

116TH CONGRESS
2D SESSION

H. R. 6270

IN THE SENATE OF THE UNITED STATES

OCTOBER 1, 2020

Received; read twice and referred to the Committee on Banking, Housing, and
Urban Affairs

AN ACT

To amend the Securities Exchange Act of 1934 to require issuers to make certain disclosures relating to the Xinjiang Uyghur Autonomous Region, 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.**

2 This Act may be cited as the “Uyghur Forced Labor
3 Disclosure Act of 2020”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) Since early 2017, the Government of the
7 People’s Republic of China has conducted a policy of
8 disappearance, mass internment, and imprisonment
9 of Turkic Muslims, particularly Uyghurs, in China’s
10 Xinjiang Uyghur Autonomous Region (XUAR).

11 (2) Since 2014, Chinese authorities have de-
12 tained between 800,000 and possibly up to three
13 million Uyghurs, ethnic Kazakhs, Kyrgyz, and other
14 ethnic minorities in forced education, training, and
15 labor camps.

16 (3) The bi-partisan, bi-cameral Congressional-
17 Executive Commission on China’s 2019 Annual Re-
18 port found numerous reports of forced labor associ-
19 ated with government repression of ethnic minority
20 groups in the XUAR. Detainees performed forced
21 labor in factories both within and outside of intern-
22 ment camps in XUAR.

23 (4) Radio Free Asia reported in January 2019
24 that authorities had also sent Uyghurs and Kazakhs
25 from the XUAR to other provinces in China for
26 forced labor.

1 (5) Comments in March 2018 from the presi-
2 dent of the China National Textile and Apparel
3 Council suggested that textile manufacturers were
4 working with XUAR authorities to exploit forced
5 labor.

6 (6) Companies that work in the XUAR are at
7 great risk of complicity in the human rights abuses
8 being committed in the region.

9 (7) In a March 2020 report, the Australian
10 Strategic Policy Institute identified 27 factories in
11 nine Chinese provinces that are using Uyghur labor
12 transferred from Xinjiang. These factories indirectly
13 supply global brands, including many American mul-
14 tinationaI companies.

15 (8) Forced labor in XUAR is Chinese govern-
16 ment policy and due diligence efforts to ensure clean
17 supply chains is nearly impossible due to mass sur-
18 veillance, pervasive police presence, and intimidation
19 of workers.

20 **SEC. 3. DISCLOSURE OF CERTAIN ACTIVITIES RELATING TO**
21 **THE XINJIANG UYGHUR AUTONOMOUS RE-**
22 **GION.**

23 Section 13 of the Securities Exchange Act of 1934
24 (15 U.S.C. 78m) is amended by adding at the end the
25 following:

1 “(s) DISCLOSURE OF CERTAIN ACTIVITIES RELAT-
2 ING TO THE XINJIANG UYGHUR AUTONOMOUS REGION.—

3 “(1) IN GENERAL.—Not later than the end of
4 the 180-day period beginning on the date of enact-
5 ment of this subsection, the Commission shall issue
6 rules to require each issuer required to file an an-
7 nual report under this section or section 15(d) or a
8 proxy statement under section 14 to disclose in each
9 such report or proxy statement whether, during the
10 period covered by the report or proxy statement—

11 “(A) the issuer or any affiliate of the
12 issuer, directly or indirectly, engaged with an
13 entity or the affiliate of an entity to import—

14 “(i) manufactured goods, including
15 electronics, food products, textiles, shoes,
16 and teas, that originated in the XUAR; or

17 “(ii) manufactured goods containing
18 materials that originated or are sourced in
19 the XUAR;

20 “(B) with respect to any goods or mate-
21 rials described under subparagraph (A), wheth-
22 er the goods or material originated in forced
23 labor camps; and

1 “(C) with respect to each manufactured
2 good or material described under subparagraph
3 (A)—

4 “(i) the nature and extent of the com-
5 mercial activity related to such good or
6 material;

7 “(ii) the gross revenue and net prof-
8 its, if any, attributable to the good or ma-
9 terial; and

10 “(iii) whether the issuer or the affil-
11 iate of the issuer intends to continue with
12 such importation.

13 “(2) AVAILABILITY OF INFORMATION.—The
14 Commission shall make all information disclosed
15 pursuant to this subsection available to the public on
16 the website of the Commission.

17 “(3) REPORTS.—

18 “(A) ANNUAL REPORT TO CONGRESS.—

19 The Commission shall—

20 “(i) conduct an annual assessment of
21 the compliance of issuers with the require-
22 ments of this subsection; and

23 “(ii) issue a report to Congress con-
24 taining the results of the assessment re-
25 quired under clause (i).

1 “(B) GAO REPORT.—The Comptroller
2 General of the United States shall periodically
3 evaluate and report to Congress on the effec-
4 tiveness of the oversight by the Commission of
5 the disclosure requirements under this sub-
6 section.

7 “(4) DEFINITIONS.—In this subsection:

8 “(A) FORCED LABOR CAMP.—The term
9 ‘forced labor camp’ means—

10 “(i) any entity engaged in the ‘mutual
11 pairing assistance’ program which sub-
12 sidizes the establishment of manufacturing
13 facilities in XUAR;

14 “(ii) any entity using convict labor,
15 forced labor, or indentured labor described
16 under section 307 of the Tariff Act of
17 1930 (19 U.S.C. 1307); and

18 “(iii) any other entity that the Com-
19 mission determines is appropriate.

1 “(B) XUAR.—The term ‘XUAR’ means
2 the Xinjiang Uyghur Autonomous Region.”.

Passed the House of Representatives September 30,
2020.

Attest: CHERYL L. JOHNSON,
Clerk.