

# United States Senate

WASHINGTON, DC 20510

September 16, 2020

The Honorable Donald J. Trump  
The White House  
Washington, D.C. 20500

Dear Mr. President:

We write to urge you to take further and effective action to crack down on Chinese products imported into the U.S. that are made with forced labor. The Chinese government has violated the human rights of more than a million Uyghurs and other Muslims by coercing them into a forced labor program that has extensively infiltrated global supply chains across multiple sectors. U.S. law bans the importation of any goods made in whole or in part with forced labor, and it is essential that your administration act urgently and comprehensively to respond to these human rights abuses and block all imports and government purchases of products from China made with state-sanctioned forced labor.

Numerous sources have detailed the Chinese government's transfer and detention of more than one million Uyghurs and other Muslim populations in the Xinjiang Uyghur Autonomous Region of China (XUAR).<sup>1</sup> The targeted groups are required to participate in worker training and indoctrination programs and forced to take factory jobs for little or no wages.<sup>2</sup> China's oppression and abuse of the Uyghurs and other Muslims is not limited to forced labor, however.<sup>3</sup> Survivors of the imprisonment camps detail instances of torture<sup>4</sup>, and the U.S. State Department has reported the killing of detainees.<sup>5</sup>

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<sup>1</sup> New York Times, "'Absolutely No Mercy': Leaked Files Expose How China Organized Mass Detentions of Muslims," Austin Ramzy and Chris Buckley, November 16, 2019. Retrieved from: <https://www.nytimes.com/interactive/2019/11/16/world/asia/china-xinjiang-documents.html>. See also: International Consortium of Investigative Journalists, "Exposed: China's Operating Manuals for Mass Internment and Arrest by Algorithm," Bethany Allen-Ebrahimian, November 24, 2019. Retrieved from: <https://www.icij.org/investigations/china-cables/exposed-chinas-operating-manuals-for-mass-internment-and-arrest-by-algorithm/>; Center for Strategic and International Studies, "Connecting the Dots in Xinjiang," Amy K. Lehr and Mariefaye Bechrakis, October 2019. Retrieved from: [https://csis-website-prod.s3.amazonaws.com/s3fs-public/publication/Lehr\\_ConnectingDotsXinjiang\\_interior\\_v3\\_FULL\\_WEB.pdf](https://csis-website-prod.s3.amazonaws.com/s3fs-public/publication/Lehr_ConnectingDotsXinjiang_interior_v3_FULL_WEB.pdf)

<sup>2</sup> The New York Times, "Inside China's Push to Turn Muslim Minorities Into an Army of Workers," Chris Buckley and Austin Ramzy, December 30, 2019. Retrieved from: <https://www.nytimes.com/2019/12/30/world/asia/china-xinjiang-muslims-labor.html>. See also: Australian Strategic Policy Institute, "Uyghurs for sale," Vicky Xiuzhong Su, Danielle Cave, et al., March 1, 2020. Retrieved from: <https://www.aspi.org.au/report/uyghurs-sale>

<sup>3</sup> Foreign Policy, "China's Own Documents Show Potentially Genocidal Sterilization Plans in Xinjiang," Adrian Zenz, July 1, 2020. Retrieved from: <https://foreignpolicy.com/2020/07/15/uyghur-genocide-xinjiang-china-surveillance-sterilization/>

<sup>4</sup> NBC News, "Uighurs accuse China of mass detention, torture in landmark complaint," Willem Marx and Olivia Sumrie, September 9, 2020. Retrieved from: <https://www.nbcnews.com/news/world/uyghurs-accuse-china-mass-detention-torture-landmark-complaint-n1239493>

<sup>5</sup> U.S. Department of State, "2019 Report on International Religious Freedom: China – Xinjiang," Office of International Religious Freedom, June 10, 2020. Retrieved from: <https://www.state.gov/reports/2019-report-on-international-religious-freedom/china/xinjiang/>

The Chinese government has perpetuated these human rights abuses for years and taken advantage of China's role in international production to embed these abuses in numerous global supply chains, including textile and apparel, electronics, footwear, toys, and furniture, and, increasingly, others.<sup>6</sup> In response to the COVID-19 pandemic, for example, the number of personal protective equipment (PPE) factories in XUAR has jumped significantly, and the presence of forced labor has been found in many of them.<sup>7</sup> Although the factories in XUAR have gotten the most attention, there is also evidence that at least tens of thousands of Uyghurs are being transferred outside of XUAR to be exploited in factories in other regions.<sup>8</sup> As the Chinese government's forced labor program expands, an increasing number of multinational companies are implicated in its human rights abuses. In fact, a report issued earlier this year found that forced labor from this program was present in the supply chains of dozens of globally known companies.<sup>9</sup> In sum, the scope and scale of the state-sanctioned human rights abuses are enormous and growing, and the U.S. government response must be proportionate and swift.

This week Customs and Border Protection (CBP) issued five withhold release orders (WROs) covering some products made in XUAR at specific production locations, including products containing cotton, hair products, apparel items, and electronics.<sup>10</sup> We appreciate this step and the three WROs issued earlier this year for hair products and garments from the same region.<sup>11</sup> These WROs must be fully enforced and all imports covered by them blocked at U.S. ports. The piecemeal approach used so far, however, is an insufficient response to this widespread, government-run forced labor program. Targeted WROs aimed at individual producers or training camps will not prevent the government from simply reconfiguring or shifting production to get around the orders.

To fully respond to these state-sanctioned human rights abuses, we urge you to investigate and issue blanket WROs covering items reported to be produced in XUAR with forced labor. These include but are not limited to cotton, any cotton-derived products including textile and apparel, footwear, PPE, electronics, and certain agricultural products. Furthermore, as you investigate the presence of forced labor in other sectors, we urge CBP to publicly issue a warning to all importers sourcing products in whole or in part from XUAR that the U.S. government continues to investigate the presence of forced labor in other sectors and strongly encourages companies importing items in the U.S. to move their supply chains out of the region. Multinational corporations must be put on notice that their XUAR sourcing is under investigation and the United States will enforce a zero tolerance policy for imports made in whole or in part with forced labor.

It is also critical that your Administration take action to prevent the U.S. government from procuring any items made with forced labor. This is particularly urgent given the federal

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<sup>6</sup> The Journal of Political Risk, "Beyond the Camps: Beijing's Long-Term Scheme of Coercive Labor, Poverty Alleviation and Social Control in Xinjiang," Adrian Zenz, Vol. 7, No. 12, December 2019. Retrieved from: <https://www.jpolarisk.com/beyond-the-camps-beijings-long-term-scheme-of-coercive-labor-poverty-alleviation-and-social-control-in-xinjiang/>

<sup>7</sup> The New York Times, "China Is Using Uighur Labor to Produce Face Masks," Muye Xiao, Haley Willis, et al., July 19, 2020. Retrieved from: <https://www.nytimes.com/2020/07/19/world/asia/china-mask-forced-labor.html>

<sup>8</sup> Australian Strategic Policy Institute.

<sup>9</sup> Ibid.

<sup>10</sup> U.S. Customs and Border Protection, "DHS Cracks Down on Goods Produced by China's State-Sponsored Forced Labor," September 14, 2020. Retrieved from: <https://www.cbp.gov/newsroom/national-media-release/dhs-cracks-down-goods-produced-china-s-state-sponsored-forced-labor>

<sup>11</sup> U.S. Customs and Border Protection, "Withhold Release Orders and Findings." Retrieved from: <https://www.cbp.gov/trade/programs-administration/forced-labor/withhold-release-orders-and-findings>

government's significant purchase of PPE products in response to the COVID-19 pandemic and the reported explosion of PPE factories in XUAR that have been found to use forced labor.<sup>12</sup>

Federal agencies are already required to comply with Executive Order 13126, *Prohibition of Acquisition of Products Produced by Forced or Indentured Child Labor*, and Executive Order 13627, *Strengthening Protections Against Trafficking In Persons In Federal Contracts*, but compliance with these orders has been minimal. As a result, it is possible that the U.S. government has purchased items made with forced labor in China. Without effective intervention, federal agencies are at risk of making the same, grave error in the future. We urge you to immediately task each federal agency and the General Services Administration to examine their procurement supply chains and halt any purchase orders for products that are known to have supply chains in XUAR or that have been implicated in any of the research and reporting about the Chinese government's forced labor program.

The Chinese government has committed vast human rights abuses by relocating, imprisoning, and indoctrinating more than a million people and subjecting them to forced labor, torture, and even death. The U.S. government's response must be aggressive and proportionate. Additional, comprehensive WROs addressing the scope of forced labor would protect the integrity of the American market. The U.S. government must also take crucial, urgent steps to prevent its own procurement supply chain from sourcing from XUAR. These actions are necessary to prevent American consumers and taxpayers from unwittingly condoning these atrocities and to protect American workers from the global depression of wages caused by slave labor.

We are disappointed that your Administration did not once raise these state-directed human rights abuses in the U.S.-China trade talks nor made the dismantling of this state-sanctioned forced labor program a key U.S. demand in the negotiations. It is critical that your Administration take decisive action to end these atrocities now. China must know that its presence in high-profile supply chains does not give it impunity, and that the U.S. will continue to lead global efforts to protect human rights and eradicate forced labor.

Sincerely,



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Sherrod Brown  
United States Senator



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Ron Wyden  
United States Senator

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<sup>12</sup> The New York Times, "China Is Using Uighur Labor to Produce Face Masks."