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H. R. 6210

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.

IN THE HOUSE OF REPRESENTATIVES

MARCH 11, 2020

Mr. MCGOVERN (for himself, Mr. SMITH of New Jersey, Mr. SUOZZI, Mr. MALINOWSKI, Mrs. HARTZLER, Mr. WILSON of South Carolina, Mr. MEADOWS, Mr. YOHO, Mr. GALLAGHER, Mr. RASKIN, Ms. TLAIB, and Ms. WEXTON) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, the Judiciary, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Uyghur Forced Labor
5 Prevention Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) In the Xinjiang Uyghur Autonomous Re-
4 gion, the Government of the People's Republic of
5 China has established a system of extrajudicial mass
6 internment camps arbitrarily detaining as many as
7 1.8 million Uyghurs, Kazakhs, Kyrgyz, and members
8 of other Muslim minority groups who have been sub-
9 jected to forced labor, torture, political indoctrina-
10 tion, and severe human rights abuses.

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

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

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

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

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

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

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

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

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

24 (A) the Universal Declaration of Human
25 Rights and the International Covenant on Civil

1 and Political Rights, which China has signed
2 but not yet ratified;

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

6 (C) the United Nations Protocol to Pre-
7 vent, Suppress and Punish Trafficking in Per-
8 sons, Especially Women and Children (Palermo
9 Protocol), to which China is a state party.

10 **SEC. 3. STATEMENT OF POLICY.**

11 It is the policy of the United States—

12 (1) to prohibit the import of all goods, wares,
13 articles, or merchandise mined, produced, or manu-
14 factured, wholly or in part, by forced labor from the
15 People's Republic of China and particularly any such
16 goods, wares, article, or merchandise produced in
17 the Xinjiang Uyghur Autonomous Region;

18 (2) to encourage the international community
19 to reduce the import of any goods made with forced
20 labor from China, particularly those goods mined,
21 manufactured, or produced in the Xinjiang Uyghur
22 Autonomous Region;

23 (3) to actively work to prevent, publicly de-
24 nounce, and end human trafficking as a horrific as-
25 sult on human dignity and to restore the lives of

1 those affected by human trafficking, a modern form
2 of slavery;

3 (4) to regard the prevention of atrocities as in
4 its national interest, including efforts to prevent tor-
5 ture, enforced disappearances, severe deprivation of
6 liberty, including mass internment, arbitrary deten-
7 tion, and widespread and systematic use of forced
8 labor, and persecution targeting any identifiable eth-
9 nic or religious group; and

10 (5) to address gross violations of human rights
11 in Xinjiang Uyghur Autonomous Region through bi-
12 lateral diplomatic channels and multilateral institu-
13 tions where both the United States and China are
14 members and with all the authorities available to the
15 United States Government, including visa and finan-
16 cial sanctions, export restrictions, and import con-
17 trols.

18 **SEC. 4. PROHIBITION ON IMPORTATION OF GOODS MADE**
19 **IN THE XINJIANG UYGHUR AUTONOMOUS RE-**
20 **GION.**

21 (a) IN GENERAL.—Except as provided in subsection
22 (b), all goods, wares, articles, and merchandise mined,
23 produced, or manufactured wholly or in part in the
24 Xinjiang Uyghur Autonomous Region of China, or by per-
25 sons working with the Xinjiang Uyghur Autonomous Re-

1 gion government for purposes of the “poverty alleviation”
2 program or the “pairing-assistance” program which sub-
3 sidizes the establishment of manufacturing facilities in the
4 Xinjiang Uyghur Autonomous Region, shall be deemed to
5 be goods, wares, articles, and merchandise described in
6 section 307 of the Tariff Act of 1930 (19 U.S.C. 1307)
7 and shall not be entitled to entry at any of the ports of
8 the United States.

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

12 (1) determines, by clear and convincing evi-
13 dence, that any specific goods, wares, articles, or
14 merchandise described in subsection (a) were not
15 produced wholly or in part by convict labor, forced
16 labor, or indentured labor under penal sanctions;
17 and

18 (2) submits to the appropriate congressional
19 committees and makes available to the public a re-
20 port that contains such determination.

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

1 **SEC. 5. DETERMINATION RELATING TO ATROCITIES IN THE**
2 **XINJIANG UYGHUR AUTONOMOUS REGION.**

3 (a) IN GENERAL.—Not later than 90 days after the
4 date of the enactment of this Act, the Secretary of State
5 shall—

6 (1) determine if forced labor being carried out
7 against Uyghurs, Kazakhs, Kyrgyz, and members of
8 other Muslim minority groups in the Xinjiang
9 Uyghur Autonomous Region of China is systematic
10 and widespread and therefore constitutes atrocities;
11 and

12 (2) submit to the appropriate congressional
13 committees and make available to the public a report
14 that contains such determination.

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

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

18 (2) may be included in the report required by
19 section 6.

20 **SEC. 6. STRATEGY TO ADDRESS FORCED LABOR IN THE**
21 **XINJIANG UYGHUR AUTONOMOUS REGION.**

22 (a) IN GENERAL.—Not later than 90 days after the
23 date of the enactment of this Act, the Secretary of State,
24 in coordination with the heads of other appropriate Fed-
25 eral departments and agencies, shall submit to the appro-
26 priate congressional committees a report that contains a

1 United States strategy to promote initiatives to enhance
2 international awareness of and to address the forced labor
3 in the Xinjiang Uyghur Autonomous Region of China.

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

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

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

19 (3) opportunities to coordinate and collaborate
20 with appropriate nongovernmental organizations and
21 private sector entities to raise awareness about
22 forced labor made products from the Xinjiang
23 Uyghur Autonomous Region and to provide assist-
24 ance to Uyghurs, Kazakhs, Kyrgyz, and members of
25 other Muslim minority groups, including those for-

1 merly detained in mass internment camps in the re-
2 gion.

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

5 (1) a list of—

6 (A) Chinese entities or affiliates of entities
7 that directly or indirectly use forced or involun-
8 tary labor in the Xinjiang Uyghur Autonomous
9 Region; and

10 (B) Chinese persons that acted as agents
11 of the entities or affiliates of entities described
12 in subparagraph (A) to import goods into the
13 United States;

14 (2) a list of products made wholly or in part by
15 forced or involuntary labor in the Xinjiang Uyghur
16 Autonomous Region;

17 (3) a list of businesses that sold products in the
18 United States made wholly or in part by forced or
19 involuntary labor in the Xinjiang Uyghur Autono-
20 mous Region; and

21 (4) 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) section 307 of the Tariff Act of 1930
5 (19 U.S.C. 1307);

6 (C) the Ellie Wiesel Genocide and Atroc-
7 ities Prevention Act of 2018 (Public Law 115–
8 441; 22 U.S.C. 2656 note); and

9 (D) the Global Magnitsky Human Rights
10 Accountability Act (22 U.S.C. 2656 note).

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

14 (e) UPDATES.—The Secretary of State shall—

15 (1) provide briefings to the appropriate congres-
16 sional committees on a quarterly basis, as applicable,
17 on any updates to the strategy required by sub-
18 section (a) or any additional actions taken to ad-
19 dress forced labor in Xinjiang Uyghur Autonomous
20 Region, including actions described in this Act; and

21 (2) include any updates to the strategy required
22 by subsection (a) in the annual Trafficking in Per-
23 sons report required by section 110(b) of the Traf-
24 ficking Victims Protection Act of 2000 (22 U.S.C.
25 7107(b)).

1 (f) SUNSET.—This section shall cease to have effect
2 on the date on which the President submits to the appro-
3 priate congressional committees a determination that the
4 Government of the People’s Republic of China has ended
5 mass internment, forced labor, and any other gross viola-
6 tions of human rights experienced by Uyghurs, Kazakhs,
7 Kyrgyz, and members of other Muslim minority groups
8 in the Xinjiang Uyghur Autonomous Region.

9 **SEC. 7. IMPOSITION OF SANCTIONS RELATING TO FORCED**
10 **LABOR IN THE XINJIANG UYGHUR AUTONO-**
11 **MOUS REGION.**

12 (a) REPORT REQUIRED.—

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

21 (A) knowingly engages in, is responsible
22 for, or facilitates the forced labor of Uyghurs,
23 Kazakhs, Kyrgyz, and members of other Mus-
24 lim minority groups in the Xinjiang Uyghur
25 Autonomous Region of China; and

1 (B) knowingly engages in, contributes to,
2 assists, or provides financial, material or tech-
3 nological support for efforts to contravene
4 United States law regarding the importation of
5 forced labor goods from the Xinjiang Uyghur
6 Autonomous Region.

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

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

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

16 (1) ASSET BLOCKING.—The President shall ex-
17 ercise all of the powers granted to the President
18 under the International Emergency Economic Pow-
19 ers Act (50 U.S.C. 1701 et seq.) to the extent nec-
20 essary to block and prohibit all transactions in prop-
21 erty and interests in property of a foreign person
22 identified in the report required under subsection
23 (a)(1) if such property and interests in property—

24 (A) are in the United States;

25 (B) come within the United States; or

1 (C) come within the possession or control
2 of a United States person.

3 (2) INELIGIBILITY FOR VISAS, ADMISSION, OR
4 PAROLE.—

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

7 (i) inadmissible to the United States;

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

10 and

11 (iii) otherwise ineligible to be admitted
12 or paroled into the United States or to re-
13 ceive any other benefit under the Immigra-
14 tion and Nationality Act (8 U.S.C. 1101 et
15 seq.).

16 (B) CURRENT VISAS REVOKED.—

17 (i) IN GENERAL.—An alien described
18 in subsection (a)(1) is subject to revocation
19 of any visa or other entry documentation
20 regardless of when the visa or other entry
21 documentation is or was issued.

22 (ii) IMMEDIATE EFFECT.—A revoca-
23 tion under clause (i) shall—

24 (I) take effect immediately; and

1 (II) automatically cancel any
2 other valid visa or entry documenta-
3 tion that is in the alien's possession.

4 (d) IMPLEMENTATION; PENALTIES.—

5 (1) IMPLEMENTATION.—The President may ex-
6 ercise all authorities provided under sections 203
7 and 205 of the International Emergency Economic
8 Powers Act (50 U.S.C. 1702 and 1704) to carry out
9 this section.

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

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

25 (f) EXCEPTIONS.—

1 (1) EXCEPTION FOR INTELLIGENCE ACTIVI-
2 TIES.—Sanctions under this section shall not apply
3 to any activity subject to the reporting requirements
4 under title V of the National Security Act of 1947
5 (50 U.S.C. 3091 et seq.) or any authorized intel-
6 ligence activities of the United States.

7 (2) EXCEPTION TO COMPLY WITH INTER-
8 NATIONAL OBLIGATIONS AND FOR LAW ENFORCE-
9 MENT ACTIVITIES.—Sanctions under subsection
10 (c)(2) shall not apply with respect to an alien if ad-
11 mitting or paroling the alien into the United States
12 is necessary—

13 (A) to permit the United States to comply
14 with the Agreement regarding the Head-
15 quarters of the United Nations, signed at Lake
16 Success June 26, 1947, and entered into force
17 November 21, 1947, between the United Na-
18 tions and the United States, or other applicable
19 international obligations; or

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

22 (3) EXCEPTION RELATING TO IMPORTATION OF
23 GOODS.—

24 (A) IN GENERAL.—The authorities and re-
25 quirements to impose sanctions authorized

1 under this section shall not include the author-
2 ity or a requirement to impose sanctions on the
3 importation of goods.

4 (B) GOOD DEFINED.—In this paragraph,
5 the term “good” means any article, natural or
6 manmade substance, material, supply, or manu-
7 factured product, including inspection and test
8 equipment, and excluding technical data.

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

15 (1) information exists that the person did not
16 engage in the activity for which sanctions were im-
17 posed;

18 (2) the person has been prosecuted appro-
19 priately for the activity for which sanctions were im-
20 posed;

21 (3) the person has credibly demonstrated a sig-
22 nificant change in behavior, has paid an appropriate
23 consequence for the activity for which sanctions were
24 imposed, and has credibly committed to not engage

1 in an activity described in subsection (a)(1) in the
2 future; or

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

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

8 (i) DEFINITIONS.—In this section:

9 (1) ADMISSION; ADMITTED; ALIEN.—The terms
10 “admission”, “admitted”, and “alien” have the
11 meanings given those terms in section 101 of the
12 Immigration and Nationality Act (8 U.S.C. 1101).

13 (2) FOREIGN PERSON.—The term “foreign per-
14 son” means a person that is not a United States
15 person.

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

18 (A) a United States citizen or an alien law-
19 fully admitted for permanent residence to the
20 United States; or

21 (B) an entity organized under the laws of
22 the United States or any jurisdiction within the
23 United States, including a foreign branch of
24 such an entity.

1 **SEC. 8. REPORT ON “WITHHOLD RELEASE ORDERS” PURSU-**
2 **ANT TO SECTION 307 OF THE TARIFF ACT OF**
3 **1930.**

4 (a) IN GENERAL.—Not later than 60 days after the
5 date of the enactment of this Act, the President shall sub-
6 mit to the appropriate congressional committees a report
7 including a determination as to whether reasonable
8 grounds exist, and an explanation of the reasons for any
9 conclusion that such grounds do not exist, to issue a
10 “Withhold Release Order” pursuant to section 307 of the
11 Tariff Act of 1930 (19 U.S.C. 1307) with respect to prod-
12 ucts of each of the following:

13 (1) Yili Zhou Wan Garment Manufacturing
14 Company.

15 (2) Zhihui Haipai Internet of Things Tech-
16 nology Company.

17 (3) Urumqi Shengshi Hua’er Culture Tech-
18 nology Limited Company.

19 (4) Litai Textiles, Huafu Fashion Company.

20 (5) Esquel Group headquartered in Hong Kong.

21 (6) Cofco Tunhe Company.

22 (b) FORM.—The report required by paragraph (1)
23 shall be submitted in unclassified form but may contain
24 a classified annex.

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, though
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 in 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 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, directly or indirectly, pur-
23 chased or otherwise acquired significant types
24 or amounts of textiles made from material pro-

1 duced or manufactured in the Xinjiang Uyghur
2 Autonomous Region;

3 “(D) knowingly engaged in an activity with
4 an entity or an affiliate of an entity described
5 in section 6(c)(1) of the Uyghur Forced Labor
6 Prevention Act, including—

7 “(i) any entity engaged in the ‘pair-
8 ing-assistance’ program which subsidizes
9 the establishment of manufacturing facili-
10 ties in the Xinjiang Uyghur Autonomous
11 Region; or

12 “(ii) any entity for which the Depart-
13 ment of Homeland Security has issued a
14 ‘Withhold Release Order’ under section
15 307 of the Tariff Act of 1930 (19 U.S.C.
16 1307); or

17 “(E) knowingly conducted any transaction
18 or had dealings with—

19 “(i) any person the property and in-
20 terests in property of which were sanc-
21 tioned by the Secretary of State for the de-
22 tention or abuse of Uyghurs, Kazakhs,
23 Kyrgyz, or other members of Muslim mi-
24 nority groups in the Xinjiang Uyghur Au-
25 tonomous Region;

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

6 “(iii) any person or entity responsible
7 for, or complicit in, committing atrocities
8 in the Xinjiang Uyghur Autonomous Re-
9 gion.

10 “(2) INFORMATION REQUIRED.—If an issuer
11 described under paragraph (1) or an affiliate of the
12 issuer has engaged in any activity described in para-
13 graph (1), the issuer required under this paragraph
14 is a detailed description of each such activity, includ-
15 ing—

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

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

19 “(C) whether the issuer or the affiliate of
20 the issuer (as the case may be) intends to con-
21 tinue the activity.

22 “(3) NOTICE OF DISCLOSURES.—If an issuer
23 reports under paragraph (1) that the issuer or an
24 affiliate of the issuer has knowingly engaged in any
25 activity described in that paragraph, the issuer shall

1 separately file with the Commission, concurrently
2 with the annual or quarterly report under subsection
3 (a), a notice that the disclosure of that activity has
4 been included in that annual or quarterly report that
5 identifies the issuer and contains the information re-
6 quired by paragraph (2).

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

12 “(A) transmit the report to—

13 “(i) the President;

14 “(ii) the Committee on Foreign Af-
15 fairs and the Committee on Financial
16 Services of the House of Representatives;
17 and

18 “(iii) the Committee on Foreign Rela-
19 tions and the Committee on Banking,
20 Housing, and Urban Affairs of the Senate;
21 and

22 “(B) make the information provided in the
23 disclosure and the notice available to the public
24 by posting the information on the Internet
25 website of the Commission.

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

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

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

23 (c) SUNSET.—On the date that is 30 days after the
24 date on which the President submits to the appropriate
25 congressional committees the determination described in

1 section 6(f), section 13(s) of the Securities Exchange Act
2 of 1934, as added by subsection (b), is repealed.

3 (d) **EFFECTIVE DATE.**—The amendment made by
4 subsection (b) shall take effect with respect to reports re-
5 quired to be filed with the Securities and Exchange Com-
6 mission after the date that is 180 days after the date of
7 the enactment of this Act.

8 **SEC. 10. DEFINITIONS.**

9 In this Act:

10 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
11 **TEES.**—The term “appropriate congressional com-
12 mittees” means—

13 (A) the Committee on Foreign Affairs and
14 the Committee on Financial Services of the
15 House of Representatives; and

16 (B) the Committee on Foreign Relations
17 and the Committee on Banking.

18 (2) **ATROCITIES.**—The term “atrocities” has
19 the meaning given the term in section 6(2) of the
20 Elie Wiesel Genocide and Atrocities Prevention Act
21 of 2018 (Public Law 115–441; 22 U.S.C. 2656
22 note).

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

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

3 (5) MASS POPULATION SURVEILLANCE SYS-
4 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
11 big-data predictive policing.

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