

116TH CONGRESS 2D SESSION

H.R.6210

AN ACT

Ensuring 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,

1 SECTION 1. SHORT TITLE.

- This Act may be cited as the "Uyghur Forced Labor
- 3 Prevention Act".
- 4 SEC. 2. FINDINGS.

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- 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.
 - (2) Forced labor exists within the Xinjiang Uyghur Autonomous Region's system of mass internment camps, and throughout the region, and is confirmed by the testimony of former camp detainees, satellite imagery, and official leaked documents from the Government of the People's Republic of China as part of a targeted campaign of repression of Muslim ethnic minorities.
 - (3) In addition to reports from researchers and civil society groups documenting evidence that many factories and other suppliers in the Xinjiang Uyghur Autonomous Region are exploiting forced labor, the

- Department of Commerce's Bureau of Industry and Security on July 22, 2020, added eleven entities to the entity list after determining the entities had been "implicated in human rights violations and abuses in the implementation of China's campaign of repression, mass arbitrary detention, forced labor and high-technology surveillance against Uyghurs, Kazakhs, and other members of Muslim minority groups in the Xinjiang Uyghur Autonomous Region".
 - (4) Audits and efforts to vet products and supply chains in the Xinjiang Uyghur Autonomous Region are unreliable due to the extent forced labor has been integrated into the regional economy, the mixing of involuntary labor with voluntary labor, the inability of witnesses to speak freely about working conditions given government surveillance and coercion, and the incentive of government officials to conceal government-sponsored forced labor.
 - (5) The Department of State's June 2019 Trafficking in Persons Report found that "Authorities offer subsidies incentivizing Chinese companies to open factories in close proximity to the internment camps, and local governments receive additional funds for each inmate forced to work in these sites

- 1 at a fraction of minimum wage or without any com-2 pensation.".
 - (6) U.S. Customs and Border Protection has issued eight "Withhold Release Orders" on certain garments, hair products, cotton, processed cotton, and computer parts suspected to be produced with prison or forced labor in the Xinjiang Uyghur Autonomous Region.
 - (7) In its 2019 Annual Report, the Congressional-Executive Commission on China (CECC) found that products reportedly produced with forced labor by current and former mass internment camp detainees included textiles, electronics, food products, shoes, tea, and handicrafts.
 - (8) Section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) states that it is illegal to import into the United States "goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part" by forced labor. Such merchandise is subject to exclusion or seizure and may lead to criminal investigation of the importer.
 - (9) The policies of the Government of the People's Republic of China are in contravention of international human rights instruments signed by that government, 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 (Palermo
11	Protocol), to which the People's Republic of
12	China has been a state party since February
13	2010.
13 14	2010. SEC. 3. STATEMENT OF POLICY.
14	SEC. 3. STATEMENT OF POLICY.
14 15	SEC. 3. STATEMENT OF POLICY. It is the policy of the United States—
141516	SEC. 3. STATEMENT OF POLICY. It is the policy of the United States— (1) to prohibit the import of all goods, wares,
14151617	SEC. 3. STATEMENT OF POLICY. It is the policy of the United States— (1) to prohibit the import of all goods, wares, articles, or merchandise mined, produced, or manu-
1415161718	SEC. 3. STATEMENT OF POLICY. It is the policy of the United States— (1) to prohibit the import of all goods, wares, articles, or merchandise mined, produced, or manufactured, wholly or in part, by forced labor from the
141516171819	SEC. 3. STATEMENT OF POLICY. It is the policy of the United States— (1) to prohibit the import of all goods, wares, articles, or merchandise mined, produced, or manufactured, wholly or in part, by forced labor from the People's Republic of China and particularly any such
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14 15 16 17 18 19 20 21	SEC. 3. STATEMENT OF POLICY. It is the policy of the United States— (1) to prohibit the import of all goods, wares, articles, or merchandise mined, produced, or manufactured, wholly or in part, by forced labor from the People's Republic of China and particularly any such goods, wares, articles, or merchandise produced in the Xinjiang Uyghur Autonomous Region of China;

- larly those goods mined, manufactured, or produced
 in the Xinjiang Uyghur Autonomous Region;
 - (3) to coordinate with Mexico and Canada to effectively implement Article 23.6 of the United States-Mexico-Canada Agreement to prohibit the importation of goods produced in whole or in part by forced or compulsory labor, which includes goods produced in whole or in part by forced or compulsory labor in the People's Republic of China;
 - (4) to actively work to prevent, publicly denounce, and end human trafficking as a horrific assault on human dignity and to restore the lives of those affected by human trafficking, a modern form of slavery;
 - (5) to regard the prevention of atrocities as in its national interest, including efforts to prevent torture, enforced disappearances, severe deprivation of liberty, including mass internment, arbitrary detention, and widespread and systematic use of forced labor, and persecution targeting any identifiable ethnic or religious group; and
 - (6) to address gross violations of human rights in the Xinjiang Uyghur Autonomous Region through bilateral diplomatic channels and multilateral institutions where both the United States and the Peo-

- 1 ple's Republic of China are members and with all
- 2 the authorities available to the United States Gov-
- 3 ernment, including visa and financial sanctions, ex-
- 4 port restrictions, and import controls.

5 SEC. 4. PROHIBITION ON IMPORTATION OF GOODS MADE

- 6 IN THE XINJIANG UYGHUR AUTONOMOUS RE-
- 7 GION.
- 8 (a) In General.—Except as provided in subsection
- 9 (b), all goods, wares, articles, and merchandise mined,
- 10 produced, or manufactured wholly or in part in the
- 11 Xinjiang Uyghur Autonomous Region of China, or by per-
- 12 sons working with the Xinjiang Uyghur Autonomous Re-
- 13 gion government for purposes of the "poverty alleviation"
- 14 program or the "pairing-assistance" program which sub-
- 15 sidizes the establishment of manufacturing facilities in the
- 16 Xinjiang Uyghur Autonomous Region, shall be deemed to
- 17 be goods, wares, articles, and merchandise described in
- 18 section 307 of the Tariff Act of 1930 (19 U.S.C. 1307)
- 19 and shall not be entitled to entry at any of the ports of
- 20 the United States.
- 21 (b) Exception.—The prohibition described in sub-
- 22 section (a) shall not apply if the Commissioner of U.S.
- 23 Customs and Border Protection—
- 24 (1) determines, by clear and convincing evi-
- dence, that any specific goods, wares, articles, or

- 1 merchandise described in subsection (a) were not
- 2 produced wholly or in part by convict labor, forced
- 3 labor, or indentured labor under penal sanctions;
- 4 and
- 5 (2) submits to the appropriate congressional
- 6 committees and makes available to the public a re-
- 7 port that contains such determination.
- 8 (c) Effective Date.—This section shall take effect
- 9 on the date that is 120 days after the date of the enact-
- 10 ment of this Act.
- 11 SEC. 5. ENFORCEMENT STRATEGY TO ADDRESS FORCED
- 12 LABOR IN THE XINJIANG UYGHUR AUTONO-
- 13 MOUS REGION.
- (a) In General.—Not later than 120 days after the
- 15 date of the enactment of this Act, the Forced Labor En-
- 16 forcement Task Force, established under section 741 of
- 17 the United States-Mexico-Canada Agreement Implementa-
- 18 tion Act (19 U.S.C. 4681), shall submit to the appropriate
- 19 congressional committees a report that contains an en-
- 20 forcement strategy to effectively address forced labor in
- 21 the Xinjiang Uyghur Autonomous Region of China. The
- 22 enforcement strategy shall describe the specific enforce-
- 23 ment plans of the United States Government regarding—
- 24 (1) goods, wares, articles, and merchandise de-
- scribed in section 4(a) that are imported into the

- United States directly from the Xinjiang Uyghur
 Autonomous Region;
- (2) goods, wares, articles, and merchandise de-3 4 scribed in section 4(a) that are imported into the 5 United States from the People's Republic of China 6 and are mined, produced, or manufactured in part 7 in the Xinjiang Uyghur Autonomous Region or by 8 persons working with the Xinjiang Uyghur Autono-9 mous Region government for purposes of the "pov-10 erty alleviation" program or the "pairing-assistance" 11 program; and
 - (3) goods, wares, articles, and merchandise described in section 4(a) that are imported into the United States from third countries and are mined, produced, or manufactured in part in the Xinjiang Uyghur Autonomous Region or by persons working with the Xinjiang Uyghur Autonomous Region government for purposes of the "poverty alleviation" program or the "pairing-assistance" program.
- 20 (b) Matters to Be Included.—The strategy re-21 quired by subsection (a) shall include the following:
- 22 (1) A description of the actions taken by the 23 United States Government to address forced labor in 24 the Xinjiang Uyghur Autonomous Region under sec-25 tion 307 of the Tariff Act of 1930 (19 U.S.C.

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- 1 1307), including a description of all Withhold Release Orders issued, goods detained, and fines issued.
- 4 (2) A list of products made wholly or in part 5 by forced or involuntary labor in the Xinjiang 6 Uyghur Autonomous Region and a list of businesses 7 that sold products in the United States made wholly 8 or in part by forced or involuntary labor in the 9 Xinjiang Uyghur Autonomous Region.
 - (3) A list of facilities and entities, including the Xinjiang Production and Construction Corps, that source material from the Xinjiang Uyghur Autonomous Region or by persons working with the Xinjiang Uyghur Autonomous Region government for purposes of the "poverty alleviation" program or the "pairing-assistance" program, a plan for identifying additional such facilities and entities, and facility- and entity-specific enforcement plans, including issuing specific Withhold Release Orders to support enforcement of section 4, with regard to each listed facility or entity.
 - (4) A list of high-priority sectors for enforcement, which shall include cotton and tomatoes, and a sector-specific enforcement plan for each high-priority sector.

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1	(5) A description of the additional resources
2	necessary for U.S. Customs and Border Protection
3	to effectively implement the enforcement strategy.
4	(6) A plan to coordinate and collaborate with
5	appropriate nongovernmental organizations and pri-
6	vate sector entities to discuss the enforcement strat-
7	egy for products made in the Xinjiang Uyghur Au-
8	tonomous Region.
9	(c) FORM.—The report required by subsection (a)
10	shall be submitted in unclassified form, but may include
11	a classified annex, if necessary.
12	(d) UPDATES.—The Forced Labor Enforcement
13	Task Force shall provide briefings to the appropriate con-
14	gressional committees on a quarterly basis and, as applica-
15	ble, on any updates to the strategy required by subsection
16	(a) or any additional actions taken to address forced labor
17	in the Xinjiang Uyghur Autonomous Region, including ac-
18	tions described in this Act.
19	(e) Sunset.—This section shall cease to have effect
20	on the earlier of—
21	(1) the date that is 8 years after the date of the
22	enactment of this Act; or
23	(2) the date on which the President submits to
24	the appropriate congressional committees a deter-
25	mination that the Government of the People's Re-

1	public of China has ended mass internment, forced
2	labor, and any other gross violations of human
3	rights experienced by Uyghurs, Kazakhs, Kyrgyz
4	and members of other Muslim minority groups in
5	the Xinjiang Uyghur Autonomous Region.
6	SEC. 6. DETERMINATION RELATING TO CRIMES AGAINST
7	HUMANITY OR GENOCIDE IN THE XINJIANG
8	UYGHUR AUTONOMOUS REGION.
9	(a) In General.—Not later than 90 days after the
10	date of the enactment of this Act, the Secretary of State
11	shall—
12	(1) determine if the practice of forced labor or
13	other crimes against Uyghurs, Kazakhs, Kyrgyz
14	and members of other Muslim minority groups in
15	the Xinjiang Uyghur Autonomous Region of China
16	can be considered systematic and widespread and
17	therefore constitutes crimes against humanity or
18	constitutes genocide as defined in subsection (a) of
19	section 1091 of title 18, United States Code; and
20	(2) submit to the appropriate congressional
21	committees and make available to the public a report
22	that contains such determination.
23	(b) FORM.—The report required by subsection (a)—
24	(1) shall be submitted in unclassified form but
25	may include a classified annex, if necessary: and

1	(2) may be included in the report required by
2	section 7.
3	SEC. 7. DIPLOMATIC STRATEGY TO ADDRESS FORCED
4	LABOR IN THE XINJIANG UYGHUR AUTONO-
5	MOUS REGION.
6	(a) In General.—Not later than 90 days after the
7	date of the enactment of this Act, the Secretary of State,
8	in coordination with the heads of other appropriate Fed-
9	eral departments and agencies, shall submit to the appro-
10	priate congressional committees a report that contains a
11	United States strategy to promote initiatives to enhance
12	international awareness of and to address forced labor in
13	the Xinjiang Uyghur Autonomous Region of China.
14	(b) Matters To Be Included.—The strategy re-
15	quired by subsection (a) shall include—
16	(1) a plan to enhance bilateral and multilateral
17	coordination, including sustained engagement with
18	the governments of United States partners and al-
19	lies, to end forced labor of Uyghurs, Kazakhs,
20	Kyrgyz, and members of other Muslim minority
21	groups in the Xinjiang Uyghur Autonomous Region;
22	(2) public affairs, public diplomacy, and
23	counter-messaging efforts to promote awareness of
24	the human rights situation, including forced labor in
25	the Xinjiang Uvghur Autonomous Region; and

1	(3) opportunities to coordinate and collaborate
2	with appropriate nongovernmental organizations and
3	private sector entities to raise awareness about
4	forced labor made products from the Xinjiang
5	Uyghur Autonomous Region and to provide assist-
6	ance to Uyghurs, Kazakhs, Kyrgyz, and members of
7	other Muslim minority groups, including those for-
8	merly detained in mass internment camps in the re-
9	gion.
10	(c) Additional Matters To Be Included.—The
11	report required by subsection (a) shall also include—
12	(1) to the extent practicable, a list of—
13	(A) entities in the People's Republic of
14	China or affiliates of such entities that directly
15	or indirectly use forced or involuntary labor in
16	the Xinjiang Uyghur Autonomous Region; and
17	(B) Foreign persons that acted as agents
18	of the entities or affiliates of entities described
19	in subparagraph (A) to import goods into the
20	United States; and
21	(2) a description of actions taken by the United
22	States Government to address forced labor in the
23	Xinjiang Uyghur Autonomous Region under existing
24	authorities, including—

1	(A) the Trafficking Victims Protection Act
2	of 2000 (Public Law 106–386; 22 U.S.C. 7101
3	et seq.);
4	(B) the Ellie Wiesel Genocide and Atroc-
5	ities Prevention Act of 2018 (Public Law 115–
6	441; 22 U.S.C. 2656 note); and
7	(C) the Global Magnitsky Human Rights
8	Accountability Act (22 U.S.C. 2656 note).
9	(d) FORM.—The report required by subsection (a)
10	shall be submitted in unclassified form, but may include
11	a classified annex, if necessary.
12	(e) UPDATES.—The Secretary of State shall include
13	any updates to the strategy required by subsection (a) in
14	the annual Trafficking in Persons report required by sec-
15	tion 110(b) of the Trafficking Victims Protection Act of
16	2000 (22 U.S.C. 7107(b)).
17	(f) Sunset.—This section shall cease to have effect
18	the earlier of—
19	(1) the date that is 8 years after the date of the
20	enactment of this Act; or
21	(2) the date on which the President submits to
22	the appropriate congressional committees a deter-
23	mination that the Government of the People's Re-
24	public of China has ended mass internment, forced
25	labor, and any other gross violations of human

1	rights experienced by Uyghurs, Kazakhs, Kyrgyz,
2	and members of other Muslim minority groups in
3	the Xinjiang Uyghur Autonomous Region.
4	SEC. 8. IMPOSITION OF SANCTIONS RELATING TO FORCED
5	LABOR IN THE XINJIANG UYGHUR AUTONO-
6	MOUS REGION.
7	(a) Report Required.—
8	(1) In general.—Not later than 180 days
9	after the date of the enactment of this Act, and not
10	less frequently than annually thereafter, the Presi-
11	dent shall submit to the appropriate congressional
12	committees a report that identifies each foreign per-
13	son, including any official of the Government of the
14	People's Republic of China, that the President deter-
15	mines—
16	(A) knowingly engages in, is responsible
17	for, or facilitates the forced labor of Uyghurs,
18	Kazakhs, Kyrgyz, and members of other Mus-
19	lim minority groups in the Xinjiang Uyghur
20	Autonomous Region of China; and
21	(B) knowingly engages in, contributes to,
22	assists, or provides financial, material or tech-
23	nological support for efforts to contravene
24	United States law regarding the importation of

1	forced labor goods from the Xinjiang Uyghur
2	Autonomous Region.
3	(2) FORM.—The report required under para-
4	graph (1) shall be submitted in unclassified form,
5	but may contain a classified annex.
6	(b) Imposition of Sanctions.—The President shall
7	impose the sanctions described in subsection (c) with re-
8	spect to each foreign person identified in the report re-
9	quired under subsection (a)(1).
10	(c) Sanctions Described.—The sanctions de-
11	scribed in this subsection are the following:
12	(1) Asset blocking.—The President shall ex-
13	ercise all of the powers granted to the President
14	under the International Emergency Economic Pow-
15	ers Act (50 U.S.C. 1701 et seq.) to the extent nec-
16	essary to block and prohibit all transactions in prop-
17	erty and interests in property of a foreign person
18	identified in the report required under subsection
19	(a)(1) if such property and interests in property—
20	(A) are in the United States;
21	(B) come within the United States; or
22	(C) come within the possession or control
23	of a United States person.
24	(2) Ineligibility for visas, admission, or
25	PAROLE —

1	(A) VISAS, ADMISSION, OR PAROLE.—An
2	alien described in subsection (a)(1) is—
3	(i) inadmissible to the United States;
4	(ii) ineligible to receive a visa or other
5	documentation to enter the United States;
6	and
7	(iii) otherwise ineligible to be admitted
8	or paroled into the United States or to re-
9	ceive any other benefit under the Immigra-
10	tion and Nationality Act (8 U.S.C. 1101 et
11	seq.).
12	(B) Current visas revoked.—
13	(i) IN GENERAL.—An alien described
14	in subsection (a)(1) is subject to revocation
15	of any visa or other entry documentation
16	regardless of when the visa or other entry
17	documentation is or was issued.
18	(ii) Immediate effect.—A revoca-
19	tion under clause (i) shall—
20	(I) take effect immediately; and
21	(II) automatically cancel any
22	other valid visa or entry documenta-
23	tion that is in the alien's possession.
24	(d) Implementation; Penalties.—

- 1 (1) IMPLEMENTATION.—The President may ex-2 ercise all authorities provided under sections 203 3 and 205 of the International Emergency Economic 4 Powers Act (50 U.S.C. 1702 and 1704) to carry out 5 this section.
- 6 (2) Penalties.—The penalties provided for in 7 subsections (b) and (c) of section 206 of the Inter-8 national Emergency Economic Powers Act (50 9 U.S.C. 1705) shall apply to a foreign person that 10 violates, attempts to violate, conspires to violate, or 11 causes a violation of paragraph (1) to the same ex-12 tent that such penalties apply to a person that com-13 mits an unlawful act described in subsection (a) of 14 such section 206.
- (e) WAIVER.—The President may waive the applica-16 tion of sanctions under this section with respect to a for-17 eign person identified in the report required under sub-18 section (a)(1) if the President determines and certifies to 19 the appropriate congressional committees that such a 20 waiver is in the national interest of the United States.

21 (f) Exceptions.—

22 (1) EXCEPTION FOR INTELLIGENCE ACTIVI-23 TIES.—Sanctions under this section shall not apply 24 to any activity subject to the reporting requirements 25 under title V of the National Security Act of 1947

- 1 (50 U.S.C. 3091 et seq.) or any authorized intel-2 ligence activities of the United States.
- 3 (2) EXCEPTION TO COMPLY WITH INTER4 NATIONAL OBLIGATIONS AND FOR LAW ENFORCE5 MENT ACTIVITIES.—Sanctions under subsection
 6 (c)(2) shall not apply with respect to an alien if ad7 mitting or paroling the alien into the United States
 8 is necessary—
- 9 (A) to permit the United States to comply
 10 with the Agreement regarding the Head11 quarters of the United Nations, signed at Lake
 12 Success June 26, 1947, and entered into force
 13 November 21, 1947, between the United Na14 tions and the United States, or other applicable
 15 international obligations; or
 - (B) to carry out or assist law enforcement activity in the United States.
- 18 (g) TERMINATION OF SANCTIONS.—The President
 19 may terminate the application of sanctions under this sec20 tion with respect to a foreign person if the President deter21 mines and reports to the appropriate congressional com22 mittees not less than 15 days before the termination takes
 23 effect that—

- 1 (1) information exists that the person did not 2 engage in the activity for which sanctions were im-3 posed;
- 4 (2) the person has been prosecuted appro-5 priately for the activity for which sanctions were im-6 posed;
- 7 (3) the person has credibly demonstrated a sig-8 nificant change in behavior, has paid an appropriate 9 consequence for the activity for which sanctions were 10 imposed, and has credibly committed to not engage 11 in an activity described in subsection (a)(1) in the 12 future; or
- 13 (4) the termination of the sanctions is in the 14 national security interests of the United States.
- 15 (h) SUNSET.—This section, and any sanctions im-16 posed under this section, shall terminate on the date that
- 18 (i) Definitions of Admission; Admitted;

is 5 years after the date of the enactment of this Act.

- 19 ALIEN.—In this section, the terms "admission", "admit-
- 20 ted", and "alien" have the meanings given those terms
- 21 in section 101 of the Immigration and Nationality Act (8
- 22 U.S.C. 1101).

1	SEC. 9. DISCLOSURES TO THE SECURITIES AND EXCHANGE
2	COMMISSION OF CERTAIN ACTIVITIES RE-
3	LATED TO THE XINJIANG UYGHUR AUTONO-
4	MOUS REGION.
5	(a) Policy Statement.—It is the policy of the
6	United States to protect American investors, through
7	stronger disclosure requirements, alerting them to the
8	presence of Chinese and other companies complicit in
9	gross violations of human rights in United States capital
10	markets, including American and foreign companies listed
11	on United States exchanges that enable the mass intern-
12	ment and population surveillance of Uyghurs, Kazakhs,
13	Kyrgyz, and other Muslim minorities and source products
14	made with forced labor in the Xinjiang Uyghur Autono-
15	mous Region of China. Such involvements represent clear,
16	material risks to the share values and corporate reputa-
17	tions of certain of these companies and hence to prospec-
18	tive American investors, particularly given that the United
19	States Government has employed sanctions and export re-
20	strictions to target individuals and entities contributing to
21	human rights abuses in the People's Republic of China.
22	(b) Disclosure of Certain Activities Relating
23	TO THE XINJIANG UYGHUR AUTONOMOUS REGION.—
24	(1) In general.—Section 13 of the Securities
25	Exchange Act of 1934 (15 U.S.C. 78m) is amended
26	by adding at the end the following new subsection:

1	"(s) Disclosure of Certain Activities Relat-
2	ING TO THE XINJIANG UYGHUR AUTONOMOUS REGION.—
3	"(1) IN GENERAL.—Each issuer required to file
4	an annual or quarterly report under subsection (a)
5	shall disclose in that report the information required
6	by paragraph (2) if, during the period covered by
7	the report, the issuer or any affiliate of the issuer—
8	"(A) knowingly engaged in an activity with
9	an entity or the affiliate of an entity engaged
10	in creating or providing technology or other as-
11	sistance to create mass population surveillance
12	systems in the Xinjiang Uyghur Autonomous
13	Region of China, including any entity included
14	on the Department of Commerce's 'Entity List'
15	in the Xinjiang Uyghur Autonomous Region;
16	"(B) knowingly engaged in an activity with
17	an entity or an affiliate of an entity building
18	and running detention facilities for Uyghurs,
19	Kazakhs, Kyrgyz, and other members of Mus-
20	lim minority groups in the Xinjiang Uyghur
21	Autonomous Region;
22	"(C) knowingly engaged in an activity with
23	an entity or an affiliate of an entity described
24	in section $7(c)(1)$ of the Uyghur Forced Labor
25	Prevention Act, including—

1	"(i) any entity engaged in the 'pair-
2	ing-assistance' program which subsidizes
3	the establishment of manufacturing facili-
4	ties in the Xinjiang Uyghur Autonomous
5	Region; or
6	"(ii) any entity for which the Depart-
7	ment of Homeland Security has issued a
8	'Withhold Release Order' under section
9	307 of the Tariff Act of 1930 (19 U.S.C.
10	1307); or
11	"(D) knowingly conducted any transaction
12	or had dealings with—
13	"(i) any person the property and in-
14	terests in property of which were sanc-
15	tioned by the Secretary of State for the de-
16	tention or abuse of Uyghurs, Kazakhs,
17	Kyrgyz, or other members of Muslim mi-
18	nority groups in the Xinjiang Uyghur Au-
19	tonomous Region;
20	"(ii) any person the property and in-
21	terests in property of which are sanctioned
22	pursuant to the Global Magnitsky Human
23	Rights Accountability Act (22 U.S.C. 2656
24	note); or

1	"(iii) any person or entity responsible
2	for, or complicit in, committing atrocities
3	in the Xinjiang Uyghur Autonomous Re-
4	gion.
5	"(2) Information required.—
6	"(A) IN GENERAL.—If an issuer described
7	under paragraph (1) or an affiliate of the issuer
8	has engaged in any activity described in para-
9	graph (1), the information required by this
10	paragraph is a detailed description of each such
11	activity, including—
12	"(i) the nature and extent of the ac-
13	tivity;
14	"(ii) the gross revenues and net prof-
15	its, if any, attributable to the activity; and
16	"(iii) whether the issuer or the affil-
17	iate of the issuer (as the case may be) in-
18	tends to continue the activity.
19	"(B) Exception.—The requirement to
20	disclose information under this paragraph shall
21	not include information on activities of the
22	issuer or any affiliate of the issuer activities re-
23	lating to—
24	"(i) the import of manufactured
25	goods, including electronics, food products,

1	textiles, shoes, and teas, that originated in				
2	the Xinjiang Uyghur Autonomous Region;				
3	or				
4	"(ii) manufactured goods containing				
5	materials that originated or are sourced in				
6	the Xinjiang Uyghur Autonomous Region.				
7	"(3) Notice of disclosures.—If an issuer				
8	reports under paragraph (1) that the issuer or an				
9	affiliate of the issuer has knowingly engaged in any				
10	activity described in that paragraph, the issuer shall				
11	separately file with the Commission, concurrently				
12	with the annual or quarterly report under subsection				
13	(a), a notice that the disclosure of that activity has				
14	been included in that annual or quarterly report that				
15	identifies the issuer and contains the information re-				
16	quired by paragraph (2).				
17	"(4) Public disclosure of information.—				
18	Upon receiving a notice under paragraph (3) that an				
19	annual or quarterly report includes a disclosure of				
20	an activity described in paragraph (1), the Commis-				
21	sion shall promptly—				
22	"(A) transmit the report to—				
23	"(i) the President;				
24	"(ii) the Committee on Foreign Af-				
25	fairs and the Committee on Financial				

1	Services of the House of Representatives;
2	and
3	"(iii) the Committee on Foreign Rela-
4	tions and the Committee on Banking,
5	Housing, and Urban Affairs of the Senate;
6	and
7	"(B) make the information provided in the
8	disclosure and the notice available to the public
9	by posting the information on the Internet
10	website of the Commission.
11	"(5) Investigations.—Upon receiving a re-
12	port under paragraph (4) that includes a disclosure
13	of an activity described in paragraph (1), the Presi-
14	dent shall—
15	"(A) make a determination with respect to
16	whether any investigation is needed into the
17	possible imposition of sanctions under the Glob-
18	al Magnitsky Human Rights Accountability Act
19	(22 U.S.C. 2656 note) or section 8 of the
20	Uyghur Forced Labor Prevention Act or wheth-
21	er criminal investigations are warranted under
22	statutes intended to hold accountable individ-
23	uals or entities involved in the importation of
24	goods produced by forced labor, including under

1	section 545, 1589, or 1761 of title 18, United					
2	States Code; and					
3	"(B) not later than 180 days after init					
4	ating any such investigation, make a determina					
5	tion with respect to whether a sanction should					
6	be imposed or criminal investigations initiated					
7	with respect to the issuer or the affiliate of the					
8	issuer (as the case may be).					
9	"(6) ATROCITIES DEFINED.—In this subsection					
10	the term 'atrocities' has the meaning given the term					
11	in section 6(2) of the Elie Wiesel Genocide and					
12	Atrocities Prevention Act of 2018 (Public Law 115-					
13	441; 22 U.S.C. 2656 note).".					
14	(c) Sunset.—Section 13(s) of the Securities Ex-					
15	change Act of 1934, as added by subsection (b), is re-					
16	pealed on the earlier of—					
17	(1) the date that is 8 years after the date of the					
18	enactment of this Act; or					
19	(2) the date on which the President submits to					
20	the appropriate congressional committees a deter-					
21	mination that the Government of the People's Re-					
22	public of China has ended mass internment, forced					
23	labor, and any other gross violations of human					
24	rights experienced by Uyghurs, Kazakhs, Kyrgyz,					

1 and members of other Muslim minority groups in 2 the Xinjiang Uyghur Autonomous Region. 3 (d) Effective Date.—The amendment made by subsection (b) shall take effect with respect to reports re-5 quired to be filed with the Securities and Exchange Commission after the date that is 180 days after the date of the enactment of this Act. 8 SEC. 10. DEFINITIONS. 9 In this Act: 10 (1) Appropriate congressional commit-TEES.—The term "appropriate congressional com-11 12 mittees" means— 13 (A) the Committee on Foreign Affairs, the 14 Committee on Financial Services, and the Com-15 mittee on Ways and Means of the House of 16 Representatives; and 17 (B) the Committee on Foreign Relations, 18 the Committee on Banking, Housing, and 19 Urban Affairs, and the Committee on Finance 20 of the Senate. 21 (2) Atrocities.—The term "atrocities" has 22 the meaning given the term in section 6(2) of the 23 Elie Wiesel Genocide and Atrocities Prevention Act 24 of 2018 (Public Law 115–441; 22 U.S.C. 2656 25 note).

1	(3) Crimes against humanity.—The term					
2	"crimes against humanity" includes, when com-					
3	mitted as part of a widespread or systematic attack					
4	directed against any civilian population, with knowl-					
5	edge of the attack—					
6	(A) murder;					
7	(B) deportation or forcible transfer of pop					
8	ulation;					
9	(C) torture;					
10	(D) extermination;					
11	(E) enslavement;					
12	(F) rape, sexual slavery, or any other form					
13	of sexual violence of comparable severity;					
14	(G) persecution against any identifiable					
15	group or collectivity on political, racial, na-					
16	tional, ethnic, cultural, religious, gender, or					
17	other grounds that are universally recognized as					
18	impermissible under international law; and					
19	(H) enforced disappearance of persons.					
20	(4) FORCED LABOR.—The term "forced labor"					
21	has the meaning given the term in section 307 of the					
22	Tariff Act of 1930 (19 U.S.C. 1307).					
23	(5) Foreign person.—The term "foreign per-					
24	son" means a person that is not a United States					
25	person					

- (6) Person.—The term "person" means an in-1 2 dividual or entity. 3
- (7) Mass Population Surveillance Sys-TEM.—The term "mass population surveillance sys-5 tem" means installation and integration of facial 6 recognition cameras, biometric data collection, cell 7 phone surveillance, and artificial intelligence tech-8 nology with the "Sharp Eyes" and "Integrated Joint 9 Operations Platform" or other technologies that are 10 used by Chinese security forces for surveillance and big-data predictive policing.
- PERSON.—The 12 United STATES "United States person" means— 13
 - (A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or
- 17 (B) an entity organized under the laws of 18 the United States or any jurisdiction within the 19 United States, including a foreign branch of 20 such an entity.

21 SEC. 11. DETERMINATION OF BUDGETARY EFFECTS.

22 The budgetary effects of this Act, for the purpose of 23 complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this

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- 1 Act, submitted for printing in the Congressional Record
- 2 by the Chairman of the House Budget Committee, pro-
- 3 vided that such statement has been submitted prior to the
- 4 vote on passage.

Passed the House of Representatives September 22, 2020.

Attest:

Clerk.

116TH CONGRESS H. R. 6210

AN ACT

Ensuring 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.