

116TH CONGRESS
1ST SESSION

S. 178

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Uyghur Human Rights
3 Policy Act of 2019”.

4 **SEC. 2. STATEMENT OF PURPOSE.**

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

12 **SEC. 3. APPROPRIATE CONGRESSIONAL COMMITTEES.**

13 In this section, the term “appropriate congressional
14 committees” means—

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

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

1 **SEC. 4. FINDINGS.**

2 Congress makes the following findings:

3 (1) The Government of the People’s Republic of
4 China has a long history of repressing approximately
5 13,000,000 Turkic, moderate Sunni Muslims, par-
6 ticularly Uyghurs, in the nominally autonomous
7 Xinjiang region. These actions are in contravention
8 of international human rights standards, including
9 the Universal Declaration of Human Rights and the
10 International Covenant on Civil and Political Rights.

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”
26 campaign, in which the pretext of wide-scale, inter-

1 nationally linked threats of terrorism were used to
2 justify pervasive restrictions on, and gross human
3 rights violations against, the ethnic minority commu-
4 nities of Xinjiang.

5 (5) Those policies included—

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

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

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

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

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

22 (7)(A) The August 2016 transfer of former
23 Tibet Autonomous Region Party Secretary Chen
24 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, Malaysia, Thailand, Laos, Burma,
9 Cambodia, Vietnam, Kazakhstan, Uzbekistan,
10 Tajikistan, Pakistan, Nepal, and India.

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

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

21 (15) The Government of the People's Republic
22 of China is increasingly investing in the "Belt and
23 Road Initiative" across Xinjiang and throughout
24 Central Asia, extending its influence through organi-
25 zations such as the Shanghai Cooperation Organiza-

tion without regard to the political, religious, cultural, or linguistic rights of ethnic minorities.

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

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

(18) Between August and September 2018, Chinese authorities responded to these allegations by either flatly denying them or insisting that the facilities are “vocational training centers”.

(19) In September 2018, newly appointed United Nations High Commissioner for Human Rights Michele Bachelet noted in her first speech as High Commissioner the “deeply disturbing allegations of large-scale arbitrary detentions of Uighurs and other Muslim communities, in so-called re-education camps across Xinjiang”.

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

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

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

20 (23) In December 2018 and January 2019,
21 Chinese officials organized visits to “political reedu-
22 cation” camps in Xinjiang for a small group of for-
23 eign journalists and diplomats from 12 non-Western
24 countries. In the months preceding the visits, inter-
25 national media reported that officials worked to re-

1 move security features from some “political reeduca-
2 tion” facilities, and coached detainees and area resi-
3 dents not to make negative comments about the
4 camps. Reports also indicated that officials had
5 transferred large numbers of detainees to detention
6 facilities in other parts of China.

7 (24) Experts have described the Xinjiang region
8 as “a police state to rival North Korea, with a for-
9 malized racism on the order of South African apart-
10 heid” and the repression in the Xinjiang region as
11 a “slow motion Tiananmen”.

12 (25) On December 31, 2018, President Donald
13 J. Trump signed into law the Asia Reassurance Ini-
14 tiative Act of 2018 (Public Law 105–409), which
15 condemned China’s “forced disappearances, extra-
16 legal detentions, invasive and omnipresent surveil-
17 lance, and lack of due process in judicial pro-
18 ceedings,” authorized funding to promote democ-
19 racy, human rights, and the rule of law in China,
20 and supported sanctions designations against any
21 entity or individual that—

22 (A) violates human rights or religious free-
23 doms; or

24 (B) engages in censorship activities.

1 **SEC. 5. SENSE OF CONGRESS.**

2 It is the sense of Congress that—

3 (1) the President should condemn abuses
4 against Turkic Muslims by Chinese authorities in
5 Xinjiang and call on Chinese President Xi Jinping
6 to recognize the profound abuse and likely lasting
7 damage of China’s current policies, and immediately
8 close the “political reeducation” camps, lift all re-
9 strictions on and ensure respect for internationally
10 guaranteed human rights across the region, and
11 allow for reestablishment of contact between those
12 inside and outside China;

13 (2) the United States Government should de-
14 velop a strategy to support the United Nations High
15 Commissioner for Human Rights and numerous
16 United Nations Special Rapporteurs’ urgent calls for
17 immediate and unfettered access to Xinjiang, includ-
18 ing the “political reeducation” camps, and instruct
19 representatives of the United States at the United
20 Nations to use the voice and vote of the United
21 States to condemn the mass arbitrary detainment,
22 torture, and forced labor of Turkic Muslims in the
23 People’s Republic of China;

24 (3) the Secretary of State should consider the
25 applicability of existing authorities, including the
26 Global Magnitsky Act (subtitle F of Public Law

1 114–328), to impose targeted sanctions on members
2 of the Government of the People’s Republic of
3 China, the Chinese Communist Party, and state se-
4 curity apparatus, including Xinjiang Party Secretary
5 Chen Quanguo and other officials credibly alleged to
6 be responsible for human rights abuses in Xinjiang
7 and elsewhere;

8 (4) the Secretary of State should fully imple-
9 ment the provisions of the Frank Wolf International
10 Religious Freedom Act (Public Law 114–281) and
11 consider strategically employing sanctions and other
12 tools under the International Religious Freedom Act
13 (22 U.S.C. 6401 et seq.) and to employ measures re-
14 quired as part of the “Country of Particular Con-
15 cern” (CPC) designation for the Government of the
16 People’s Republic of China that directly address par-
17 ticularly severe violations of religious freedom;

18 (5) the Secretary of Commerce should review
19 and consider prohibiting the sale or provision of any
20 United States-made goods or services to any state
21 agent in Xinjiang, and adding the Xinjiang branch
22 of the Chinese Communist Party, the Xinjiang Pub-
23 lic Security Bureau, and the Xinjiang Office of the
24 United Front Work Department, or any entity act-
25 ing on their behalf to facilitate the mass internment

1 or forced labor of Turkic Muslims, to the “Entity
2 List” administered by the Department of Commerce;

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

11 (7) the Federal Bureau of Investigation and ap-
12 propriate United States law enforcement entities
13 should track and take steps to hold accountable offi-
14 cials from China who harass, threaten, or intimidate
15 not only United States citizens and legal permanent
16 residents, including Turkic Muslims, Uyghur-Ameri-
17 cans, and Chinese-Americans, but also Chinese na-
18 tionals legally studying or working in the United
19 States;

20 (8) the Secretary of State should work with tra-
21 ditional United States allies and partners to take
22 similar steps and coordinate closely on targeted
23 sanctions and visa restrictions;

24 (9) the Secretary of State should appoint a
25 United States Special Coordinator for Xinjiang,

1 from officers and employees of the Department of
2 State, who will coordinate diplomatic, political, pub-
3 lic diplomacy, financial assistance, sanctions,
4 counterterrorism, security resources, and congres-
5 sional reporting requirements within the United
6 States Government to respond to the gross violations
7 of universally recognized human rights occurring in
8 the Xinjiang region, including by addressing—

9 (A) the mass detentions of Uyghurs and
10 other predominantly Muslim ethnic minorities;

11 (B) the deployment of technologically ad-
12 vanced surveillance and police detection meth-
13 ods; and

14 (C) the counterterrorism and counter-radi-
15 calism claims used to justify the policies of the
16 Government of the People's Republic of China
17 in Xinjiang;

18 (10) the United States Special Coordinator for
19 Xinjiang position should continue until the mass
20 surveillance and internment of Uyghurs and other
21 predominantly Muslim ethnic minorities has ended
22 and all detainees released; and

23 (11) the full and timely implementation of sec-
24 tions 408, 409, and 410 of the Asia Reassurance
25 Initiative Act of 2018 (Public Law 115–409) is crit-

1 ical to demonstrating unwavering support by the
2 United States for the universally recognized human
3 rights of all ethnic, cultural, and religious minorities
4 in China, including Muslim minorities in Xinjiang.

5 **SEC. 6. NATIONAL SECURITY REPORT.**

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

20 (b) ANNEX.—The report required under subsection
21 (a) shall include an unclassified annex with a list of all
22 Chinese companies involved in the construction or oper-
23 ation of the “political education” camps, and the provision
24 or operation of surveillance technology or operations,
25 across Xinjiang.

1 (c) FORM OF REPORT.—The report required under
2 subsection (a) shall be submitted in an unclassified form
3 but may contain a classified annex.

4 **SEC. 7. PROTECTING CITIZENS AND RESIDENTS OF THE**
5 **UNITED STATES FROM INTIMIDATION AND**
6 **COERCION.**

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

21 (b) DATABASE OF DETAINED FAMILY MEMBERS OF
22 UNITED STATES CITIZENS AND RESIDENTS.—The Sec-
23 retary of State should explore appropriate mechanisms to
24 establish a voluntary database to which United States citi-
25 zens or permanent resident family members of the Uyghur

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

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

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

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

20 (2) describes efforts to intimidate Radio Free
21 Asia and Voice of America reporters reporting on
22 human rights issues in the People’s Republic of
23 China; and

24 (3) in consultation with the Global Engagement
25 Center at the Department of State, describes and

1 assesses disinformation and propaganda by the Gov-
2 ernment of the People’s Republic of China or other
3 members of the Shanghai Cooperation Organization
4 targeting Uyghur communities globally and efforts
5 to downplay gross violations of universally recog-
6 nized human rights occurring in the Xinjiang region
7 and any activities or programs that address these ef-
8 forts.

9 (b) STATEMENT OF POLICY.—It is the policy of the
10 United States to commend and support the journalists of
11 the Uyghur language service of Radio Free Asia for their
12 reporting on the human rights and political situation in
13 Xinjiang despite efforts to silence or intimidate their re-
14 porting through the detention of family members and rel-
15 atives by the Government of the People’s Republic of
16 China.

17 **SEC. 9. REPORT AND SEMI-ANNUAL BRIEFING.**

18 (a) IN GENERAL.—Not later than 180 days after the
19 date of the enactment of this Act, the Secretary of State,
20 after consulting relevant Federal agencies and civil society
21 organizations, shall submit to the appropriate congres-
22 sional committees and make available on the website of
23 the Department of State an interagency report that in-
24 cludes—

(1) an assessment of the number of individuals detained in political “reeducation camps” and conditions in the camps for detainees in the Xinjiang region, including whether detainees endure torture, forced renunciation of faith, or other mistreatment;

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

(3) a description, as possible, of the methods used by People’s Republic of China authorities to “reeducate” Uyghur detainees, as well as the People’s Republic of China agencies in charge of reeducation;

(4) an assessment of the number of individuals being arbitrarily detained, including in pretrial detention centers and prisons;

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

(6) a list of Chinese companies and industries benefitting from such labor, and a description of actions taken to address forced labor in Xinjiang concurrent with the People’s Republic of China’s Tier 3 designation under the 2018 Trafficking in Persons Report;

(7) an assessment of the level of access People’s Republic of China authorities grant to diplomats, journalists, and others to the Xinjiang region and a description of measures used to impede efforts to monitor human rights conditions in the Xinjiang region;

(8) an assessment of the repressive surveillance, detection, and control methods used by People’s Republic of China authorities in the Xinjiang region, and a list of individuals who hold senior leadership positions and are responsible for “high-tech” policing, mass incarceration, and reeducation efforts targeting Uyghur and other predominately Muslim ethnic minorities in the Xinjiang region;

(9) a description of United States diplomatic efforts to address the gross violations of universally recognized human rights in the Xinjiang region and to protect asylum seekers from the region, including in multilateral institutions and through bilateral relations with the People’s Republic of China, the nations of the Organization of Islamic Cooperation (OIC), and other countries; and

(10) a description, as appropriate, of diplomatic efforts by United States allies and other nations to address the gross violations of universally recognized

1 human rights in the Xinjiang region and to protect
2 asylum seekers from the region.

3 (b) BRIEFING AND SUPPLEMENTAL MATERIALS.—

4 (1) IN GENERAL.—Not later than 60 days after
5 the date of the enactment of this Act, and every 180
6 days thereafter, the Secretary of State, or the Sec-
7 retary's designee, shall provide a briefing to the ap-
8 propriate congressional committees covering the sub-
9 jects listed in subsection (a). At the time of each
10 briefing, the Department of State shall provide un-
11 classified written materials detailing the subject
12 matters covered in paragraphs (1), (2), (4), (6), and
13 (9) of such subsection.

14 (2) TERMINATION.—The briefing requirement
15 under paragraph (1) terminates 5 years after the
16 date of the enactment of this Act.

17 **SEC. 10. REPORT ON SANCTIONS WITH RESPECT TO HUMAN**
18 **RIGHTS VIOLATIONS IN THE XINJIANG RE-**
19 **GION OF THE PEOPLE'S REPUBLIC OF CHINA.**

20 (a) IN GENERAL.—Not later than 90 days after the
21 date of the enactment of this Act, the Secretary of State
22 shall, except as provided in subsection (c), submit to Con-
23 gress a report that includes a statement of whether the
24 persons described in subsection (b) meet the criteria to
25 be designated for the imposition of sanctions under section

1 1263 of the Global Magnitsky Human Rights Account-
 2 ability Act (subtitle F of title XII of Public Law 114–
 3 238; 22 U.S.C. 2656 note) because the persons—

4 (1) are responsible for extrajudicial killings, tor-
 5 ture, or other gross violations of internationally rec-
 6 ognized human rights in the Xinjiang region of the
 7 People’s Republic of China; or

8 (2) materially assisted, sponsored, or provided
 9 financial, material, or technological support for, or
 10 goods or services in support of, such violations.

11 (b) PERSONS DESCRIBED.—The persons described in
 12 this subsection are the following:

13 (1) The Party Secretary for Xinjiang region of
 14 the People’s Republic of China, Chen Quanguo.

15 (2) Senior full or alternate members of the Cen-
 16 tral Committee of the Communist Party of China
 17 whose professional responsibilities relate to the gov-
 18 ernmental administration of the Xinjiang region, or
 19 who have conducted business with government enti-
 20 ties in the Xinjiang region.

21 (c) EXCEPTION.—The Secretary shall not be required
 22 to submit a report under subsection (a) if the Secretary
 23 determines, not later than 90 days after the date of the
 24 enactment of this Act, that the Government of the Peo-
 25 ple’s Republic of China allows independent, unrestricted,

- 1 and unsupervised access to the Xinjiang region for inter-
- 2 national human rights organizations.

Passed the Senate September 11, 2019.

Attest:

Secretary.

116TH CONGRESS
1ST SESSION

S. 178

AN ACT

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