

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, I hereby order as follows:

SECTION 1. (a) I hereby delegate to the Secretary of State, in consultation with the Secretary of the Treasury, the functions and authorities vested in the President by the following provisions of the Uyghur Human Rights Policy Act of 2020 (Public Law 116-145) (UHRPA) [section 6 set out as a note above] and Public Law 117-78 [set out as a note above]:

(i) section 6(a)(1) of the UHRPA, with respect to submitting the report;

(ii) section 6(e) of the UHRPA; and

(iii) section 5(c)(1) of Public Law 117-78, with respect to submitting the report.

(b) I hereby delegate to the Secretary of the Treasury, in consultation with the Secretary of State, the functions and authorities vested in the President by the following provisions of the UHRPA and Public Law 117-78:

(i) section 6(a)(1) of the UHRPA, with respect to making the determinations;

(ii) section 6(g) of the UHRPA, with respect to terminating the sanctions described in section 6(c)(1) of the UHRPA and imposed under section 6(b) of the UHRPA; and

(iii) section 5(c)(1) of Public Law 117-78, with respect to making the determinations.

(c) I hereby delegate to the Secretary of the Treasury the functions and authorities vested in the President by the following provisions of the UHRPA and Public Law 117-78:

(i) section 6(b) of the UHRPA, with respect to imposing the sanctions described in section 6(c)(1) of the UHRPA;

(ii) section 6(c)(1) of the UHRPA;

(iii) section 6(d) of the UHRPA; and

(iv) section 5(c)(2) of Public Law 117-78, with respect to imposing the sanctions described in section 6(c)(1) of the UHRPA.

(d) I hereby delegate to the Secretary of State, in consultation with the Secretary of Homeland Security, the functions and authorities vested in the President by the following provisions of the UHRPA and Public Law 117-78:

(i) section 6(b) of the UHRPA, with respect to imposing the sanctions described in section 6(c)(2) of the UHRPA;

(ii) section 6(g) of the UHRPA, with respect to terminating the sanctions described in section 6(c)(2) of the UHRPA and imposed under section 6(b) of the UHRPA; and

(iii) section 5(c)(2) of Public Law 117-78, with respect to imposing the sanctions described in section 6(c)(2) of the UHRPA.

SEC. 2. The delegations in this memorandum shall apply to any provisions of any future public laws that are the same or substantially the same as those provisions referenced in this memorandum.

SEC. 3. The Secretary of State is authorized and directed to publish this memorandum in the Federal Register.

J.R. BIDEN, JR.

§ 6902. Policy

It is the policy of the United States—

(1) to develop trade relations that broaden the benefits of trade, and lead to a leveling up, rather than a leveling down, of labor, environmental, commercial rule of law, market access, anticorruption, and other standards across national borders;

(2) to pursue effective enforcement of trade-related and other international commitments by foreign governments through enforcement mechanisms of international organizations and through the application of United States law as appropriate;

(3) to encourage foreign governments to conduct both commercial and noncommercial affairs according to the rule of law developed through democratic processes;

(4) to encourage the Government of the People's Republic of China to afford its workers internationally recognized worker rights;

(5) to encourage the Government of the People's Republic of China to protect the human rights of people within the territory of the People's Republic of China, and to take steps toward protecting such rights, including, but not limited to—

(A) ratifying the International Covenant on Civil and Political Rights;

(B) protecting the right to liberty of movement and freedom to choose a residence within the People's Republic of China and the right to leave from and return to the People's Republic of China; and

(C) affording a criminal defendant—

(i) the right to be tried in his or her presence, and to defend himself or herself in person or through legal assistance of his or her own choosing;

(ii) the right to be informed, if he or she does not have legal assistance, of the right set forth in clause (i);

(iii) the right to have legal assistance assigned to him or her in any case in which the interests of justice so require and without payment by him or her in any such case if he or she does not have sufficient means to pay for it;

(iv) the right to a fair and public hearing by a competent, independent, and impartial tribunal established by the law;

(v) the right to be presumed innocent until proved guilty according to law; and

(vi) the right to be tried without undue delay; and

(6) to highlight in the United Nations Human Rights Commission and in other appropriate fora violations of human rights by foreign governments and to seek the support of other governments in urging improvements in human rights practices.

(Pub. L. 106-286, div. B, title II, §203, Oct. 10, 2000, 114 Stat. 893.)

§ 6903. Definitions

In this chapter:

(1) Dispute Settlement Understanding

The term “Dispute Settlement Understanding” means the Understanding on Rules and Procedures Governing the Settlement of Disputes referred to in section 3511(d)(16) of title 19.

(2) Government of the People's Republic of China

The term “Government of the People's Republic of China” means the central Government of the People's Republic of China and any other governmental entity, including any provincial, prefectural, or local entity and any enterprise that is controlled by the central Government or any such governmental entity or as to which the central Government or any