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To ensure that goods made with forced labor in the Xinjiang Uyghur Autonomous Region of the People’s Republic of China do not enter the United States market, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 27, 2021

Mr. RUBIO (for himself, Mr. MERKLEY, Mr. RISCH, Mr. VAN HOLLEN, Mr. COTTON, Ms. WARREN, Mr. CORNYN, Ms. HASSAN, Ms. COLLINS, Ms. KLOBUCHAR, Mr. ROMNEY, Mrs. FEINSTEIN, Mr. DAINES, Mr. BLUMENTHAL, Mr. MORAN, Mr. WARNER, Mr. LANKFORD, Ms. SMITH, Mrs. BLACKBURN, Mr. BOOKER, Mr. SCOTT of Florida, Mr. MARKEY, Mr. THUNE, Mr. BOOZMAN, Mr. BRAUN, Mr. SASSE, Mr. YOUNG, Mr. COONS, Mr. CARDIN, and Mr. CRUZ) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To ensure that goods made with forced labor in the Xinjiang Uyghur Autonomous Region of the People’s Republic of China do not enter the United States market, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Uyghur Forced Labor
5 Prevention Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) In the Xinjiang Uyghur Autonomous Re-
4 gion of the People's Republic of China, the Govern-
5 ment of the People's Republic of China has, since
6 April 2017, arbitrarily detained more than
7 1,000,000 Uyghurs, Kazakhs, Kyrgyz, and members
8 of other persecuted groups in a system of
9 extrajudicial mass internment camps, and has sub-
10 jected detainees to forced labor, torture, political in-
11 doctrination, and other severe human rights abuses.

12 (2) Forced labor, a severe form of human traf-
13 ficking, exists within the Xinjiang Uyghur Autono-
14 mous Region's system of mass internment camps,
15 and throughout the region, and is confirmed by the
16 testimony of former camp detainees, satellite im-
17 agery, and official leaked documents from the Gov-
18 ernment of the People's Republic of China as part
19 of a targeted campaign of repression of Muslim eth-
20 nic minorities.

21 (3) In addition to reports from researchers and
22 civil society groups documenting evidence that many
23 factories and other suppliers in the Xinjiang Uyghur
24 Autonomous Region are exploiting forced labor, on
25 July 22, 2020, the Bureau of Industry and Security
26 of the Department of Commerce added 11 entities to

1 the Entity List set forth in Supplement No. 4 to
2 part 744 of title 15, Code of Federal Regulations,
3 after determining the entities had been “implicated
4 in human rights violations and abuses in the imple-
5 mentation of China’s campaign of repression, mass
6 arbitrary detention, forced labor and high-technology
7 surveillance against Uyghurs, Kazakhs, and mem-
8 bers of other persecuted groups in the Xinjiang
9 Uyghur Autonomous Region”.

10 (4) The Government of the People’s Republic of
11 China interferes with audits and traditional due dili-
12 gence efforts to vet goods and supply chains in the
13 Xinjiang Uyghur Autonomous Region to hinder
14 identifying goods made in whole or part with forced
15 labor, including by intimidating potential witnesses
16 and concealing relevant information.

17 (5) Reports cited by the Department of Labor
18 estimate that hundreds of thousands of ex-detainees
19 who are Uyghurs, Kazakhs, Kyrgyz, or members of
20 other persecuted groups in the People’s Republic of
21 China may be working in conditions of forced labor
22 following detention in re-education camps. Moreover,
23 nongovernmental organizations estimate that more
24 than 80,000 Uyghurs were transferred out of the
25 Xinjiang Uyghur Autonomous Region to work in

1 factories across the People’s Republic of China be-
2 tween 2017 and 2019, and some of them were sent
3 directly from detention camps.

4 (6) The Department of State’s June 2020 Traf-
5 ficking in Persons Report found, “Authorities offer
6 subsidies incentivizing Chinese companies to open
7 factories in close proximity to the internment camps
8 and to receive transferred detainees at satellite man-
9 ufacturing sites in other provinces. Local govern-
10 ments receive additional funds for each inmate
11 forced to work in these sites at a fraction of min-
12 imum wage or without any compensation. The gov-
13 ernment has transported tens of thousands of these
14 individuals to other areas within Xinjiang and to
15 other provinces for forced labor under the guise of
16 poverty alleviation and industrial aid programs.”.

17 (7) U.S. Customs and Border Protection has
18 issued 11 withhold release orders on goods suspected
19 to be produced with prison or forced labor in the
20 Xinjiang Uyghur Autonomous Region. Goods subject
21 to the withhold release orders include all cotton, cot-
22 ton products, tomatoes, and tomato products, as well
23 as certain garments, hair products, apparel, com-
24 puter parts, and other goods.

1 (8) In its 2019 annual report, the Congres-
2 sional-Executive Commission on China found that
3 goods reportedly produced with forced labor by cur-
4 rent and former mass internment camp detainees in-
5 cluded textiles, electronics, food products, shoes, tea,
6 and handicrafts.

7 (9) Under section 1091(a) of title 18, United
8 States Code, a person commits genocide if the per-
9 son “whether in time of peace or in time of war and
10 with the specific intent to destroy, in whole or in
11 substantial part, a national, ethnic, racial, or reli-
12 gious group as such—

13 “(1) kills members of that group;

14 “(2) causes serious bodily injury to mem-
15 bers of that group;

16 “(3) causes the permanent impairment of
17 the mental faculties of members of the group
18 through drugs, torture, or similar techniques;

19 “(4) subjects the group to conditions of life
20 that are intended to cause the physical destruc-
21 tion of the group in whole or in part;

22 “(5) imposes measures intended to prevent
23 births within the group; or

24 “(6) transfers by force children of the
25 group to another group.”.

1 (10) As a direct result of the campaign of tar-
2 geted and coercive population control of the Govern-
3 ment of the People’s Republic of China’s against
4 Uyghurs, the birthrate of the Uyghur population in
5 the Xinjiang Uyghur Autonomous Region plum-
6 meted by 24 percent from 2017 to 2018, with birth-
7 rates in the Uyghur majority regions of Hotan and
8 Kashgar decreasing by more than 60 percent from
9 2015 to 2018.

10 (11) The policies of the Government of the Peo-
11 ple’s Republic of China are in contravention of its
12 human rights commitments and obligations, includ-
13 ing under—

14 (A) the Universal Declaration of Human
15 Rights;

16 (B) the International Covenant on Civil
17 and Political Rights, which the People’s Repub-
18 lic of China has signed but not yet ratified; and

19 (C) the United Nations Protocol to Pre-
20 vent, Suppress and Punish Trafficking in Per-
21 sons Especially Women and Children (com-
22 monly known as the “Palermo Protocol”), to
23 which the People’s Republic of China has been
24 a state party since February 2010.

1 **SEC. 3. STATEMENT OF POLICY.**

2 It is the policy of the United States—

3 (1) to strengthen the prohibition against the
4 importation of goods made with forced labor, includ-
5 ing by ensuring that the Government of the People’s
6 Republic of China does not undermine the effective
7 enforcement of section 307 of the Tariff Act of 1930
8 (19 U.S.C. 1307), which prohibits the importation of
9 “[a]ll goods, wares, articles, and merchandise mined,
10 produced or manufactured wholly or in part in any
11 foreign country by . . . forced labor”;

12 (2) to lead the international community in end-
13 ing forced labor practices wherever such practices
14 occur through all means available to the United
15 States Government, including by stopping the impor-
16 tation of any goods made with forced labor, includ-
17 ing those goods mined, produced, or manufactured
18 in the Xinjiang Uyghur Autonomous Region;

19 (3) to actively work to prevent, publicly de-
20 nounce, and end human trafficking, including with
21 respect to forced labor, whether sponsored by the
22 government of a foreign country or not, and to re-
23 store the lives of those affected by human traf-
24 ficking, a modern form of slavery;

1 (4) to regard the prevention of atrocities as a
2 priority in the national interests of the United
3 States; and

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

6 (A) through bilateral diplomatic channels
7 and multilateral institutions in which both the
8 United States and the People’s Republic of
9 China are members; and

10 (B) using all the authorities available to
11 the United States Government, including visa
12 and financial sanctions, export restrictions, and
13 import controls.

14 **SEC. 4. STRATEGY TO ENFORCE PROHIBITION ON IMPOR-**
15 **TATION OF GOODS MADE THROUGH FORCED**
16 **LABOR IN THE XINJIANG UYGHUR AUTONO-**
17 **MOUS REGION.**

18 (a) PUBLIC COMMENT.—

19 (1) IN GENERAL.—Not later than 45 days after
20 the date of the enactment of this Act, the Secretary
21 of Homeland Security, in consultation with the
22 United States Trade Representative, the Secretary
23 of State, and the Secretary of Labor, shall publish
24 in the Federal Register a notice soliciting public
25 comments on how best to ensure that goods made

1 with forced labor in the People’s Republic of China,
2 including by Uyghurs, Kazakhs, Kyrgyz, and mem-
3 bers of other persecuted groups in the Xinjiang
4 Uyghur Autonomous Region of the People’s Repub-
5 lic of China, are not imported into the United
6 States.

7 (2) PERIOD FOR COMMENT.—The Secretary of
8 Homeland Security shall provide the public with not
9 less than 60 days to submit comments in response
10 to the notice required by paragraph (1).

11 (b) PUBLIC HEARING.—

12 (1) IN GENERAL.—Not later than 45 days after
13 the close of the period to submit comments under
14 subsection (a)(2), the Secretary of Homeland Secu-
15 rity, the Secretary of Labor, the United States
16 Trade Representative, and the Secretary of State
17 shall jointly conduct a public hearing inviting wit-
18 nesses to testify with respect to the use of forced
19 labor in the People’s Republic of China and potential
20 measures, including the measures described in para-
21 graph (2), to prevent the importation of goods made
22 with forced labor into the United States from the
23 People’s Republic of China.

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

1 (A) measures that can be taken to trace
2 goods or to prevent goods from leaving the Peo-
3 ple’s Republic of China; and

4 (B) other measures for ensuring that
5 goods made with forced labor do not enter the
6 United States.

7 (c) DEVELOPMENT OF STRATEGY.—After receiving
8 public comments under subsection (a) and holding the
9 hearing required by subsection (b), the Secretary of
10 Homeland Security, in consultation with the Secretary of
11 Labor, the United States Trade Representative, the Sec-
12 retary of State, and the Director of National Intelligence,
13 shall develop a strategy for preventing the importation
14 into the United States of goods made with forced labor
15 in the Xinjiang Uyghur Autonomous Region.

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

18 (1) A comprehensive assessment of the risk of
19 the possibility of importing goods made with forced
20 labor from the People’s Republic of China, including
21 from the Xinjiang Uyghur Autonomous Region or
22 made by Uyghurs, Kazakhs, Kyrgyz, or members of
23 other persecuted groups in any other part of the
24 People’s Republic of China, that identifies, to the ex-
25 tent feasible—

1 (A) threats, including through the poten-
2 tial involvement in supply chains of entities that
3 may use forced labor, that could lead to the im-
4 portation of goods made with forced labor into
5 the United States; and

6 (B) what procedures can be implemented
7 or improved to reduce such threats.

8 (2) A comprehensive description and evalua-
9 tion—

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

22 (B) that includes—

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

1 Uyghurs, Kazakhs, Kyrgyz, or members of
2 other persecuted groups out of the
3 Xinjiang Uyghur Autonomous Region; and

4 (ii) a list of goods made with such
5 labor for importation to the United States.

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

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

20 (5) Guidance to importers with respect to—

21 (A) best practices or effective due diligence
22 measures to ensure that such importers do not
23 import any goods made with forced labor from
24 the Xinjiang Uyghur Autonomous Region; and

1 (B) the type, nature, and extent of evi-
2 dence that demonstrates that imported goods
3 detained or seized pursuant to section 307 of
4 the Tariff Act of 1930 (19 U.S.C. 1307) were
5 not made with forced labor.

6 (e) SUBMISSION OF STRATEGY.—Not later than 270
7 days after the date of the enactment of this Act, and annu-
8 ally thereafter, the Secretary of Homeland Security, in
9 consultation with the Secretary of Labor, the United
10 States Trade Representative, and the Secretary of State,
11 shall submit to the appropriate congressional committees
12 a report that—

13 (1) in the case of the first such report, sets
14 forth the strategy developed under subsection (c);
15 and

16 (2) in the case of any subsequent such report,
17 sets forth any updates to the strategy.

18 (f) FORM OF REPORT.—Each report required by sub-
19 section (e) shall be submitted in unclassified form, but
20 may include a classified annex, if necessary.

21 (g) PUBLIC AVAILABILITY.—The unclassified portion
22 of each report required by subsection (e) shall be made
23 available to the public.

1 **SEC. 5. REBUTTABLE PRESUMPTION THAT IMPORT PROHI-**
2 **BITION APPLIES TO GOODS PRODUCED IN**
3 **THE XINJIANG UYGHUR AUTONOMOUS RE-**
4 **GION.**

5 (a) **IN GENERAL.**—The Commissioner of U.S. Cus-
6 toms and Border Protection shall, except as provided by
7 subsection (b), apply a presumption that, with respect to
8 any significant goods, wares, articles, and merchandise
9 mined, produced, or manufactured wholly or in part in the
10 Xinjiang Uyghur Autonomous Region of the People’s Re-
11 public of China or produced by entities on a list required
12 by section 4(d)(2)(B)(i)—

13 (1) the importation of such goods, wares, arti-
14 cles, and merchandise is prohibited under section
15 307 of the Tariff Act of 1930 (19 U.S.C. 1307); and

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

19 (b) **EXCEPTIONS.**—The Commissioner shall apply the
20 presumption under subsection (a) unless the Commis-
21 sioner determines that—

22 (1) the importer of record has—

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

1 (B) completely and substantively re-
2 sponded to all inquiries for information sub-
3 mitted by the Commissioner to ascertain wheth-
4 er the goods were manufactured through forced
5 labor;

6 (2) the good was not produced wholly or in part
7 by forced labor; or

8 (3) the President certifies that the Government
9 of the People's Republic of China is not impeding in
10 any way attempts to investigate abuses of Uyghurs,
11 Kazakhs, Kyrgyz, or members of other persecuted
12 groups or to address any other instances of forced
13 labor in the People's Republic of China.

14 (c) REGULATIONS.—The Commissioner may pre-
15 scribe regulations—

16 (1) to implement paragraphs (1) and (2) of
17 subsection (b); or

18 (2) to amend any other regulations relating to
19 withhold release orders in order to implement this
20 section.

21 (d) EFFECTIVE DATE.—This section takes effect on
22 the date that is 300 days after the date of the enactment
23 of this Act.

1 **SEC. 6. DETERMINATION RELATING TO ATROCITIES AND**
2 **GENOCIDE IN THE XINJIANG UYGHUR AU-**
3 **TONOMOUS REGION.**

4 (a) IN GENERAL.—Not later than 180 days after the
5 date of the enactment of this Act, the Secretary of State
6 shall submit to the appropriate congressional committees
7 a report setting forth the formal determination of the Sec-
8 retary with respect to whether—

9 (1) the human rights abuses committed by the
10 Government of the People’s Republic of China
11 against Uyghurs, Kazakhs, Kyrgyz, and members of
12 other persecuted groups in the Xinjiang Uyghur Au-
13 tonomous Region of the People’s Republic of China
14 constitute genocide within the meaning of section
15 1091(a) of title 18, United States Code; and

16 (2) the actions taken by the Government of the
17 People’s Republic of China in support of the use of
18 forced labor against Uyghurs, Kazakhs, Kyrgyz, and
19 members of other persecuted groups in the Xinjiang
20 Uyghur Autonomous Region constitute an atrocity
21 within the meaning of the term “atrocities” as de-
22 fined in section 6 of the Elie Wiesel Genocide and
23 Atrocities Prevention Act of 2018 (Public Law 115–
24 441; 22 U.S.C. 2656 note).

1 (b) FORM.—The report required by subsection (a)
2 shall be submitted in unclassified form, but may include
3 a classified annex, if necessary.

4 (c) PUBLIC AVAILABILITY.—The unclassified portion
5 of each report required by subsection (a) shall be made
6 available to the public.

7 **SEC. 7. DIPLOMATIC STRATEGY TO ADDRESS FORCED**
8 **LABOR IN THE XINJIANG UYGHUR AUTONO-**
9 **MOUS REGION.**

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

19 (b) MATTERS TO BE INCLUDED.—The Secretary
20 shall include in the report required by subsection (a) the
21 following:

22 (1) A plan to enhance bilateral and multilateral
23 coordination, including sustained engagement with
24 the governments of countries that are partners and
25 allies of the United States, to end the use of

1 Uyghurs, Kazakhs, Kyrgyz, and members of other
2 persecuted groups in the Xinjiang Uyghur Autono-
3 mous Region for forced labor.

4 (2) A description of public affairs, public diplo-
5 macy, and counter-messaging efforts to promote
6 awareness of the human rights situation, including
7 with respect to forced labor, in the Xinjiang Uyghur
8 Autonomous Region.

9 (3) A plan—

10 (A) to coordinate and collaborate with ap-
11 propriate nongovernmental organizations and
12 private sector entities to raise awareness about
13 goods made with forced labor in the Xinjiang
14 Uyghur Autonomous Region; and

15 (B) to provide humanitarian assistance, in-
16 cluding with respect to resettlement and advo-
17 cacy for imprisoned family members, to
18 Uyghurs, Kazakhs, Kyrgyz, and members of
19 other persecuted groups, including members of
20 such groups formerly detained in mass intern-
21 ment camps in the Xinjiang Uyghur Autono-
22 mous Region.

23 (c) ADDITIONAL MATTERS TO BE INCLUDED.—The
24 Secretary shall include in the report required by sub-
25 section (a), based on consultations with the Secretary of

1 Commerce, the Secretary of Homeland Security, and the
2 Secretary of the Treasury, the following:

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

4 (A) entities in the People’s Republic of
5 China or affiliates of such entities that use or
6 benefit from forced labor in the Xinjiang
7 Uyghur Autonomous Region; and

8 (B) foreign persons that act as agents of
9 the entities or affiliates described in subpara-
10 graph (A) to import goods into the United
11 States.

12 (2) A plan for working with private sector enti-
13 ties seeking to conduct supply chain due diligence to
14 prevent the importation of goods made with forced
15 labor into the United States.

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

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

22 (B) the Elie Wiesel Genocide and Atroc-
23 ities Prevention Act of 2018 (Public Law 115–
24 441; 22 U.S.C. 2656 note); and

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

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

7 **SEC. 8. IMPOSITION OF SANCTIONS RELATING TO FORCED**
8 **LABOR IN THE XINJIANG UYGHUR AUTONO-**
9 **MOUS REGION.**

10 (a) IN GENERAL.—Section 6(a)(1) of the Uyghur
11 Human Rights Policy Act of 2020 (Public Law 116–145;
12 22 U.S.C. 6901 note) is amended by adding at the end
13 the following:

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

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

18 (1) takes effect on the date of the enactment of
19 this Act; and

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

24 (c) TRANSITION RULE.—

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

13 (2) IMPOSITION OF SANCTIONS.—The President
14 shall impose sanctions under subsection (c) of sec-
15 tion 6 of the Uyghur Human Rights Policy Act of
16 2020 with respect to each foreign person identified
17 in the report required by paragraph (1), subject to
18 the provisions of subsections (d), (e), (f), and (g) of
19 that section.

20 **SEC. 9. SUNSET.**

21 Sections 4, 5, and 7 shall cease to have effect on the
22 earlier of—

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

1 (2) the date on which the President submits to
2 the appropriate congressional committees a deter-
3 mination that the Government of the People’s Re-
4 public of China has ended mass internment, forced
5 labor, and any other gross violations of human
6 rights experienced by Uyghurs, Kazakhs, Kyrgyz,
7 and members of other persecuted groups in the
8 Xinjiang Uyghur Autonomous Region.

9 **SEC. 10. DEFINITIONS.**

10 In this Act:

11 (1) APPROPRIATE CONGRESSIONAL COMMIT-
12 TEES.—The term “appropriate congressional com-
13 mittees” means—

14 (A) the Committee on Foreign Affairs, the
15 Committee on Financial Services, the Com-
16 mittee on Ways and Means, and the Committee
17 on Homeland Security of the House of Rep-
18 resentatives; and

19 (B) the Committee on Foreign Relations,
20 the Committee on Banking, Housing, and
21 Urban Affairs, the Committee on Finance, and
22 the Committee on Homeland Security and Gov-
23 ernmental Affairs of the Senate.

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

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

6 (4) UNITED STATES PERSON.—The term
7 “United States person” means—

8 (A) a United States citizen or an alien law-
9 fully admitted for permanent residence to the
10 United States; or

11 (B) an entity organized under the laws of
12 the United States or any jurisdiction within the
13 United States, including a foreign branch of
14 such an entity.

○