subsection (c)—

20 (1) the importation of goods described in sub-  
21 section (b) shall be deemed to be prohibited under  
22 section 307 of the Tariff Act of 1930 (19 U.S.C.  
23 1307); and

24 (2) such goods shall not be entitled to entry at  
25 any of the ports of the United States.



1 (b) GOODS DESCRIBED.—Goods described in this  
2 subsection are any significant goods, wares, articles, and  
3 merchandise mined, produced, or manufactured wholly or  
4 in part—

5 (1) in the Xinjiang Uyghur Autonomous Region  
6 of the People’s Republic of China; or

7 (2) by entities working with the government of  
8 the Xinjiang Uyghur Autonomous Region under  
9 “poverty alleviation” or “mutual pairing assistance”  
10 programs.

11 (c) EXCEPTION.—Subsection (a) shall not apply with  
12 respect to a good if the Commissioner of U.S. Customs  
13 and Border Protection—

14 (1) finds, by clear and convincing evidence, that  
15 the good was not produced wholly or in part with  
16 convict labor, forced labor, or indentured labor  
17 under penal sanctions; and

18 (2) submits to the appropriate congressional  
19 committees, and makes available to the public, a re-  
20 port on that finding.

21 **SEC. 6. DETERMINATION OF WHETHER FORCED LABOR IN**  
22 **THE XINJIANG UYGHUR AUTONOMOUS RE-**  
23 **GION CONSTITUTES AN ATROCITY.**

24 (a) IN GENERAL.—Not later than 90 days after the  
25 date of the enactment of this Act, the Secretary of State

1 shall submit to the appropriate congressional committees  
2 a report that sets for the determination of the Secretary  
3 with respect to whether the forced labor experienced by  
4 Uyghurs, Kazakhs, Kyrgyz, and members of other Muslim  
5 minority groups in the Xinjiang Uyghur Autonomous Re-  
6 gion of the People’s Republic of China is systematic and  
7 widespread and therefore constitutes an atrocity within  
8 the meaning of section 6 of the Elie Wiesel Genocide and  
9 Atrocities Prevention Act of 2018 (Public Law 115–441;  
10 22 U.S.C. 2656 note).

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

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

14 (2) may be submitted with the report required  
15 by section 7.

16 **SEC. 7. STRATEGY TO ADDRESS FORCED LABOR IN THE**  
17 **XINJIANG 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 in coordination with the heads of other appropriate Fed-  
21 eral agencies, shall submit to the appropriate congres-  
22 sional committees a report that details the strategy of the  
23 United States to promote initiatives to enhance inter-  
24 national awareness of and to address the forced labor in

1 the Xinjiang Uyghur Autonomous Region of the People's  
2 Republic of China.

3 (b) ELEMENTS OF STRATEGY.—The strategy re-  
4 quired by subsection (a) shall include—

5 (1) a plan to enhance bilateral and multilateral  
6 outreach, including sustained engagement with the  
7 governments of partners and allies of the United  
8 States, to end the forced labor of Uyghurs, Kazakhs,  
9 Kyrgyz, and members of other Muslim minority  
10 groups in the Xinjiang Uyghur Autonomous Region;

11 (2) public affairs and public diplomacy cam-  
12 paigns, including options to work with news organi-  
13 zations and media outlets to publish opinion pieces  
14 and secure public speaking opportunities for United  
15 States Government officials on issues related to the  
16 human rights situation, including forced labor, in  
17 the Xinjiang Uyghur Autonomous Region;

18 (3) opportunities to coordinate and collaborate  
19 with appropriate nongovernmental organizations and  
20 private sector entities to raise awareness about prod-  
21 ucts made using forced labor in the Xinjiang Uyghur  
22 Autonomous Region; and

23 (4) opportunities to provide assistance to  
24 Uyghurs, Kazakhs, Kyrgyz, and members of other  
25 Muslim minority groups, including those formerly

1 detained in mass internment camps in the Xinjiang  
2 Uyghur Autonomous Region.

3 (c) CONTENTS OF REPORT.—The report required by  
4 subsection (a) shall include—

5 (1) a list of Chinese entities that—

6 (A) directly or indirectly use forced labor  
7 in the Xinjiang Uyghur Autonomous Region; or

8 (B) act as agents of such entities to import  
9 goods into the United States;

10 (2) a list of products made wholly or in part by  
11 forced labor in the Xinjiang Uyghur Autonomous  
12 Region;

13 (3) businesses that sold products in the United  
14 States made wholly or in part with forced labor in  
15 the Xinjiang Uyghur Autonomous Region; and

16 (4) actions taken by the executive branch to ad-  
17 dress forced labor in the Xinjiang Uyghur Autono-  
18 mous Region under existing authorities, including  
19 under—

20 (A) the Trafficking Victims Protection Act  
21 of 2000 (22 U.S.C. 7101 et seq.);

22 (B) section 307 of the Tariff Act of 1930  
23 (19 U.S.C. 1307);

1 (C) the Elie Wiesel Genocide and Atroc-  
2 ities Prevention Act of 2018 (Public Law 115–  
3 441; 132 Stat. 5586);

4 (D) the Global Magnitsky Human Rights  
5 Accountability Act (subtitle F of title XII of  
6 Public Law 114–328; 22 U.S.C. 2656 note);  
7 and

8 (E) section 8 of this Act.

9 (d) FORM OF REPORT.—The report required by sub-  
10 section (a) shall be submitted in unclassified form, but  
11 may include a classified annex, if necessary.

12 (e) UPDATES.—Any updates to the strategic plan re-  
13 quired by subsection (a) shall be—

14 (1) provided quarterly, if applicable, through  
15 briefings to the staff of the appropriate congres-  
16 sional committees; and

17 (2) included in subsequent years as part of the  
18 annual report on trafficking in persons required by  
19 section 110(b)(1) of the Trafficking Victims Protec-  
20 tion Act of 2000 (22 U.S.C. 7107(b)(1)).

21 (f) TERMINATION.—The requirements of this section  
22 shall terminate on the date on which the President sub-  
23 mits to the appropriate congressional committees a certifi-  
24 cation that the Government of the People’s Republic of  
25 China has ended mass internment, forced labor, and any

1 other gross violations of human rights experienced by  
2 Uyghurs, Kazakhs, Kyrgyz, and members of other Muslim  
3 minority groups in the Xinjiang Uyghur Autonomous Re-  
4 gion.

5 **SEC. 8. IMPOSITION OF SANCTIONS.**

6 (a) REPORT REQUIRED.—

7 (1) IN GENERAL.—Not later than 180 days  
8 after the date of the enactment of this Act, and not  
9 less frequently than annually thereafter, the Presi-  
10 dent shall submit to the appropriate congressional  
11 committees a report that identifies each foreign per-  
12 son, including any official of the Government of the  
13 People’s Republic of China, that the President deter-  
14 mines—

15 (A) knowingly engages in, is responsible  
16 for, or facilitates the forced labor of Uyghurs,  
17 Kazakhs, Kyrgyz, and members of other Mus-  
18 lim minority groups in the Xinjiang Uyghur  
19 Autonomous Region; or

20 (B) knowingly engages in, contributes to,  
21 assists, or provides financial, material, or tech-  
22 nological support for, the importation into the  
23 United States of goods produced with forced  
24 labor from the Xinjiang Uyghur Autonomous  
25 Region.

1           (2) FORM.—The report required by paragraph  
2           (1) shall be submitted in unclassified form, but may  
3           include a classified annex.

4           (b) IMPOSITION OF SANCTIONS.—The President shall  
5           impose the following sanctions with respect to each foreign  
6           person identified in the report required by subsection  
7           (a)(1):

8           (1) ASSET BLOCKING.—The President shall ex-  
9           ercise all of the powers granted to the President  
10          under the International Emergency Economic Pow-  
11          ers Act (50 U.S.C. 1701 et seq.) to the extent nec-  
12          essary to block and prohibit all transactions in prop-  
13          erty and interests in property of the foreign person  
14          if such property and interests in property are in the  
15          United States, come within the United States, or are  
16          or come within the possession or control of a United  
17          States person.

18          (2) INELIGIBILITY FOR VISAS, ADMISSION, OR  
19          PAROLE.—

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

22                       (i) inadmissible to the United States;  
23                       (ii) ineligible to receive a visa or other  
24                       documentation to enter the United States;  
25                       and

1 (iii) otherwise ineligible to be admitted  
2 or paroled into the United States or to re-  
3 ceive any other benefit under the Immigra-  
4 tion and Nationality Act (8 U.S.C. 1101 et  
5 seq.).

6 (B) CURRENT VISAS REVOKED.—

7 (i) IN GENERAL.—An alien described  
8 in subsection (a)(1) is subject to revocation  
9 of any visa or other entry documentation  
10 regardless of when the visa or other entry  
11 documentation is or was issued.

12 (ii) IMMEDIATE EFFECT.—A revoca-  
13 tion under clause (i) shall—

14 (I) take effect immediately; and

15 (II) automatically cancel any  
16 other valid visa or entry documenta-  
17 tion that is in the alien's possession.

18 (c) IMPLEMENTATION; PENALTIES.—

19 (1) IMPLEMENTATION.—The President may ex-  
20 ercise the authorities provided to the President  
21 under sections 203 and 205 of the International  
22 Emergency Economic Powers Act (50 U.S.C. 1702  
23 and 1704) to the extent necessary to carry out this  
24 section.



1           (2) PENALTIES.—A person that violates, at-  
2           tempts to violate, conspires to violate, or causes a  
3           violation of subsection (b)(1) or any regulation, li-  
4           cense, or order issued to carry out that subsection  
5           shall be subject to the penalties set forth in sub-  
6           sections (b) and (c) of section 206 of the Inter-  
7           national Emergency Economic Powers Act (50  
8           U.S.C. 1705) to the same extent as a person that  
9           commits an unlawful act described in subsection (a)  
10          of that section.

11          (d) WAIVER.—The President may waive the applica-  
12          tion of sanctions under this section with respect to a per-  
13          son identified in the report required by subsection (a)(1)  
14          if the President determines and certifies to the appro-  
15          priate congressional committees that such a waiver is in  
16          the national interest of the United States.

17          (e) EXCEPTIONS.—

18                (1) EXCEPTION FOR INTELLIGENCE ACTIVI-  
19                TIES.—Sanctions under this section shall not apply  
20                to any activity subject to the reporting requirements  
21                under title V of the National Security Act of 1947  
22                (50 U.S.C. 3091 et seq.) or any authorized intel-  
23                ligence activities of the United States.

24                (2) EXCEPTION TO COMPLY WITH INTER-  
25                NATIONAL OBLIGATIONS AND FOR LAW ENFORCE-

1       MENT ACTIVITIES.—Sanctions under subsection  
2       (b)(2) shall not apply with respect to an alien if ad-  
3       mitting or paroling the alien into the United States  
4       is necessary—

5               (A) to permit the United States to comply  
6       with the Agreement regarding the Head-  
7       quarters of the United Nations, signed at Lake  
8       Success June 26, 1947, and entered into force  
9       November 21, 1947, between the United Na-  
10      tions and the United States, or other applicable  
11      international obligations; or

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

14       (3) EXCEPTION RELATING TO IMPORTATION OF  
15      GOODS.—

16              (A) IN GENERAL.—The authorities and re-  
17      quirements to impose sanctions authorized  
18      under this section shall not include the author-  
19      ity or a requirement to impose sanctions on the  
20      importation of goods.

21              (B) GOOD DEFINED.—In this paragraph,  
22      the term “good” means any article, natural or  
23      manmade substance, material, supply, or manu-  
24      factured product, including inspection and test  
25      equipment, and excluding technical data.

1 (f) TERMINATION OF SANCTIONS.—The President  
2 may terminate the application of sanctions under this sec-  
3 tion with respect to a person if the President determines  
4 and reports to the appropriate congressional committees  
5 not less than 15 days before the termination takes effect  
6 that—

7 (1) information exists that the person did not  
8 engage in the activity for which sanctions were im-  
9 posed;

10 (2) the person has been prosecuted appro-  
11 priately for the activity for which sanctions were im-  
12 posed;

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

19 (4) the termination of the sanctions is in the  
20 national security interests of the United States.

21 (g) TERMINATION.—This section, and any sanctions  
22 imposed under this section, shall terminate on the date  
23 that is 5 years after the date of the enactment of this  
24 Act.

1 (h) DEFINITIONS.—In this section, the terms “ad-  
2 mission”, “admitted”, and “alien” have the meanings  
3 given those terms in section 101 of the Immigration and  
4 Nationality Act (8 U.S.C. 1101).

5 **SEC. 9. DESIGNATION OF ADDITIONAL ENTITIES FOR IMPO-**  
6 **SITION OF SANCTIONS.**

7 (a) IN GENERAL.—Not later than 60 days after the  
8 date of the enactment of this Act, the President shall sub-  
9 mit to the appropriate congressional committees a report  
10 that includes the following:

11 (1) A determination with respect to whether  
12 reasonable grounds exist to issue a withhold release  
13 order pursuant to section 307 of the Tariff Act of  
14 1930 (19 U.S.C. 1307) for each of the following:

15 (A) Yili Zhou Wan Garment Manufac-  
16 turing Company.

17 (B) Zhihui Haipai Internet of Things  
18 Technology Company.

19 (C) Urumqi Shengshi Hua’er Culture  
20 Technology Limited Company.

21 (D) Litai Textiles, Huafu Fashion Com-  
22 pany.

23 (E) Esquel Group headquartered in Hong  
24 Kong.

25 (F) Cofeo Tunhe Company.

1           (2) If the President determines under para-  
2           graph (1) that reasonable grounds do not exist to  
3           issue a withhold release order with respect to an en-  
4           tity specified in that paragraph, an explanation of  
5           the reasons for that determination.

6           (b) FORM OF REPORT.—The report required by sub-  
7           section (a) shall be submitted in unclassified form, but  
8           may include a classified annex.

9   **SEC. 10. DISCLOSURES TO THE SECURITIES AND EX-**  
10                   **CHANGE COMMISSION OF CERTAIN ACTIVI-**  
11                   **TIES RELATED TO THE XINJIANG UYGHUR**  
12                   **AUTONOMOUS REGION.**

13           (a) POLICY STATEMENTS.—It is the policy of the  
14           United States—

15           (1) to protect United States investors, though  
16           stronger disclosure requirements, alerting them to  
17           the presence of Chinese and other entities complicit  
18           in gross violations of human rights in United States  
19           capital markets, including United States and foreign  
20           entities that are listed on United States exchanges  
21           and enable the mass internment and population sur-  
22           veillance of Uyghurs, Kazakhs, Kyrgyz, and other  
23           Muslim minorities in the Xinjiang Uyghur Autono-  
24           mous Region of the People’s Republic of China or

1 source products made with forced labor from that  
2 region; and

3 (2) that such complicity represents a clear, ma-  
4 terial risk to the share values and corporate reputa-  
5 tions of those entities and therefore also to prospec-  
6 tive United States investors, particularly given that  
7 the United States Government has imposed sanc-  
8 tions and export restrictions to target persons con-  
9 tributing to human rights abuses in the People’s Re-  
10 public of China.

11 (b) IN GENERAL.—Section 13 of the Securities Ex-  
12 change Act of 1934 (15 U.S.C. 78m) is amended by add-  
13 ing at the end the following new subsection:

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

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

21 “(A) knowingly engaged in an activity with  
22 an entity or the affiliate of an entity engaged  
23 in creating or providing technology or other as-  
24 sistance to create mass population surveillance  
25 systems in the Xinjiang Uyghur Autonomous

1 Region of the People’s Republic of China, in-  
2 cluding any entity operating in the Xinjiang  
3 Uyghur Autonomous Region and on the entity  
4 list maintained by the Bureau of Industry and  
5 Security and set forth in Supplement No. 4 to  
6 part 744 of title 15, Code of Federal Regula-  
7 tions;

8 “(B) knowingly engaged in an activity with  
9 an entity or the affiliate of an entity building  
10 and running detention facilities for Uyghurs,  
11 Kazakhs, Kyrgyz, and members of other Mus-  
12 lim minority groups in the Xinjiang Uyghur  
13 Autonomous Region;

14 “(C) knowingly, directly or indirectly, en-  
15 gaged with an entity or the affiliate of an entity  
16 to purchase or otherwise acquire significant  
17 types or amounts of textiles made from material  
18 produced or manufactured in the Xinjiang  
19 Uyghur Autonomous Region;

20 “(D) knowingly engaged in an activity with  
21 an entity or the affiliate of an entity described  
22 in section 5(c)(2) of the Uyghur Forced Labor  
23 Prevention Act, including—

24 “(i) any entity engaged in the ‘mutual  
25 pairing assistance’ program, which sub-

1           sidizes the establishment of manufacturing  
2           facilities in the Xinjiang Uyghur Autono-  
3           mous Region; or

4           “(ii) any entity for which U.S. Cus-  
5           toms and Border Protection has issued a  
6           withhold release order pursuant to section  
7           307 of the Tariff Act of 1930 (19 U.S.C.  
8           1307); or

9           “(E) knowingly conducted any transaction  
10          or had dealings with—

11           “(i) any person the property and in-  
12           terests in property of which were blocked  
13           by the Secretary of the Treasury for the  
14           detention or abuse of Uyghurs, Kazakhs,  
15           Kyrgyz, and other Muslim minorities in  
16           the Xinjiang Uyghur Autonomous Region;

17           “(ii) any person the property and in-  
18           terests in property of which are blocked  
19           pursuant to the Global Magnitsky Human  
20           Rights Accountability Act (subtitle F of  
21           title XII of Public Law 114–328; 22  
22           U.S.C. 2656 note); or

23           “(iii) any person responsible for, or  
24           complicit in, committing atrocities in the  
25           Xinjiang Uyghur Autonomous Region.



1           “(2) INFORMATION REQUIRED.—If an issuer or  
2           an affiliate of the issuer has engaged in any activity  
3           described in paragraph (1), the issuer shall disclose  
4           a detailed description of each such activity, includ-  
5           ing—

6                   “(A) the nature and extent of the activity;

7                   “(B) the gross revenues and net profits, if  
8                   any, attributable to the activity; and

9                   “(C) whether the issuer or the affiliate of  
10                  the issuer (as the case may be) intends to con-  
11                  tinue the activity.

12           “(3) NOTICE OF DISCLOSURES.—If an issuer  
13           reports under paragraph (1) that the issuer or an  
14           affiliate of the issuer has knowingly engaged in any  
15           activity described in that paragraph, the issuer shall  
16           separately file with the Commission, concurrently  
17           with the annual or quarterly report under subsection  
18           (a), a notice that the disclosure of that activity has  
19           been included in that annual or quarterly report that  
20           identifies the issuer and contains the information re-  
21           quired by paragraph (2).

22           “(4) PUBLIC DISCLOSURE OF INFORMATION.—  
23           Upon receiving a notice under paragraph (3) that an  
24           annual or quarterly report includes a disclosure of

1 an activity described in paragraph (1), the Commis-  
2 sion shall promptly—

3 “(A) transmit the report to—

4 “(i) the President;

5 “(ii) the Committee on Foreign Rela-  
6 tions and the Committee on Banking,  
7 Housing, and Urban Affairs of the Senate;  
8 and

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

13 “(B) make the information provided in the  
14 disclosure and the notice available to the public  
15 by posting the information on the internet  
16 website of the Commission.

17 “(5) INVESTIGATIONS.—Upon receiving a re-  
18 port under paragraph (4) that includes a disclosure  
19 of an activity described in paragraph (1), the Presi-  
20 dent shall—

21 “(A) make a determination with respect to  
22 whether—

23 “(i) any investigation is needed into  
24 the possible imposition of sanctions under  
25 the Global Magnitsky Human Rights Ac-

1                   countability Act (subtitle F of title XII of  
2                   Public Law 114–328; 22 U.S.C. 2656  
3                   note); or

4                   “(ii) any criminal investigation is war-  
5                   ranted under a provision of law intended to  
6                   hold accountable individuals or entities in-  
7                   volved in the importation of goods pro-  
8                   duced by forced labor, including under sec-  
9                   tion 1589 or 1761 of title 18, United  
10                  States Code, or section 545 of that title;  
11                  and

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

18                  “(6) SUNSET.—The provisions of this sub-  
19                  section shall terminate on the date that is 30 days  
20                  after the date on which the President makes the cer-  
21                  tification described in section 7(f) of the Uyghur  
22                  Forced Labor Prevention Act.

23                  “(7) MASS POPULATION SURVEILLANCE SYS-  
24                  TEM DEFINED.—In this section, the term ‘mass pop-  
25                  ulation surveillance system’ means installation and

1 integration of facial recognition cameras, biometric  
2 data collection, mobile phone surveillance, and artifi-  
3 cial intelligence technology with the ‘Sharp Eyes’  
4 and ‘Integrated Joint Operations Platform’ or other  
5 technologies that are used by the security forces of  
6 the People’s Republic of China for surveillance and  
7 big-data predictive policing.’’.

8 (c) EFFECTIVE DATE.—The amendment made by  
9 subsection (a) shall take effect with respect to reports re-  
10 quired to be filed with the Securities and Exchange Com-  
11 mission after the date that is 180 days after the date of  
12 the enactment of this Act.

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