

1 (3) to actively work to prevent, publicly de-
2 nounce, and end human trafficking, including with
3 respect to forced labor, whether sponsored by the
4 government of a foreign country or not, and to re-
5 store the lives of those affected by human traf-
6 ficking, a modern form of slavery;

7 (4) to regard the prevention of atrocities as a
8 priority in the national interests of the United
9 States; and

10 (5) to address gross violations of human rights
11 in the Xinjiang Uyghur Autonomous Region—

12 (A) through bilateral diplomatic channels
13 and multilateral institutions in which both the
14 United States and the People’s Republic of
15 China are members; and

16 (B) using all the authorities available to
17 the United States Government, including visa
18 and financial sanctions, export restrictions, and
19 import controls.

20 **SEC. 6. STRATEGY TO ENFORCE PROHIBITION ON IMPOR-**
21 **TATION OF GOODS MADE THROUGH FORCED**
22 **LABOR IN THE XINJIANG UYGHUR AUTONO-**
23 **MOUS REGION.**

24 (a) PUBLIC COMMENT.—

1 (1) IN GENERAL.—Not later than 45 days after
2 the date of the enactment of this Act, the Secretary
3 of the Treasury and the Secretary of Homeland Se-
4 curity shall jointly, and in consultation with the
5 United States Trade Representative, the Secretary
6 of State, and the Secretary of Labor, publish in the
7 Federal Register a notice soliciting public comments
8 on how best to ensure that goods mined, produced,
9 or manufactured wholly or in part with forced labor
10 in the People’s Republic of China, including by
11 Uyghurs, Kazakhs, Kyrgyz, Tibetans, and members
12 of other persecuted groups in the People’s Republic
13 of China, and especially in the Xinjiang Uyghur Au-
14 tonomous Region, are not imported into the United
15 States.

16 (2) PERIOD FOR COMMENT.—The Secretary of
17 the Treasury and the Secretary of Homeland Secu-
18 rity shall provide the public with not less than 60
19 days to submit comments in response to the notice
20 required by paragraph (1).

21 (b) PUBLIC HEARING.—

22 (1) IN GENERAL.—Not later than 45 days after
23 the close of the period to submit comments under
24 subsection (a)(2), the Secretary of the Treasury, the
25 Secretary of Homeland Security, the Secretary of

1 Labor, the United States Trade Representative, and
2 the Secretary of State shall jointly conduct a public
3 hearing inviting witnesses to testify with respect to
4 the use of forced labor in the People's Republic of
5 China and potential measures, including the meas-
6 ures described in paragraph (2), to prevent the im-
7 portation of goods mined, produced, or manufac-
8 tured wholly or in part with forced labor in the Peo-
9 ple's Republic of China into the United States.

10 (2) MEASURES DESCRIBED.—The measures de-
11 scribed in this paragraph are—

12 (A) measures that can be taken to trace
13 the origin of goods, offer greater supply chain
14 transparency, and identify third country supply
15 chain routes for goods mined, produced, or
16 manufactured wholly or in part with forced
17 labor in the People's Republic of China; and

18 (B) other measures for ensuring that
19 goods mined, produced, or manufactured wholly
20 or in part with forced labor do not enter the
21 United States.

22 (c) DEVELOPMENT OF STRATEGY.—After receiving
23 public comments under subsection (a) and holding the
24 hearing required by subsection (b), the Secretary of the
25 Treasury and the Secretary of Homeland Security shall

1 jointly, and in consultation with the Secretary of Labor,
2 the United States Trade Representative, the Secretary of
3 State, and the Director of National Intelligence, develop
4 a strategy for preventing the importation into the United
5 States of goods mined, produced, or manufactured wholly
6 or in part with forced labor in the People's Republic of
7 China.

8 (d) ELEMENTS.—The strategy developed under sub-
9 section (c) shall include the following:

10 (1) A comprehensive assessment of the risk of
11 importing goods mined, produced, or manufactured
12 wholly or in part with forced labor in the People's
13 Republic of China, including from the Xinjiang
14 Uyghur Autonomous Region or made by Uyghurs,
15 Kazakhs, Kyrgyz, Tibetans, or members of other
16 persecuted groups in any other part of the People's
17 Republic of China, that identifies, to the extent fea-
18 sible—

19 (A) threats, including through the poten-
20 tial involvement in supply chains of entities that
21 may use forced labor, that could lead to the im-
22 portation into the United States from the Peo-
23 ple's Republic of China, including through third
24 countries, of goods mined, produced, or manu-

1 factured wholly or in part with forced labor;
2 and

3 (B) what procedures can be implemented
4 or improved to reduce such threats.

5 (2) A comprehensive description and evalua-
6 tion—

7 (A) of “pairing assistance” and “poverty
8 alleviation” or any other government labor
9 scheme that includes the forced labor of
10 Uyghurs, Kazakhs, Kyrgyz, Tibetans, or mem-
11 bers of other persecuted groups outside of the
12 Xinjiang Uyghur Autonomous Region or similar
13 programs of the People’s Republic of China in
14 which work or services are extracted from
15 Uyghurs, Kazakhs, Kyrgyz, Tibetans, or mem-
16 bers of other persecuted groups through the
17 threat of penalty or for which the Uyghurs,
18 Kazakhs, Kyrgyz, Tibetans, or members of
19 other persecuted groups have not offered them-
20 selves voluntarily; and

21 (B) that includes—

22 (i) a list of entities working with the
23 government of the Xinjiang Uyghur Auton-
24 omous Region to move forced labor or
25 Uyghurs, Kazakhs, Kyrgyz, or members of

1 other persecuted groups out of the
2 Xinjiang Uyghur Autonomous Region;

3 (ii) a list of products mined, produced,
4 or manufactured wholly or in part by enti-
5 ties on the list required by clause (i);

6 (iii) a list of entities that exported
7 products described in clause (ii) from the
8 People’s Republic of China into the United
9 States;

10 (iv) a list of facilities and entities, in-
11 cluding the Xinjiang Production and Con-
12 struction Corps, that source material from
13 the Xinjiang Uyghur Autonomous Region
14 or from persons working with the govern-
15 ment of the Xinjiang Uyghur Autonomous
16 Region or the Xinjiang Production and
17 Construction Corps for purposes of the
18 “poverty alleviation” program or the “pair-
19 ing-assistance” program or any other gov-
20 ernment labor scheme that uses forced or
21 involuntary labor;

22 (v) a plan for identifying additional
23 facilities and entities described in clause
24 (iv);

1 (vi) an enforcement plan for each
2 such entity, which may include issuing
3 withhold release orders to support enforce-
4 ment of section 5 with respect to the enti-
5 ty;

6 (vii) a list of high-priority sectors for
7 enforcement, which shall include cotton, to-
8 matoes, and polysilicon; and

9 (viii) an enforcement plan for each
10 such high-priority sector.

11 (3) Recommendations for efforts, initiatives,
12 and tools and technologies to be adopted to ensure
13 that U.S. Customs and Border Protection can accu-
14 rately identify and trace goods made in the Xinjiang
15 Uyghur Autonomous Region entering at any of the
16 ports of the United States.

17 (4) A description of how U.S. Customs and
18 Border Protection plans to enhance its use of legal
19 authorities and other tools to ensure that no goods
20 are entered at any of the ports of the United States
21 in violation of section 307 of the Tariff Act of 1930
22 (19 U.S.C. 1307), including through the initiation of
23 pilot programs to test the viability of technologies to
24 assist in the examination of such goods.

25 (5) Guidance to importers with respect to—

1 (A) due diligence, effective supply chain
2 tracing, and supply chain management meas-
3 ures to ensure that such importers do not im-
4 port any goods mined, produced, or manufac-
5 tured wholly or in part with forced labor from
6 the People's Republic of China, especially from
7 the Xinjiang Uyghur Autonomous Region;

8 (B) the type, nature, and extent of evi-
9 dence that demonstrates that goods originating
10 in the People's Republic of China were not
11 mined, produced, or manufactured wholly or in
12 part in the Xinjiang Uyghur Autonomous Re-
13 gion; and

14 (C) the type, nature, and extent of evi-
15 dence that demonstrates that goods originating
16 in the People's Republic of China, including
17 goods detained or seized pursuant to section
18 307 of the Tariff Act of 1930 (19 U.S.C.
19 1307), were not mined, produced, or manufac-
20 tured wholly or in part with forced labor.

21 (6) A plan to coordinate and collaborate with
22 appropriate nongovernmental organizations and pri-
23 vate sector entities to implement and update the
24 strategy developed under subsection (c).

25 (e) SUBMISSION OF STRATEGY.—

1 (1) IN GENERAL.—Not later than 270 days
2 after the date of the enactment of this Act, and an-
3 nually thereafter, the Secretary of Homeland Secu-
4 rity, in consultation with the Secretary of Labor, the
5 United States Trade Representative, and the Sec-
6 retary of State, shall submit to the appropriate con-
7 gressional committees a report that—

8 (A) in the case of the first such report,
9 sets forth the strategy developed under sub-
10 section (c); and

11 (B) in the case of any subsequent such re-
12 port, sets forth any updates to the strategy.

13 (2) UPDATES OF CERTAIN MATTERS.—Not less
14 frequently than annually after the submission under
15 paragraph (1)(A) of the strategy developed under
16 subsection (c), the Secretary shall submit to the ap-
17 propriate congressional committees updates to the
18 strategy with respect to the matters described in
19 clauses (i) through (vi) of subsection (d)(2)(B).

20 (3) FORM OF REPORT.—Each report required
21 by paragraph (1) shall be submitted in unclassified
22 form, but may include a classified annex, if nec-
23 essary.

1 (4) PUBLIC AVAILABILITY.—The unclassified
2 portion of each report required by paragraph (1)
3 shall be made available to the public.

4 (f) RULE OF CONSTRUCTION.—Nothing in this sec-
5 tion may be construed to limit the application of regula-
6 tions in effect on or measures taken before the date of
7 the enactment of this Act to prevent the importation of
8 goods mined, produced, or manufactured wholly or in part
9 with forced labor into the United States, including with-
10 hold release orders issued before such date of enactment.

11 **SEC. 7. REBUTTABLE PRESUMPTION THAT IMPORT PROHI-**
12 **BITION APPLIES TO GOODS MINED, PRO-**
13 **DUCED, OR MANUFACTURED IN THE**
14 **XINJIANG UYGHUR AUTONOMOUS REGION**
15 **OR BY CERTAIN ENTITIES.**

16 (a) IN GENERAL.—The Commissioner of U.S. Cus-
17 toms and Border Protection shall, except as provided by
18 subsection (b), apply a presumption that, with respect to
19 any goods, wares, articles, and merchandise mined, pro-
20 duced, or manufactured wholly or in part in the Xinjiang
21 Uyghur Autonomous Region of the People’s Republic of
22 China or produced by an entity on a list required by clause
23 (i), (iii), or (iv) of section 4(d)(2)(B)—

1 (1) the importation of such goods, wares, arti-
2 cles, and merchandise is prohibited under section
3 307 of the Tariff Act of 1930 (19 U.S.C. 1307); and

4 (2) such goods, wares, articles, and merchan-
5 dise are not entitled to entry at any of the ports of
6 the United States.

7 (b) EXCEPTIONS.—The Commissioner shall apply the
8 presumption under subsection (a) unless the Commis-
9 sioner determines that—

10 (1) the importer of record has—

11 (A) fully complied with the guidance de-
12 scribed in section 4(d)(5) and any regulations
13 issued to implement that guidance; and

14 (B) completely and substantively re-
15 sponded to all inquiries for information sub-
16 mitted by the Commissioner to ascertain wheth-
17 er the goods were mined, produced, or manufac-
18 tured wholly or in part with forced labor; and

19 (2) the good was not mined, produced, or man-
20 ufactured wholly or in part by forced labor.

21 (c) REPORT REQUIRED.—Not less frequently than
22 every 180 days, the Commissioner shall submit to the ap-
23 propriate congressional committees and make available to
24 the public a report that lists all instances in which the

1 Commissioner declined to apply the presumption under
2 subsection (a) during the preceding 180-day period.

3 (d) REGULATIONS.—The Commissioner may pre-
4 scribe regulations—

5 (1) to implement paragraphs (1) and (2) of
6 subsection (b); or

7 (2) to amend any other regulations relating to
8 withhold release orders in order to implement this
9 section.

10 (e) EFFECTIVE DATE.—This section takes effect on
11 the date that is 300 days after the date of the enactment
12 of this Act.

13 **SEC. 8. DIPLOMATIC STRATEGY TO ADDRESS FORCED**
14 **LABOR IN THE XINJIANG UYGHUR AUTONO-**
15 **MOUS REGION.**

16 (a) IN GENERAL.—Not later than 90 days after the
17 date of the enactment of this Act, the Secretary of State,
18 in coordination with the heads of other appropriate Fed-
19 eral agencies, shall submit to the appropriate congres-
20 sional committees a report that includes a United States
21 strategy to promote initiatives to enhance international
22 awareness of and to address forced labor in the Xinjiang
23 Uyghur Autonomous Region of the People’s Republic of
24 China.

1 (b) MATTERS TO BE INCLUDED.—The Secretary
2 shall include in the report required by subsection (a) the
3 following:

4 (1) A plan to enhance bilateral and multilateral
5 coordination, including sustained engagement with
6 the governments of countries that are partners and
7 allies of the United States, to end the use of
8 Uyghurs, Kazakhs, Kyrgyz, Tibetans, and members
9 of other persecuted groups in the Xinjiang Uyghur
10 Autonomous Region for forced labor.

11 (2) A description of public affairs, public diplo-
12 macy, and counter-messaging efforts to promote
13 awareness of the human rights situation, including
14 with respect to forced labor, in the Xinjiang Uyghur
15 Autonomous Region.

16 (3) A plan—

17 (A) to coordinate and collaborate with ap-
18 propriate nongovernmental organizations and
19 private sector entities to raise awareness about
20 goods mined, produced, or manufactured wholly
21 or in part with forced labor in the Xinjiang
22 Uyghur Autonomous Region; and

23 (B) to provide humanitarian assistance, in-
24 cluding with respect to resettlement and advo-
25 cacy for imprisoned family members, to

1 Uyghurs, Kazakhs, Kyrgyz, Tibetans, and
2 members of other persecuted groups, including
3 members of such groups formerly detained in
4 mass internment camps in the Xinjiang Uyghur
5 Autonomous Region.

6 (c) **ADDITIONAL MATTERS TO BE INCLUDED.**—The
7 Secretary shall include in the report required by sub-
8 section (a), based on consultations with the Secretary of
9 Commerce, the Secretary of Homeland Security, and the
10 Secretary of the Treasury, the following:

11 (1) To the extent practicable, a list of—

12 (A) entities in the People’s Republic of
13 China or affiliates of such entities that use or
14 benefit from forced labor in the Xinjiang
15 Uyghur Autonomous Region; and

16 (B) foreign persons that act as agents of
17 the entities or affiliates described in subpara-
18 graph (A) to import goods into the United
19 States.

20 (2) A plan for working with private sector enti-
21 ties seeking to conduct supply chain due diligence to
22 prevent the importation of goods mined, produced,
23 or manufactured wholly or in part with forced labor
24 into the United States.

1 (3) A description of actions taken by the United
2 States Government to address forced labor in the
3 Xinjiang Uyghur Autonomous Region under existing
4 authorities, including—

5 (A) the Trafficking Victims Protection Act
6 of 2000 (22 U.S.C. 7101 et seq.);

7 (B) the Elie Wiesel Genocide and Atroc-
8 ities Prevention Act of 2018 (Public Law 115–
9 441; 22 U.S.C. 2656 note); and

10 (C) the Global Magnitsky Human Rights
11 Accountability Act (subtitle F of title XII of
12 Public Law 114–328; 22 U.S.C. 2656 note).

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

16 **SEC. 9. IMPOSITION OF SANCTIONS RELATING TO FORCED**
17 **LABOR IN THE XINJIANG UYGHUR AUTONO-**
18 **MOUS REGION.**

19 (a) IN GENERAL.—Section 6(a)(1) of the Uyghur
20 Human Rights Policy Act of 2020 (Public Law 116–145;
21 22 U.S.C. 6901 note) is amended by adding at the end
22 the following:

23 “(F) Serious human rights abuses in con-
24 nection with forced labor.”.

1 (b) EFFECTIVE DATE; APPLICABILITY.—The amend-
2 ment made by subsection (a)—

3 (1) takes effect on the date of the enactment of
4 this Act; and

5 (2) applies with respect to the first report re-
6 quired by section 6(a)(1) of the Uyghur Human
7 Rights Policy Act of 2020 submitted after such date
8 of enactment.

9 (c) TRANSITION RULE.—

10 (1) INTERIM REPORT.—Not later than 180
11 days after the date of the enactment of this Act, the
12 President shall submit to the committees specified in
13 section 6(a)(1) of the Uyghur Human Rights Policy
14 Act of 2020 a report that identifies each foreign per-
15 son, including any official of the Government of the
16 People’s Republic of China, that the President deter-
17 mines is responsible for serious human rights abuses
18 in connection with forced labor with respect to
19 Uyghurs, Kazakhs, Kyrgyz, or members of other
20 Muslim minority groups, or other persons in the
21 Xinjiang Uyghur Autonomous Region.

22 (2) IMPOSITION OF SANCTIONS.—The President
23 shall impose sanctions under subsection (c) of sec-
24 tion 6 of the Uyghur Human Rights Policy Act of
25 2020 with respect to each foreign person identified

1 in the report required by paragraph (1), subject to
2 the provisions of subsections (d), (e), (f), and (g) of
3 that section.

4 **SEC. 10. SUNSET.**

5 Sections 6, 7, and 8 shall cease to have effect on the
6 earlier of—

7 (1) the date that is eight years after the date
8 of the enactment of this Act; or

9 (2) the date on which the President submits to
10 the appropriate congressional committees a deter-
11 mination that the Government of the People's Re-
12 public of China has ended mass internment, forced
13 labor, and any other gross violations of human
14 rights experienced by Uyghurs, Kazakhs, Kyrgyz,
15 Tibetans, and members of other persecuted groups
16 in the Xinjiang Uyghur Autonomous Region.

17 **SEC. 11. DEFINITIONS.**

18 In this Act:

19 (1) APPROPRIATE CONGRESSIONAL COMMIT-
20 TEES.—The term “appropriate congressional com-
21 mittees” means—

22 (A) the Committee on Foreign Affairs, the
23 Committee on Financial Services, the Com-
24 mittee on Ways and Means, and the Committee

1 on Homeland Security of the House of Rep-
2 resentatives; and

3 (B) the Committee on Foreign Relations,
4 the Committee on Banking, Housing, and
5 Urban Affairs, the Committee on Finance, and
6 the Committee on Homeland Security and Gov-
7 ernmental Affairs of the Senate.

8 (2) FORCED LABOR.—The term “forced
9 labor”—

10 (A) has the meaning given that term in
11 section 307 of the Tariff Act of 1930 (19
12 U.S.C. 1307); and

13 (B) includes convict labor and indentured
14 labor under penal sanctions.

15 (3) FOREIGN PERSON.—The term “foreign per-
16 son” means a person that is not a United States
17 person.

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

20 (5) UNITED STATES PERSON.—The term
21 “United States person” means—

22 (A) a United States citizen or an alien law-
23 fully admitted for permanent residence to the
24 United States; or

1 (B) an entity organized under the laws of
2 the United States or any jurisdiction within the
3 United States, including a foreign branch of
4 such an entity.

