

Congress of the United States
Washington, DC 20510

September 28, 2021

President Joe Biden
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

Dear Mr. President:

We write as the prime Senate sponsor and lead House co-sponsor of the *Uyghur Forced Labor Prevention Act* (UFLPA) to express our concern over reports that members of your administration, including Special Presidential Envoy for Climate, John Kerry, are lobbying against the UFLPA.

According to reporting from the *Associated Press*, members of your administration are influencing Congressional consideration of the UFLPA, which passed the Senate unanimously on July 14, 2021 and is currently pending before the House of Representatives. The reporting claims that Mr. Kerry had a “forceful debate” with other administration officials over the merits of pressing Beijing on its human rights violations before his most recent trip to the People’s Republic of China (PRC). When asked in a recent interview about “tradeoffs” between human rights and climate change, Mr. Kerry responded “life is always full of tough choices.” This report follows his response before the House Foreign Affairs Committee in May, when Mr. Kerry stated he did not discuss the use of slave labor with the PRC’s climate envoy because “That’s not my lane.” These statements are simply unacceptable from a senior U.S. government official. We are all the more concerned about this statement given that Mr. Kerry purportedly plans to visit the PRC again in the next few weeks to discuss climate change with the genocidal regime in Beijing.

As you know, the Chinese Communist Party (CCP) has detained more than 1 million Uyghurs, Kazakhs, Kyrgyz, Hui, and other predominantly Muslim ethnic groups in the Xinjiang Uyghur Autonomous Region (XUAR). These groups have been arbitrarily detained in a system of extrajudicial mass internment camps where they are subjected to torture, sexual assault, forced abortions, forced sterilizations, political indoctrination, forced labor, and other crimes. The CCP’s crimes have been determined by your administration, as well as the prior administration, as constituting genocide and crimes against humanity.

The CCP is running a massive system of labor camps in Xinjiang. These facts are confirmed by the testimony of former camp detainees, satellite imagery, media reports, and leaked government documents, as reported in the *New York Times*. We are concerned that Mr. Kerry is downplaying the genocide precisely because he intends to import solar panels that are produced using forced labor in the PRC to the United States in order to meet your administration’s climate goals. This appears to be the reason Mr. Kerry seeks to desensitize

others to this immoral and unnecessary tradeoff by mischaracterizing it as simply a “tough choice.”

You have repeatedly pledged to put human rights at the center of your administration’s foreign policy. Given this, it is all the more concerning that members of your administration are apparently working against this cause by reportedly trying to delay a bipartisan bill that would hold the CCP accountable for its unspeakable crimes in the XUAR. We cannot sacrifice action on addressing genocide and crimes against humanity in exchange for Beijing’s unreliable “commitments” to address climate change. Accordingly, we request answers to the following questions:

- Is your administration committed to supporting the quick passage and enactment of the UFLPA?
- What steps are you taking to ensure that the United States does not refrain from pressing Beijing on its human rights abuses in exchange for CCP “commitments” to take action on climate change?
- What efforts are underway to engage constructively with our allies and partners, such as with members of the Quadrilateral Security Dialogue and Taiwan?
- Do you plan to hold a summit with CCP General Secretary Xi Jinping, as reported in the *Financial Times* earlier this month? If yes, what specifically do you hope to accomplish at the summit, and on what basis do you believe that the summit could substantial progress on issues of importance?
- Will you publicly raise the ongoing gross human rights abuses in the XUAR being committing by the CCP?
- Will you commit to direct Mr. Kerry to personally press the CCP on the gross human rights abuses of the CCP in every meeting with PRC counterparts?

Republicans and Democrats are united in Congress on addressing the CCP’s ongoing crimes, including genocide, in the XUAR and we urge your administration to prioritize this. History will judge us on how we respond. We hope that you will join us in standing with the oppressed.

Sincerely,



Marco Rubio
U.S. Senator



Christopher H. Smith
Member of Congress