



ONE HUNDRED SEVENTEENTH CONGRESS  
SENATOR JEFF MERKLEY, CHAIRMAN  
REPRESENTATIVE JAMES P. MCGOVERN, COCHAIRMAN

June 1, 2021

Chris Paul, President  
Michele Roberts, Executive Director  
National Basketball Players Association  
1133 Avenue of the Americas  
New York, NY 10036

Dear President Paul and Executive Director Roberts:

As Members of Congress, we appreciate the commitment of the leadership and the members of the National Basketball Players Association (NBPA) to the causes of equality and social justice. The NBPA has taken a public stand with other professional sports unions against new legislation in state legislatures that could make it harder for citizens to vote, and for amplifying the voices of its members to speak out for justice and police accountability during the protests in the summer of 2020 and since.

Today we write to you on another issue of fundamental human rights facing your members. On April 9, 2021, a *New York Times* article reported that several China-based sports brands including Anta and Li-Ning have proclaimed their continued use of cotton harvested in the Xinjiang Uyghur Autonomous Region of the People's Republic of China. In addition, a March 26, 2021, *BBC* article, as well as multiple articles in Chinese-language media, found that the China-based sports brand Peak has also affirmed its use of Xinjiang cotton. More than a dozen NBA players had endorsement deals with Anta, Li-Ning, and Peak prior to the publishing of these articles, and players have continued to sign new deals with Anta Sports.

We believe that commercial relationships with companies that source cotton in Xinjiang create reputational risks for NBA players and the NBA itself. The U.S. State Department has determined that the Chinese government is committing genocide and crimes against humanity in Xinjiang, including the mass internment of over a million primarily Muslim ethnic minorities and the systematic use of forced labor to make goods for global export. The NBA and NBA players should not even implicitly be endorsing such horrific human rights abuses.

As the Congressional-Executive Commission on China has documented, since 2018, reporting has revealed that authorities in Xinjiang have systematically forced predominantly Muslim ethnic minorities, including Uyghurs, Kazakhs, and others, to engage in forced labor throughout China. There is credible evidence that forced labor exists in Xinjiang's cotton production. Ethnic minority workers who pick cotton in Xinjiang are subjected to close monitoring and control, and individuals have been detained for refusing to take part in such work programs.

Furthermore, credible labor audits are not possible to independently verify whether supply chains in Xinjiang are tainted by the products of forced labor. Labor rights organizations have warned that firms should not be conducting audits in Xinjiang as workers subjected to surveillance and the constant threat of detention cannot speak freely about their working conditions. Indeed, auditing cotton production may do more to facilitate the continued use of forced labor in production than to eliminate it.

In response to evidence of the forced labor occurring in Xinjiang, U.S. Customs and Border Protection has issued "Withhold Release Orders" preventing the import of Xinjiang-originated goods including apparel, cotton, and cotton products from entering the United States. Congress is currently considering the *Uyghur Forced Labor Prevention Act*, which would create a "rebuttable presumption" that goods sourced in Xinjiang are made with forced labor and are thus prohibited from entering the United States. A version of this bill passed the U.S. House of Representatives in 2020.

Xinjiang cotton is synonymous with the repression that takes place in Xinjiang, which the State Department has labeled a genocide. The Chinese government has created a system of mass surveillance and internment, restricted individuals' ability to peacefully practice their religion, forcibly sterilized women, and separated children from their families. Forced labor plays an integral role in the crimes against humanity taking place against Uyghurs and other Muslim minorities in the region. The U.S. government has determined that these actions are crimes against humanity and has taken steps to ban the import of many goods produced in Xinjiang, including cotton, and sanctioned Chinese government officials responsible for these abuses.

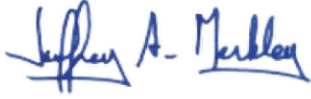
Many global brands are ending the sourcing of cotton goods made in Xinjiang. By contrast, Anta, Li-Ning, and Peak have publicly embraced Xinjiang cotton, likely making them complicit in the use of forced labor.

In light of this, we urge the NBPA to work with its members to raise awareness about the ongoing genocide taking place in Xinjiang and the role of forced labor in the production of products made by brands that NBPA members have endorsed. We hope that the result of such efforts would be that the players would leverage their contracts with Anta, Li-Ning, and Peak to push these companies to end their use of Xinjiang cotton. Short of that outcome, we encourage players to end their endorsement deals with these companies.

NBA players have a track record of using their large public platform to speak out against injustice, and we hope this will include Xinjiang. Complicity in forced labor is neither consistent with American values nor with U.S. law. NBA players serve as unofficial ambassadors admired

and emulated around the world, and we hope that their decisions on endorsements will reflect the NBPA's values.

Sincerely,

Handwritten signature of Jeffrey A. Merkley in blue ink.

Senator Jeffrey A. Merkley  
Chair

Handwritten signature of James P. McGovern in blue ink.

Representative James P. McGovern  
Cochair