

118TH CONGRESS
1ST SESSION

S. _____

To expand the imposition of sanctions under the Uyghur Human Rights Policy Act of 2020 with respect to human rights abuses in the Xinjiang Uyghur Autonomous Region of the People’s Republic of China and to counter the genocidal policies of the Government of the People’s Republic of China.

IN THE SENATE OF THE UNITED STATES

Mr. RUBIO (for himself and Mr. MERKLEY) introduced the following bill;
which was read twice and referred to the Committee on

A BILL

To expand the imposition of sanctions under the Uyghur Human Rights Policy Act of 2020 with respect to human rights abuses in the Xinjiang Uyghur Autonomous Region of the People’s Republic of China and to counter the genocidal policies of the Government of the People’s Republic of 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; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the
3 “Uyghur Genocide Accountability and Sanctions Act of
4 2023”.

5 (b) **TABLE OF CONTENTS.**—The table of contents for
6 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Expansion of sanctions under Uyghur Human Rights Policy Act of 2020.
- Sec. 3. Sense of Congress on application of sanctions under Uyghur Human Rights Policy Act of 2020.
- Sec. 4. Denial of United States entry for individuals complicit in forced abortions or forced sterilizations.
- Sec. 5. Physical and psychological support for Uyghurs, Kazakhs, and other ethnic groups.
- Sec. 6. Preservation of cultural and linguistic heritage of ethnic groups oppressed by the People’s Republic of China.
- Sec. 7. Determination of whether actions of certain Chinese entities meet criteria for imposition of sanctions.
- Sec. 8. Countering propaganda from the People’s Republic of China about genocide.
- Sec. 9. Documenting atrocities in the Xinjiang Uyghur Autonomous Region.
- Sec. 10. Prohibition on certain United States Government agency contracts.
- Sec. 11. Disclosures to Securities and Exchange Commission of certain activities related to Xinjiang Uyghur Autonomous Region.

7 **SEC. 2. EXPANSION OF SANCTIONS UNDER UYGHUR HUMAN**
8 **RIGHTS POLICY ACT OF 2020.**

9 (a) **IN GENERAL.**—Section 6 of the Uyghur Human
10 Rights Policy Act of 2020 (Public Law 116–145; 22
11 U.S.C. 6901 note) is amended—

12 (1) in subsection (a)—

13 (A) in paragraph (1)—

14 (i) in the matter preceding subpara-
15 graph (A), by striking “persons in
16 Xinjiang Uyghur Autonomous Region” and

1 inserting “persons residing in the Xinjiang
2 Uyghur Autonomous Region or members
3 of those groups in countries outside of the
4 People’s Republic of China”;

5 (ii) by inserting after subparagraph
6 (F) the following:

7 “(G) Systematic rape, coercive abortion,
8 forced sterilization, or involuntary contraceptive
9 implantation policies and practices.

10 “(H) Human trafficking for the purpose of
11 organ removal.

12 “(I) Forced separation of children from
13 their parents to be placed in boarding schools.

14 “(J) Forced deportation or refoulement to
15 the People’s Republic of China.”;

16 (B) by redesignating paragraph (2) as
17 paragraph (3); and

18 (C) by inserting after paragraph (1) the
19 following:

20 “(2) ADDITIONAL MATTERS TO BE IN-
21 CLUDED.—The President shall include in the report
22 required by paragraph (1) an identification of—

23 “(A) each foreign person that knowingly
24 provides significant goods, services, or tech-

1 nology to or for a person identified in the re-
2 port; and

3 “(B) each foreign person that knowingly
4 engages in a significant transaction relating to
5 any of the acts described in subparagraphs (A)
6 through (J) of paragraph (1).”;

7 (2) in subsection (b), by striking “subsection
8 (a)(1)” and inserting “subsection (a)”; and

9 (3) by amending subsection (d) to read as fol-
10 lows:

11 “(d) IMPLEMENTATION; REGULATORY AUTHOR-
12 ITY.—

13 “(1) IMPLEMENTATION.—The President may
14 exercise all authorities provided under section 203 of
15 the International Emergency Economic Powers Act
16 (50 U.S.C. 1702) to carry out this section.

17 “(2) REGULATORY AUTHORITY.—The President
18 shall issue such regulations, licenses, and orders as
19 necessary to carry out this section.”.

20 (b) EFFECTIVE DATE; APPLICABILITY.—The amend-
21 ments made by this section—

22 (1) take effect on the date of the enactment of
23 this Act; and

24 (2) apply with respect to the first report re-
25 quired by section 6(a)(1) of the Uyghur Human

1 Rights Policy Act of 2020 submitted after such date
2 of enactment.

3 **SEC. 3. SENSE OF CONGRESS ON APPLICATION OF SANC-**
4 **TIONS UNDER UYGHUR HUMAN RIGHTS POL-**
5 **ICY ACT OF 2020.**

6 (a) FINDING.—Congress finds that, as of the date of
7 the enactment of this Act—

8 (1) the report required by section 6(a)(1) of the
9 Uyghur Human Rights Policy Act of 2020 (Public
10 Law 116–145; 22 U.S.C. 6901 note) has not been
11 submitted to Congress; and

12 (2) the sanctions provided for under that Act
13 have not been employed.

14 (b) SENSE OF CONGRESS.—It is the sense of Con-
15 gress that the President should employ the sanctions pro-
16 vided for under the Uyghur Human Rights Policy Act of
17 2020—

18 (1) to address ongoing atrocities, in particular
19 the use of forced labor, in the Xinjiang Uyghur Au-
20 tonomous Region of the People’s Republic of China;
21 and

22 (2) to hold officials of the People’s Republic of
23 China accountable for those ongoing atrocities.

1 **SEC. 4. DENIAL OF UNITED STATES ENTRY FOR INDIVID-**
2 **UALS COMPLICIT IN FORCED ABORTIONS OR**
3 **FORCED STERILIZATIONS.**

4 Section 801 of the Admiral James W. Nance and
5 Meg Donovan Foreign Relations Authorization Act, Fiscal
6 Years 2000 and 2001 (Public Law 106–113; 8 U.S.C.
7 1182e) is amended—

8 (1) in subsection (a), by striking “may not”
9 each place it appears and inserting “shall not”;

10 (2) by striking subsection (c) and inserting the
11 following:

12 “(c) WAIVER.—The Secretary of State may waive the
13 prohibitions in subsection (a) with respect to a foreign na-
14 tional if the Secretary—

15 “(1) determines that—

16 “(A) the foreign national is not directly
17 complicit in atrocities, specifically the oversight
18 of programs or policies the intent of which is to
19 destroy, in whole or in part, a national, ethnic,
20 racial, or religious group through the use of
21 forced sterilization, forced abortion, or other
22 egregious population control policies;

23 “(B) admitting or paroling the foreign na-
24 tional into the United States is necessary—

25 “(i) to permit the United States to
26 comply with the Agreement regarding the

1 Headquarters of the United Nations,
2 signed at Lake Success on June 26, 1947,
3 and entered into force November 21, 1947,
4 between the United Nations and the
5 United States, or other applicable inter-
6 national obligations of the United States;
7 or

8 “(ii) to carry out or assist law en-
9 forcement activity of the United States;
10 and

11 “(C) it is important to the national secu-
12 rity interest of the United States to admit or
13 parole the foreign national into the United
14 States; and

15 “(2) provides written notification to the appro-
16 priate congressional committees containing a jus-
17 tification for the waiver.

18 “(d) NOTICE.—The Secretary of State shall make a
19 public announcement whenever the prohibitions under
20 subsection (a) are imposed under this section.

21 “(e) INFORMATION REQUESTED BY CONGRESS.—The
22 Secretary of State, upon the request of a Member of Con-
23 gress, shall provide—

24 “(1) information about the use of the prohibi-
25 tions under subsection (a), including the number of

1 times such prohibitions were imposed, disaggregated
2 by country and by year; or

3 “(2) a classified briefing that includes informa-
4 tion about the individuals subject to such prohibi-
5 tions or subject to sanctions under any other Act au-
6 thORIZING the imposition of sanctions with respect to
7 the conduct of such individuals.”.

8 **SEC. 5. PHYSICAL AND PSYCHOLOGICAL SUPPORT FOR**
9 **UYGHURS, KAZAKHS, AND OTHER ETHNIC**
10 **GROUPS.**

11 (a) AUTHORIZATION.—

12 (1) IN GENERAL.—Using funds appropriated to
13 the Department of State in annual appropriations
14 bills under the heading “DEVELOPMENT ASSIST-
15 ANCE”, the Secretary of State, in conjunction and in
16 consultation with the Administrator of the United
17 States Agency for International Development, is au-
18 thorized, subject to the requirements under chapters
19 1 and 10 of part I of the Foreign Assistance Act of
20 1961 (22 U.S.C. 2151 et seq.) and section 634A of
21 such Act (22 U.S.C. 2394–1)—

22 (A) to provide the assistance described in
23 paragraph (2) to individuals who—

1 (i) belong to the Uyghur, Kazakh,
2 Kyrgyz, or another oppressed ethnic group
3 in the People's Republic of China;

4 (ii) experienced torture, forced steri-
5 lization, rape, forced abortion, forced labor,
6 or other atrocities in the People's Republic
7 of China; and

8 (iii) are residing outside of the Peo-
9 ple's Republic of China; and

10 (B) to build local capacity for the care de-
11 scribed in subparagraph (A) through—

12 (i) grants to treatment centers and
13 programs in foreign countries in accord-
14 ance with section 130(b) of the Foreign
15 Assistance Act of 1961 (22 U.S.C.
16 2152(b)); and

17 (ii) research and training to health
18 care providers outside of such treatment
19 centers or programs in accordance with
20 section 130(c)(2) of such Act.

21 (2) AUTHORIZED ASSISTANCE.—The assistance
22 described in this paragraph is—

23 (A) medical care;

24 (B) physical therapy; and

25 (C) psychological support.

1 (b) REPORT.—Not later than 1 year after the date
2 of the enactment of this Act, the Secretary of State shall
3 submit a report to the Committee on Foreign Relations
4 of the Senate and the Committee on Foreign Affairs of
5 the House of Representatives that describes—

6 (1) the direct care or services provided in for-
7 eign countries for individuals described in subsection
8 (a)(1)(A); and

9 (2) any projects started or supported in foreign
10 countries to provide the care or services described in
11 paragraph (1).

12 (c) FEDERAL SHARE.—Not more than 50 percent of
13 the costs of providing the assistance authorized under sub-
14 section (a) may be paid by the United States Government.

15 **SEC. 6. PRESERVATION OF CULTURAL AND LINGUISTIC**
16 **HERITAGE OF ETHNIC GROUPS OPPRESSED**
17 **BY THE PEOPLE'S REPUBLIC OF CHINA.**

18 (a) FINDING.—Congress finds that the genocide per-
19 petrated by officials of the Government of the People's Re-
20 public of China in the Xinjiang Uyghur Autonomous Re-
21 gion aims to erase the distinct cultural and linguistic her-
22 itage of oppressed ethnic groups.

23 (b) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that the United States Government should use its
25 diplomatic, development, and cultural activities to promote

1 the preservation of cultural and linguistic heritages of eth-
2 nic groups in the People’s Republic of China threatened
3 by the Chinese Communist Party.

4 (c) REPORT REQUIRED.—Not later than one year
5 after the date of the enactment of this Act, the Secretary
6 of State, in consultation with the Administrator of the
7 United States Agency for International Development, shall
8 submit to the Committee on Foreign Relations of the Sen-
9 ate and the Committee on Foreign Affairs of the House
10 of Representatives a report that assesses the feasibility of
11 establishing a grant program to assist communities facing
12 threats to their cultural and linguistic heritage from offi-
13 cials of the Government of the People’s Republic of China.

14 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
15 authorized to be appropriated \$2,000,000 for each of fis-
16 cal years 2024 through 2027, to support the establishment
17 of a Repressed Cultures Preservation Initiative within the
18 Smithsonian Institution to pool Institution-wide efforts to-
19 ward research, exhibitions, and education related to the
20 cultural and linguistic heritage of ethnic and religious
21 groups the cultures of which are threatened by repressive
22 regimes, including the Chinese Communist Party.

1 **SEC. 7. DETERMINATION OF WHETHER ACTIONS OF CER-**
2 **TAIN CHINESE ENTITIES MEET CRITERIA FOR**
3 **IMPOSITION OF SANCTIONS.**

4 (a) IN GENERAL.—Not later than 60 days after the
5 date of the enactment of this Act, the Secretary of the
6 Treasury, in consultation with the Secretary of State and
7 the Attorney General, shall—

8 (1) determine whether any entity specified in
9 subsection (b)—

10 (A) is responsible for or complicit in, or
11 has directly or indirectly engaged in, serious
12 human rights abuses against Uyghurs or other
13 predominantly Muslim ethnic groups in the
14 Xinjiang Uyghur Autonomous Region of the
15 People’s Republic of China; or

16 (B) meets the criteria for the imposition of
17 sanctions under—

18 (i) the Global Magnitsky Human
19 Rights Accountability Act (22 U.S.C.
20 10101 et seq.);

21 (ii) section 6 of the Uyghur Human
22 Rights Policy Act of 2020 (Public Law
23 116–145; 22 U.S.C. 6901 note);

24 (iii) section 105, 105A, 105B, or
25 105C of the Comprehensive Iran Sanc-
26 tions, Accountability, and Divestment Act

1 of 2010 (22 U.S.C. 8514, 8514a, 8514b,
2 and 8514c);

3 (iv) Executive Order 13818 (50
4 U.S.C. 1701 note; relating to blocking the
5 property of persons involved in serious
6 human rights abuse or corruption), as
7 amended on or after the date of the enact-
8 ment of this Act; or

9 (v) Executive Order 13553 (50 U.S.C.
10 1701 note; relating to blocking property of
11 certain persons with respect to serious
12 human rights abuses by the Government of
13 Iran and taking certain other actions), as
14 amended on or after the date of the enact-
15 ment of this Act;

16 (2) if the Secretary of the Treasury determines
17 under paragraph (1) that an entity is responsible for
18 or complicit in, or has directly or indirectly engaged
19 in, serious human rights abuses described in sub-
20 paragraph (A) of that paragraph or meets the cri-
21 teria for the imposition of sanctions described in
22 subparagraph (B) of that paragraph, include the en-
23 tity on the list of specially designated nationals and
24 blocked persons maintained by the Office of Foreign
25 Assets Control; and

1 (3) submit to Congress a report on that deter-
2 mination that includes the reasons for the deter-
3 mination.

4 (b) ENTITIES SPECIFIED.—An entity specified in this
5 subsection is any of the following:

6 (1) Hangzhou Hikvision Digital Technology
7 Co., Ltd.

8 (2) Shenzhen Huada Gene Technology Co.,
9 Ltd. (BGI Group).

10 (3) Tiandy Technologies Co., Ltd.

11 (4) Zhejiang Dahua Technology Co., Ltd.

12 (5) China Electronics Technology Group Co.

13 (6) Zhejiang Uniview Technologies Co., Ltd.

14 (7) ByteDance Ltd.

15 (c) FORM OF REPORT.—The report required by sub-
16 section (a)(3) shall be submitted in unclassified form, but
17 may include a classified annex.

18 **SEC. 8. COUNTERING PROPAGANDA FROM THE PEOPLE'S**

19 **REPUBLIC OF CHINA ABOUT GENOCIDE.**

20 (a) IN GENERAL.—Not later than 30 days after the
21 date of the enactment of this Act, the Secretary of State,
22 in conjunction with the United States Agency for Global
23 Media, shall submit a strategy to the Committee on For-
24 eign Relations of the Senate and the Committee on For-
25 eign Affairs of the House of Representatives for coun-

1 tering propaganda and other messaging from news and
2 information sources associated with the Government of the
3 People’s Republic of China or entities associated with the
4 Chinese Communist Party or influenced by the Chinese
5 Communist Party or the Government of the People’s Re-
6 public of China that—

7 (1) deny the genocide, crimes against humanity,
8 and other egregious human rights abuses experi-
9 enced by Uyghurs and other predominantly Muslim
10 ethnic groups in the Xinjiang Uyghur Autonomous
11 Region;

12 (2) spread propaganda regarding the role of the
13 United States Government in imposing economic
14 and reputational costs on the Chinese Communist
15 Party or the Government of the People’s Republic of
16 China for its ongoing genocide;

17 (3) target Uyghurs and other people who pub-
18 licly oppose the Government of the People’s Republic
19 of China’s genocidal policies and forced labor prac-
20 tices, including the detention and intimidation of
21 their family members; or

22 (4) increase pressure on member countries of
23 the United Nations to deny or defend genocide or
24 other egregious violations of internationally recog-
25 nized human rights in the People’s Republic of

1 China within international organizations and multi-
2 lateral fora, including at the United Nations Human
3 Rights Council.

4 (b) STRATEGY ELEMENTS.—The strategy required
5 under subsection (a) shall include—

6 (1) existing messaging strategies and specific
7 broadcasting efforts to counter the propaganda de-
8 scribed in paragraphs (1) and (2) of subsection (a)
9 and the reach of such strategies and efforts to audi-
10 ences targeted by such propaganda;

11 (2) specific metrics used for determining the
12 success or failure of the messaging strategies and
13 broadcasting efforts described in paragraph (1) and
14 an analysis of the impact of such strategies and ef-
15 forts;

16 (3) a description of any new or pilot messaging
17 strategies and broadcasting efforts expected to be
18 implemented during the 12-month period beginning
19 on the date of the enactment of this Act and an ex-
20 planation of the need for such strategies and efforts;

21 (4) measurable goals to be completed during
22 the 12-month period beginning on the date of the
23 enactment of this Act and tangible outcomes for ex-
24 panding broadcasting efforts and countering propa-
25 ganda; and

1 (5) estimates of additional funding needed to
2 counter the propaganda described in paragraphs (1)
3 and (2) of subsection (a).

4 (c) FUNDING.—The Secretary of State is authorized
5 to use amounts made available for the Countering PRC
6 Influence Fund under section 7043(c)(2) of the Depart-
7 ment of State, Foreign Operations, and Related Programs
8 Appropriations Act, 2022 (division K of Public Law 117–
9 103) to develop and carry out the strategy required under
10 subsection (a).

11 **SEC. 9. DOCUMENTING ATROCITIES IN THE XINJIANG**
12 **UYGHUR AUTONOMOUS REGION.**

13 The Secretary of State and the Administrator of the
14 United States Agency for International Development may
15 provide assistance, including financial and technical assist-
16 ance, as necessary and appropriate, to support the efforts
17 of entities, including nongovernmental organizations with
18 expertise in international criminal investigations and law,
19 to address genocide, crimes against humanity, and their
20 constituent crimes by the Government of the People’s Re-
21 public of China by—

22 (1) collecting, documenting, and archiving evi-
23 dence, including the testimonies of victims and
24 visuals from social media, and preserving the chain
25 of custody for such evidence;

1 (2) identifying suspected perpetrators of geno-
2 cide and crimes against humanity;

3 (3) conducting criminal investigations of atroc-
4 ity crimes, including by developing indigenous inves-
5 tigative and judicial skills through partnerships, di-
6 rect mentoring, and providing the necessary equip-
7 ment and infrastructure to effectively adjudicate
8 cases for use in prosecutions in domestic courts, hy-
9 brid courts, and internationalized domestic courts;

10 (4) supporting investigations conducted by for-
11 eign countries, civil society groups, and multilateral
12 organizations, such as the United Nations; and

13 (5) supporting and protecting witnesses partici-
14 pating in such investigations.

15 **SEC. 10. PROHIBITION ON CERTAIN UNITED STATES GOV-**
16 **ERNMENT AGENCY CONTRACTS.**

17 (a) PROHIBITION.—The head of an executive agency
18 may not enter into a contract for the procurement of
19 goods or services with or for any of the following:

20 (1) Any person identified in the report required
21 by section 6(a)(1) of the Uyghur Human Rights Pol-
22 icy Act of 2020 (Public Law 116–145; 22 U.S.C.
23 6901 note).

24 (2) Any person that mined, produced, or manu-
25 factured goods, wares, articles, and merchandise de-

1 tained and denied entry into the United States by
2 U.S. Customs and Border Protection pursuant to
3 section 3 of the Act entitled “An Act to ensure that
4 goods made with forced labor in the Xinjiang Auton-
5 omous Region of the People’s Republic of China do
6 not enter the United States market, and for other
7 purposes”, approved December 23, 2021 (Public
8 Law 117–78; 22 U.S.C. 6901 note) (commonly re-
9 ferred to as the “Uyghur Forced Labor Prevention
10 Act”).

11 (3) Any person that the head of the executive
12 agency determines, with the concurrence of the Sec-
13 retary of State, facilitates the genocide and human
14 rights abuses occurring in the Xinjiang Uyghur Au-
15 tonomous Region of the People’s Republic of China.

16 (4) Any person, program, project, or activity
17 that—

18 (A) contributes to forced labor, particularly
19 through the procurement of any goods, wares,
20 articles, and merchandise mined, produced, or
21 manufactured wholly, or in part, in the
22 Xinjiang Uyghur Autonomous Region or by the
23 forced labor of ethnic Uyghurs or other per-
24 secuted individuals or groups in the People’s
25 Republic of China; or

1 (B) violates internationally recognized
2 labor rights of individuals or groups in the Peo-
3 ple’s Republic of China.

4 (b) CONSULTATIONS.—The head of each executive
5 agency shall consult with the Forced Labor Enforcement
6 Task Force, established under section 741 of the United
7 States-Mexico-Canada Agreement Implementation Act (19
8 U.S.C. 4681), with respect to the implementation of sub-
9 section (a)(2).

10 (c) REPORT REQUIRED.—Not later than 180 days
11 after the date of the enactment of this Act, the President
12 shall submit a report on the implementation of this section
13 to—

14 (1) the Committee on Finance, the Committee
15 on Foreign Relations, and the Committee on Home-
16 land Security and Governmental Affairs of the Sen-
17 ate; and

18 (2) the Committee on Ways and Means, the
19 Committee on Foreign Affairs, and the Committee
20 on Oversight and Accountability of the House of
21 Representatives.

22 (d) EXECUTIVE AGENCY DEFINED.—In this section,
23 the term “executive agency” has the meaning given the
24 term in section 133 of title 41, United States Code.

1 **SEC. 11. DISCLOSURES TO SECURITIES AND EXCHANGE**
2 **COMMISSION OF CERTAIN ACTIVITIES RE-**
3 **LATED TO XINJIANG UYGHUR AUTONOMOUS**
4 **REGION.**

5 (a) AMENDMENT OF REQUIREMENTS FOR APPLICA-
6 TIONS TO REGISTER ON NATIONAL SECURITIES EX-
7 CHANGES.—Section 12 of the Securities Exchange Act of
8 1934 (15 U.S.C. 78l) is amended by adding at the end
9 the following:

10 “(m) REPORTING OF CERTAIN ACTIVITIES RELAT-
11 ING TO THE XINJIANG UYGHUR AUTONOMOUS REGION.—

12 “(1) DEFINITION.—In this subsection, the term
13 ‘covered entity’ means any entity that is—

14 “(A) engaged in providing technology or
15 other assistance to create mass-population sur-
16 veillance systems in the Xinjiang Uyghur Au-
17 tonomous Region of the People’s Republic of
18 China;

19 “(B) an entity operating in the People’s
20 Republic of China that is on the Entity List
21 maintained by the Bureau of Industry and Se-
22 curity of the Department of Commerce and set
23 forth in Supplement No. 4 to part 744 of title
24 15, Code of Federal Regulations;

25 “(C) an individual residing in the People’s
26 Republic of China or an entity operating in the

1 People’s Republic of China that is on the list of
2 specially designated nationals and blocked per-
3 sons maintained by the Office of Foreign Assets
4 Control of the Department of the Treasury;

5 “(D) constructing or operating detention
6 facilities for Uyghurs in the Xinjiang Uyghur
7 Autonomous Region;

8 “(E) a foreign person identified in the re-
9 port submitted under section 5(c) of the Act en-
10 titled ‘An Act to ensure that goods made with
11 forced labor in the Xinjiang Autonomous Re-
12 gion of the People’s Republic of China do not
13 enter the United States market, and for other
14 purposes’, approved December 23, 2021 (Public
15 Law 117–78; 22 U.S.C. 6901 note) (commonly
16 referred to, and referred to in this subsection,
17 as the ‘Uyghur Forced Labor Prevention Act’);

18 “(F) engaged in the ‘pairing assistance’
19 program that subsidizes the establishment of
20 manufacturing facilities in the Xinjiang Uyghur
21 Autonomous Region;

22 “(G) the Xinjiang Production and Con-
23 struction Corps;

24 “(H) operating in the People’s Republic of
25 China and producing goods subject to a with-

1 hold release order issued by U.S. Customs and
2 Border Protection pursuant to section 307 of
3 the Tariff Act of 1930 (19 U.S.C. 1307);

4 “(I) on a list required by clause (i), (ii),
5 (iv), or (v) of section 2(d)(2)(B) of the Uyghur
6 Forced Labor Prevention Act;

7 “(J) any person the property and interests
8 in property of which have been blocked, pursu-
9 ant to the International Emergency Economic
10 Powers Act (50 U.S.C. 1701 et seq.) or any
11 other provision of law, for actions relating to
12 the detention or abuse of Uyghurs and other
13 predominantly Muslim ethnic groups in the
14 Xinjiang Uyghur Autonomous Region;

15 “(K) an individual residing in the People’s
16 Republic of China, or an entity operating in the
17 People’s Republic of China, the property and
18 interests in property of which have been blocked
19 pursuant to section 1263 of the Global
20 Magnitsky Human Rights Accountability Act
21 (22 U.S.C. 10102);

22 “(L) any person responsible for, or
23 complicit in, the commission of atrocities in the
24 Xinjiang Uyghur Autonomous Region; or

1 “(M) an affiliate of an entity described in
2 any of subparagraphs (A) through (L).

3 “(2) ISSUANCE OF RULES.—Not later than 180
4 days after the date of enactment of this subsection,
5 the Commission shall issue rules—

6 “(A) to require an issuer filing an applica-
7 tion to register a security with a national secu-
8 rities exchange—

9 “(i) to include in the application the
10 documentation described in paragraph (3);
11 and

12 “(ii) to file the application and docu-
13 mentation with the Commission;

14 “(B) to require an issuer to file a report
15 with the Commission containing the documenta-
16 tion described in paragraph (3) if the securities
17 of the issuer are not listed on a national securi-
18 ties exchange and merges with another issuer,
19 the securities of which are listed on such an ex-
20 change; and

21 “(C) to require an issuer filing a registra-
22 tion statement under subsection (g) to include
23 with that statement the documentation de-
24 scribed in paragraph (3).

25 “(3) DOCUMENTATION REQUIRED.—

1 “(A) SIGNIFICANT TRANSACTIONS.—With
2 respect to an issuer, the documentation de-
3 scribed in this paragraph is documentation
4 showing that neither the issuer nor any affiliate
5 of the issuer, directly or indirectly, has engaged
6 in a significant transaction with a covered enti-
7 ty.

8 “(B) TRANSPARENT DOCUMENTATION OF
9 SUPPLY CHAIN LINKS.—In issuing rules under
10 paragraph (2), in addition to the documentation
11 required under subparagraph (A), the Commis-
12 sion shall also require an issuer to which those
13 rules apply to document the name (in English
14 and in the most commonly spoken language of
15 the country in which the issuer is incorporated,
16 if other than English) and address of, and
17 sourcing quantities from, each smelter, refinery,
18 farm, or manufacturing facility (as appro-
19 priate)—

20 “(i) with which the issuer has a busi-
21 ness relationship; and

22 “(ii) that is owned or operated by—

23 “(I) a person located in the
24 Xinjiang Uyghur Autonomous Region;
25 or

1 “(II) a person working with the
2 government of the Xinjiang Uyghur
3 Autonomous Region to recruit, trans-
4 port, transfer, harbor, or receive labor
5 of Uyghurs, Kazakhs, Kyrgyz, or
6 members of other persecuted groups
7 out of the Xinjiang Uyghur Autono-
8 mous Region.

9 “(4) INDEPENDENT VERIFICATION OF DOCU-
10 MENTATION.—In issuing rules under paragraph (1),
11 the Commission shall—

12 “(A) require an issuer to obtain inde-
13 pendent verification of the documentation de-
14 scribed in paragraph (3) by a third-party audi-
15 tor approved by the Commission, before the fil-
16 ing of an application, report, or registration
17 statement containing the documentation; and

18 “(B) require that the identity of the third-
19 party auditor described in subparagraph (A) re-
20 main confidential.

21 “(5) PUBLIC AVAILABILITY OF DOCUMENTA-
22 TION.—The Commission shall make all documenta-
23 tion received under this subsection available to the
24 public.

1 “(bb) the Attorney General
2 should initiate an investigation
3 under any provision of law in-
4 tended to hold accountable indi-
5 viduals or entities involved in the
6 importation of goods produced
7 using forced labor, including sec-
8 tion 545, 1589, or 1761 of title
9 18, United States Code; and

10 “(II) not later than 180 days
11 after initiating an investigation de-
12 scribed in subclause (I), make a deter-
13 mination with respect to whether—

14 “(aa) to impose sanctions
15 under the Global Magnitsky
16 Human Rights Accountability
17 Act with respect to the issuer or
18 affiliate of the issuer (as the case
19 may be); or

20 “(bb) to refer the case to
21 the Department of Justice or an-
22 other relevant Federal agency for
23 further investigation.

24 “(7) REPORTS.—

1 “(A) ANNUAL REPORT TO CONGRESS.—

2 The Commission shall—

3 “(i) conduct an annual assessment of
4 the compliance of issuers with the require-
5 ments of this subsection; and

6 “(ii) submit to Congress a report con-
7 taining the results of each assessment con-
8 ducted under clause (i).

9 “(B) GOVERNMENT ACCOUNTABILITY OF-
10 FICE REPORT.—The Comptroller General of the
11 United States shall periodically evaluate and re-
12 port to Congress on the effectiveness of the
13 oversight by the Commission of the require-
14 ments of this subsection.

15 “(8) SUNSET.—The provisions of this sub-
16 section shall terminate on the date that is 30 days
17 after the date on which the President submits the
18 determination described in section 6(2) of the
19 Uyghur Forced Labor Prevention Act.”.

20 (b) AMENDMENTS OF PERIODICAL REPORTING RE-
21 QUIREMENTS FOR ISSUERS ON NATIONAL SECURITIES
22 EXCHANGES.—Section 13 of the Securities Exchange Act
23 of 1934 (15 U.S.C. 78m) is amended by adding at the
24 end the following:

1 “(t) DISCLOSURE OF CERTAIN ACTIVITIES RELAT-
2 ING TO XINJIANG UYGHUR AUTONOMOUS REGION OF THE
3 PEOPLE’S REPUBLIC OF CHINA.—

4 “(1) IN GENERAL.—Each issuer required to file
5 an annual or quarterly report under subsection (a)
6 shall disclose in that report the information required
7 by paragraph (2) if, during the period covered by
8 the report, the issuer or any affiliate of the issuer
9 engaged, directly or indirectly, in an activity (includ-
10 ing through a business relationship, ownership inter-
11 est, or other financial or personal interest) with a
12 covered entity, as defined in section 12(m).

13 “(2) INFORMATION REQUIRED.—If an issuer or
14 an affiliate of an issuer has engaged, directly or in-
15 directly, in any activity described in paragraph (1),
16 the issuer shall disclose a detailed description of
17 each such activity, including—

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

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

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

24 “(3) NOTICE OF DISCLOSURES.—If an issuer
25 reports under paragraph (1) that the issuer or an

1 affiliate of the issuer has engaged in any activity de-
2 scribed in that paragraph, the issuer shall separately
3 file with the Commission, concurrently with the an-
4 nual or quarterly report under subsection (a), a no-
5 tice that the disclosure of that activity has been in-
6 cluded in that annual or quarterly report that identi-
7 fies the issuer and contains the information required
8 under paragraph (2).

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

14 “(A) transmit the report to—

15 “(i) the President;

16 “(ii) the Committee on Foreign Rela-
17 tions and the Committee on Banking,
18 Housing, and Urban Affairs of the Senate;
19 and

20 “(iii) the Committee on Foreign Af-
21 fairs and the Committee on Financial
22 Services of the House of Representatives;
23 and

24 “(B) make the information provided in the
25 disclosure and the notice available to the public

1 by posting the information on the internet
2 website of the Commission.

3 “(5) INVESTIGATIONS.—Upon receiving a re-
4 port under paragraph (4) that includes a disclosure
5 of an activity described in paragraph (1) by an
6 issuer or an affiliate of the issuer, the President
7 shall—

8 “(A) make a determination with respect to
9 whether—

10 “(i) the Secretary of the Treasury
11 should initiate an investigation with re-
12 spect to the imposition of sanctions under
13 the Global Magnitsky Human Rights Ac-
14 countability Act (22 U.S.C. 10101 et seq.);
15 or

16 “(ii) the Attorney General should ini-
17 tiate an investigation under any provision
18 of law intended to hold accountable indi-
19 viduals or entities involved in the importa-
20 tion of goods produced using forced labor,
21 including section 545, 1589, or 1761 of
22 title 18, United States Code; and

23 “(B) not later than 180 days after initi-
24 ating such an investigation, make a determina-
25 tion with respect to whether—

1 “(i) to impose sanctions under the
2 Global Magnitsky Human Rights Account-
3 ability Act with respect to the issuer or af-
4 filiate of the issuer (as the case may be);
5 or

6 “(ii) to refer the case to the Depart-
7 ment of Justice or another relevant Fed-
8 eral agency for further investigation.

9 “(6) SUNSET.—The provisions of this sub-
10 section shall terminate on the date that is 30 days
11 after the date on which the President submits the
12 determination described in section 6(2) of the Act
13 entitled ‘An Act to ensure that goods made with
14 forced labor in the Xinjiang Autonomous Region of
15 the People’s Republic of China do not enter the
16 United States market, and for other purposes’, ap-
17 proved December 23, 2021 (Public Law 117–78; 22
18 U.S.C. 6901 note).”.

19 (c) EFFECTIVE DATE.—The amendments made by
20 this section shall take apply with respect to any applica-
21 tion, registration statement, or report required to be filed
22 with the Securities and Exchange Commission after the
23 date that is 180 days after the date of enactment of this
24 Act.