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Referred to the Committee on Foreign Affairs, and in addition to the Committees on Intelligence (Permanent Select), and the Judiciary, 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

AN ACT

To condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Uyghur Human Rights Policy Act of 2019''.

SEC. 2. STATEMENT OF PURPOSE.

The purpose of this Act is to direct United States resources to address gross violations of universally recognized human rights, including the mass internment of over 1,000,000 Uyghurs and other predominately Muslim ethnic minorities in China and the intimidation and threats faced by United States citizens and legal permanent residents.

SEC. 3. APPROPRIATE CONGRESSIONAL COMMITTEES.

In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations, the Committee on Armed Services, the Select Committee on Intelligence, the Committee on Banking, Housing, and Urban Affairs, the Committee on the Judiciary, and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, the Permanent Select Committee on Intelligence, the Committee on Financial Services, the Committee on the Judiciary, and the Committee on Appropriations of the House of Representatives.

SEC. 4. FINDINGS.

Congress makes the following findings:

(1) The Government of the People's Republic of China has a long history of repressing approximately 13,000,000 Turkic, moderate Sunni Muslims, particularly Uyghurs, in the nominally autonomous Xinjiang region. These actions are in contravention of international human rights standards, including the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

(2) In recent decades, central and regional Chinese government policies have systematically discriminated against Uyghurs, ethnic Kazakhs, and other Muslims in Xinjiang by denying them a range of civil and political rights, including the freedoms of expression, religion, movement, and a fair trial, among others.

(3) Increased unrest in the Xinjiang region as a result of the central government's severe repression is used in Orwellian fashion by the Government of the People's Republic of China as evidence of ''terrorism'' and ''separatism'' and as an excuse for further disproportionate response.

(4) In 2014, Chinese authorities launched their latest ''Strike Hard against Violent Extremism'' campaign, in which the pretext of wide-scale, inter-

nationally linked threats of terrorism were used to justify pervasive restrictions on, and gross human rights violations against, the ethnic minority communities of Xinjiang.

(5) Those policies included—

(A) pervasive, high-tech surveillance across the region, including the arbitrary collection of biodata, such as DNA samples from children, without their knowledge or consent;

(B) the use of QR codes outside homes to gather information on how frequently individuals pray;

(C) facial and voice recognition software and ''predictive policing'' databases; and

(D) severe restrictions on the freedom of movement across the region.

(6) Chinese security forces have never been held accountable for credible reports of mass shootings in Alaqagha (2014), Hanerik (2013), and Siriqbuya (2013), as well as the extrajudicial killings of Abdulbasit Ablimit (2013) and Rozi Osman (2014).

(7)(A) The August 2016 transfer of former Tibet Autonomous Region Party Secretary Chen Quanguo to become the Xinjiang Party Secretary

prompted an acceleration in the crackdown across the region.

(B) Local officials in Xinjiang have used chilling political rhetoric to describe the purpose of government policy, including ''eradicating tumors'' and ''spray[ing] chemicals'' on crops to kill the ''weeds''.

(C) Uyghurs are forced to celebrate Chinese cultural traditions, such as Chinese New Year, and unique Uyghur culture is facing eradication due to state control over Uyghur cultural heritage, such as muqam (a musical tradition) and meshrep (traditional cultural gatherings), and due to elimination of the Uyghur language as a medium of instruction in Xinjiang schools and universities.

(8) In 2017, credible reports found that family members of Uyghurs living outside of China had gone missing inside China, that Chinese authorities were pressuring those outside the country to return, and that individuals were being arbitrarily detained in large numbers.

(9) There is ample credible evidence provided by scholars, human rights organizations, journalists, and think tanks substantiating the establishment by Chinese authorities of ''political reeducation'' camps.

(10) Independent organizations conducted interviews, including testimonies from Kayrat Samarkan, Omir Bekali, and Mihrigul Tursun, along with others who had been detained in such facilities, who described forced political indoctrination, torture, beatings, food deprivation, and solitary confinement, as well as uncertainty as to the length of detention, humiliation, and denial of religious, cultural, and linguistic freedoms, and confirmed that they were told by guards that the only way to secure release was to demonstrate sufficient political loyalty. Poor conditions and lack of medical treatment at such facilities appear to have contributed to the deaths of some detainees, including the elderly and infirm. Uyghurs Muhammed Salih Hajim (2018), Yaqupjan Naman (2018), Abdughappar Abdujappar (2018), Ayhan Memet (2018), Abdulreshit Seley Hajim (2018), Nurimangul Memet (2018), Adalet Teyip (2018), Abdulehed Mehsum (2017), Hesen Imin (2017), and Sawut Raxman (2017) reportedly died while in the custody of the Chinese authorities in ''political reeducation'' camps, without proper investigation of the circumstances.

(11) Uyghurs and Kazakhs, who have now obtained permanent residence or citizenship in other

countries, attest to receiving threats and harassment from Chinese officials.

(12) Under pressure from the Government of the People's Republic of China, countries have forcibly returned Uyghurs to China in violation of the non-refoulement principle and their well-founded fear of persecution. States returning Uyghurs include Egypt, Malaysia, Thailand, Laos, Burma, Cambodia, Vietnam, Kazakhstan, Uzbekistan, Tajikistan, Pakistan, Nepal, and India.

(13) Six journalists for Radio Free Asia's Uyghur service have publicly detailed abuses their family members in Xinjiang have endured in response to their work exposing abusive policies across the region.

(14) Several United States-based companies are conducting business with Xinjiang authorities without sufficient due diligence or safeguards to ensure their business operations do not create or contribute to human rights violations.

(15) The Government of the People's Republic of China is increasingly investing in the ''Belt and Road Initiative'' across Xinjiang and throughout Central Asia, extending its influence through organizations such as the Shanghai Cooperation Organiza-

tion without regard to the political, religious, cultural, or linguistic rights of ethnic minorities.

(16) The Secretary of State, Congressional-Executive Commission on China, Tom Lantos Human Rights Commission, and individual members of the executive branch and Congress have all expressed growing concern regarding the pervasive human rights abuses across Xinjiang and the ''political re-education'' camps.

(17) In August 2018, the United Nations Committee to Eliminate Racial Discrimination challenged the Government of the People's Republic of China over abuses in Xinjiang, including the establishment of mass arbitrary detention camps.

(18) Between August and September 2018, Chinese authorities responded to these allegations by either flatly denying them or insisting that the facilities are ''vocational training centers''.

(19) In September 2018, newly appointed United Nations High Commissioner for Human Rights Michele Bachelet noted in her first speech as High Commissioner the ''deeply disturbing allegations of large-scale arbitrary detentions of Uighurs and other Muslim communities, in so-called re-education camps across Xinjiang''.

(20) On September 18, 2018, the Washington Post editorial board wrote, ''At stake is not just the welfare of the Uighurs, but also whether the technologies of the 21st century will be employed to smother human freedom.''

(21) In December 2018 testimony before the Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy of the Committee on Foreign Relations of the Senate, Deputy Assistant Secretary for Democracy, Human Rights and Labor Scott Busby testified that the number of those detained in camps since April 2017 was ''at least 800,000 and possibly more than 2 million''.

(22) In December 2018, independent media reports pointed to growing evidence of forced labor in the camps, as well as reports of individuals who have been released from camps being forced to labor in nearby factories for low wages under threat of being sent back to ''political reeducation'' camps.

(23) In December 2018 and January 2019, Chinese officials organized visits to ''political reeducation'' camps in Xinjiang for a small group of foreign journalists and diplomats from 12 non-Western countries. In the months preceding the visits, international media reported that officials worked to re-

move security features from some ''political reeducation'' facilities, and coached detainees and area residents not to make negative comments about the camps. Reports also indicated that officials had transferred large numbers of detainees to detention facilities in other parts of China.

(24) Experts have described the Xinjiang region as ''a police state to rival North Korea, with a formalized racism on the order of South African apartheid'' and the repression in the Xinjiang region as a ''slow motion Tiananmen''.

(25) On December 31, 2018, President Donald J. Trump signed into law the Asia Reassurance Initiative Act of 2018 (Public Law 105–409), which condemned China's ''forced disappearances, extralegal detentions, invasive and omnipresent surveillance, and lack of due process in judicial proceedings,'' authorized funding to promote democracy, human rights, and the rule of law in China, and supported sanctions designations against any entity or individual that—

(A) violates human rights or religious freedoms; or

(B) engages in censorship activities.

SEC. 5. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the President should condemn abuses against Turkic Muslims by Chinese authorities in Xinjiang and call on Chinese President Xi Jinping to recognize the profound abuse and likely lasting damage of China's current policies, and immediately close the ''political reeducation'' camps, lift all restrictions on and ensure respect for internationally guaranteed human rights across the region, and allow for reestablishment of contact between those inside and outside China;

(2) the United States Government should develop a strategy to support the United Nations High Commissioner for Human Rights and numerous United Nations Special Rapporteurs' urgent calls for immediate and unfettered access to Xinjiang, including the ''political reeducation'' camps, and instruct representatives of the United States at the United Nations to use the voice and vote of the United States to condemn the mass arbitrary detainment, torture, and forced labor of Turkic Muslims in the People's Republic of China;

(3) the Secretary of State should consider the applicability of existing authorities, including the Global Magnitsky Act (subtitle F of Public Law

114–328), to impose targeted sanctions on members of the Government of the People's Republic of China, the Chinese Communist Party, and state security apparatus, including Xinjiang Party Secretary Chen Quanguo and other officials credibly alleged to be responsible for human rights abuses in Xinjiang and elsewhere;

(4) the Secretary of State should fully implement the provisions of the Frank Wolf International Religious Freedom Act (Public Law 114–281) and consider strategically employing sanctions and other tools under the International Religious Freedom Act (22 U.S.C. 6401 et seq.) and to employ measures required as part of the ''Country of Particular Concern'' (CPC) designation for the Government of the People's Republic of China that directly address particularly severe violations of religious freedom;

(5) the Secretary of Commerce should review and consider prohibiting the sale or provision of any United States-made goods or services to any state agent in Xinjiang, and adding the Xinjiang branch of the Chinese Communist Party, the Xinjiang Public Security Bureau, and the Xinjiang Office of the United Front Work Department, or any entity acting on their behalf to facilitate the mass internment

or forced labor of Turkic Muslims, to the ''Entity List'' administered by the Department of Commerce;

(6) United States companies and individuals selling goods or services or otherwise operating in Xinjiang should take steps, including in any public or financial filings, to publicly assert that their commercial activities are not contributing to human rights violations in Xinjiang or elsewhere in China and that their supply chains are not compromised by forced labor;

(7) the Federal Bureau of Investigation and appropriate United States law enforcement entities should track and take steps to hold accountable officials from China who harass, threaten, or intimidate not only United States citizens and legal permanent residents, including Turkic Muslims, Uyghur-Americans, and Chinese-Americans, but also Chinese nationals legally studying or working in the United States;

(8) the Secretary of State should work with traditional United States allies and partners to take similar steps and coordinate closely on targeted sanctions and visa restrictions;

(9) the Secretary of State should appoint a United States Special Coordinator for Xinjiang,

from officers and employees of the Department of State, who will coordinate diplomatic, political, public diplomacy, financial assistance, sanctions, counterterrorism, security resources, and congressional reporting requirements within the United States Government to respond to the gross violations of universally recognized human rights occurring in the Xinjiang region, including by addressing—

(A) the mass detentions of Uyghurs and other predominantly Muslim ethnic minorities;

(B) the deployment of technologically advanced surveillance and police detection methods; and

(C) the counterterrorism and counter-radicalism claims used to justify the policies of the Government of the People's Republic of China in Xinjiang;

(10) the United States Special Coordinator for Xinjiang position should continue until the mass surveillance and internment of Uyghurs and other predominantly Muslim ethnic minorities has ended and all detainees released; and

(11) the full and timely implementation of sections 408, 409, and 410 of the Asia Reassurance Initiative Act of 2018 (Public Law 115–409) is crit-

ical to demonstrating unwavering support by the United States for the universally recognized human rights of all ethnic, cultural, and religious minorities in China, including Muslim minorities in Xinjiang.

SEC. 6. NATIONAL SECURITY REPORT.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Secretary of State, shall provide to the appropriate congressional committees a report to assess national and regional security threats posed by the crackdown across Xinjiang, the frequency with which Central and Southeast Asian governments are forcibly returning Turkic Muslim refugees and asylum seekers, and the transfer or development of technology used by the Government of the People's Republic of China that facilitates the mass internment and surveillance of Turkic Muslims, including technology relating to predictive policing and large-scale data collection and analysis.

(b) ANNEX.—The report required under subsection (a) shall include an unclassified annex with a list of all Chinese companies involved in the construction or operation of the ''political education'' camps, and the provision or operation of surveillance technology or operations, across Xinjiang.

(c) FORM OF REPORT.—The report required under subsection (a) shall be submitted in an unclassified form but may contain a classified annex.

SEC. 7. PROTECTING CITIZENS AND RESIDENTS OF THE UNITED STATES FROM INTIMIDATION AND COERCION.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of the Federal Bureau of Investigation, in consultation with the Secretary of State, shall provide a report to the appropriate congressional committees that outlines any and all efforts to provide information to and protect United States citizens and residents, including ethnic Uyghurs and Chinese nationals legally studying or working temporarily in the United States, who have experienced harassment or intimidation by officials or agents of the Government of the People's Republic of China and the Communist Party within the United States and those whose families in China have experienced threats or detention because of their work or advocacy.

(b) DATABASE OF DETAINED FAMILY MEMBERS OF UNITED STATES CITIZENS AND RESIDENTS.—The Secretary of State should explore appropriate mechanisms to establish a voluntary database to which United States citizens or permanent resident family members of the Uyghur

diaspora can provide details about missing family members, with a view towards pressing for information and accountability from the Government of the People's Republic of China and to take appropriate measures to expedite the asylum claims of Uyghurs, Kazakhs, and other Turkic Muslim minorities.

SEC. 8. REPORT ON PUBLIC DIPLOMACY.

(a) REPORT.—Not later than 120 days after the date of the enactment of this Act, the CEO of the United States Agency for Global Media shall submit to the appropriate congressional committees a report that—

(1) describes the current status and reach of United States broadcasting to the Xinjiang region and Uyghur speaking communities globally, barriers to the free flow of news and information to these communities, and, if appropriate, detailed technical and fiscal requirements necessary to increase broadcasting and other media to these communities globally;

(2) describes efforts to intimidate Radio Free Asia and Voice of America reporters reporting on human rights issues in the People's Republic of China; and

(3) in consultation with the Global Engagement Center at the Department of State, describes and

assesses disinformation and propaganda by the Government of the People's Republic of China or other members of the Shanghai Cooperation Organization targeting Uyghur communities globally and efforts to downplay gross violations of universally recognized human rights occurring in the Xinjiang region and any activities or programs that address these efforts.

(b) STATEMENT OF POLICY.—It is the policy of the United States to commend and support the journalists of the Uyghur language service of Radio Free Asia for their reporting on the human rights and political situation in Xinjiang despite efforts to silence or intimidate their reporting through the detention of family members and relatives by the Government of the People's Republic of China.

SEC. 9. REPORT AND SEMI-ANNUAL BRIEFING.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, after consulting relevant Federal agencies and civil society organizations, shall submit to the appropriate congressional committees and make available on the website of the Department of State an interagency report that includes—

(1) an assessment of the number of individuals detained in political ''reeducation camps'' and conditions in the camps for detainees in the Xinjiang region, including whether detainees endure torture, forced renunciation of faith, or other mistreatment;

(2) a description, as possible, of the geographic location of the camps and estimates of the number of people detained in such facilities;

(3) a description, as possible, of the methods used by People's Republic of China authorities to ''reeducate'' Uyghur detainees, as well as the People's Republic of China agencies in charge of reeducation;

(4) an assessment of the number of individuals being arbitrarily detained, including in pretrial detention centers and prisons;

(5) an assessment of forced labor in the camps and in regional factories for low wages under threat of being sent back to ''political reeducation'' camps;

(6) a list of Chinese companies and industries benefitting from such labor, and a description of actions taken to address forced labor in Xinjiang concurrent with the People's Republic of China's Tier 3 designation under the 2018 Trafficking in Persons Report;

(7) an assessment of the level of access People's Republic of China authorities grant to diplomats, journalists, and others to the Xinjiang region and a description of measures used to impede efforts to monitor human rights conditions in the Xinjiang region;

(8) an assessment of the repressive surveillance, detection, and control methods used by People's Republic of China authorities in the Xinjiang region, and a list of individuals who hold senior leadership positions and are responsible for ''high-tech'' policing, mass incarceration, and reeducation efforts targeting Uyghur and other predominately Muslim ethnic minorities in the Xinjiang region;

(9) a description of United States diplomatic efforts to address the gross violations of universally recognized human rights in the Xinjiang region and to protect asylum seekers from the region, including in multilateral institutions and through bilateral relations with the People's Republic of China, the nations of the Organization of Islamic Cooperation (OIC), and other countries; and

(10) a description, as appropriate, of diplomatic efforts by United States allies and other nations to address the gross violations of universally recognized

human rights in the Xinjiang region and to protect asylum seekers from the region.

(b) BRIEFING AND SUPPLEMENTAL MATERIALS.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State, or the Secretary's designee, shall provide a briefing to the appropriate congressional committees covering the subjects listed in subsection (a). At the time of each briefing, the Department of State shall provide unclassified written materials detailing the subject matters covered in paragraphs (1), (2), (4), (6), and (9) of such subsection.

(2) TERMINATION.—The briefing requirement under paragraph (1) terminates 5 years after the date of the enactment of this Act.

SEC. 10. REPORT ON SANCTIONS WITH RESPECT TO HUMAN RIGHTS VIOLATIONS IN THE XINJIANG REGION OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall, except as provided in subsection (c), submit to Congress a report that includes a statement of whether the persons described in subsection (b) meet the criteria to be designated for the imposition of sanctions under section

1263 of the Global Magnitsky Human Rights Accountability Act (subtitle F of title XII of Public Law 114–238; 22 U.S.C. 2656 note) because the persons—

(1) are responsible for extrajudicial killings, torture, or other gross violations of internationally recognized human rights in the Xinjiang region of the People's Republic of China; or

(2) materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, such violations.

(b) PERSONS DESCRIBED.—The persons described in this subsection are the following:

(1) The Party Secretary for Xinjiang region of the People's Republic of China, Chen Quanguo.

(2) Senior full or alternate members of the Central Committee of the Communist Party of China whose professional responsibilities relate to the governmental administration of the Xinjiang region, or who have conducted business with government entities in the Xinjiang region.

(c) EXCEPTION.—The Secretary shall not be required to submit a report under subsection (a) if the Secretary determines, not later than 90 days after the date of the enactment of this Act, that the Government of the People's Republic of China allows independent, unrestricted,

and unsupervised access to the Xinjiang region for international human rights organizations.

Passed the Senate September 11, 2019.

Attest: JULIE E. ADAMS,
Secretary.