

U.S. Agencies Release Xinjiang Supply Chain Business Advisory Addendum

Matthew G. Pereira, Jennifer E. McCadney

September 29, 2023

On September 26, 2023, the U.S. Department of State, the U.S. Department of the Treasury, the U.S. Department of Commerce, the U.S. Department of Homeland Security, the U.S. Department of Labor, and the Office of the U.S. Trade Representative released an [Addendum](#) to the [July 2021 Xinjiang Supply Chain Business Advisory](#) (“2021 Advisory”).^[1] The Addendum contains supplemental information related to the Uyghur Forced Labor Prevention Act (“UFLPA”), which was signed into law December 23, 2021, after the release of the 2021 Advisory.

The Addendum highlights the Biden Administration’s position against the genocide and crimes against humanity happening in the Xinjiang region, and provides details of the ongoing nature of these crimes as reflected in various government reports issued since the 2021 Advisory. These crimes include reports of arbitrary detention and severe deprivation of physical liberty, forced sterilization, forced abortions, restrictive birth control policies, sexual abuse, torture, restrictions on the freedom of religion, expression, and movement, and the continued use of forced labor practices, including transfer programs. These forced labor programs are often conducted under the guise of vocational training, reeducation, deradicalization, or poverty alleviation.

The Addendum also discusses the UFLPA and the various strategies, updates, and guidances issued by the Forced Labor Enforcement Task Force and U.S. Customs and Border Protection since the UFLPA was signed, providing links to those documents.

The Addendum highlights reporting by international organizations, academics, and NGOs, including the UN Office of the High Commissioner for Human Rights, Sheffield Hallam University, and The Center for Advanced Defense Studies (“C4ADS”). These reports find continuing human rights abuses in the Xinjiang Uyghur Autonomous Region by the Chinese government. These reports also note various industries of concern, including cotton, textiles, apparel, automobiles and parts, polysilicon, PVC, tomato products, pepper products, walnuts, rayon, calcium carbide, wind turbines, and beryllium, among others.

The Addendum also reminds the business community of its obligations under the UFLPA and Section 307 of the Tariff Act of 1930. If your business has any concerns, Kelley Drye is happy to assist.

^[1] The 2021 Advisory was an update of the original [July 2020 Xinjiang Supply Chain Business Advisory](#), titled “Risks and Considerations for Businesses with Supply Chain Exposure to Entities Engaged in Forced Labor and other Human Rights Abuses in Xinjiang.”