

June 1, 2021

Hon. Bob Menendez, Chairman
Committee on Foreign Relations
U.S. Senate
423 Dirksen Senate Office Building
Washington, DC 20510-6225

Hon. Jim Risch, Ranking Member
Committee on Foreign Relations
U.S. Senate
423 Dirksen Senate Office Building
Washington, DC 20510-6225

Re: American Tech Firms Supporting Digital Authoritarianism

Dear Chairman Menendez and Ranking Member Risch:

We are writing to respectfully request that the Committee on Foreign Relations investigate the business practices of Apple, and other American tech firms, with entrenched business dealings in the People's Republic of China (PRC). Recent reports raise serious questions about Apple's actions to accommodate the PRC digital authoritarianism and whether Apple's supply chain includes Chinese companies that use forced labor.

On May 17th, the *New York Times* reported that Apple changed its business practices to accommodate Chinese government, including by storing customers' data on Chinese servers, censoring products on its App Store, and to store encryption keys at a state-owned Chinese facility that could be accessed by the government.¹ The investigative report cites internal company documents and interviews with 17 Apple employees to detail the company's actions to accommodate the People's Republic of China. These actions suggest that the company, which recently reported \$19 billion in revenues in China for the second quarter of 2021², may be enabling the Chinese Communist Party's surveillance state and efforts to suppress dissidents and pro-democracy movements.

On May 10th, *The Information* reported that Apple's supply chain includes seven companies alleged to be engaged in forced labor.³ On December 29th, the *Washington Post* reported that Lens Technology, a longtime Apple iPhone supplier, was using forced labor. The Post added that the company was "one of at least five companies connected to Apple's supply chain that have now been linked to alleged forced labor from the Xinjiang region, according to human rights groups."⁴

Apple has defended its business practices in China. Responding to the May 17th report, the company described the *New York Times* reporting as "based on incomplete, outdated and inaccurate information."⁵ Apple asserted that it has "never compromised the security of our users or their data in China or anywhere

¹Jack Nicas, Raymond Zhong, and Daisuke Wakabayashi, "Censorship, Surveillance and Profits: A Hard Bargain for Apple in China," *The New York Times*, May 17, 2021.

²William Gallagher, "Apple increases China earnings by nearly 90%," *Apple Insider*, April 28, 2021.

³Wayne Ma, "Seven Apple Suppliers Accused of Using Forced Labor from Xinjiang," *The Information*, May 10, 2021.

⁴Reed Albergotti, "Apple's long time supplier accused of using forced labor in China," *Washington Post*, December 29, 2021.

⁵Apple Statement, May 2021, at: <https://int.nyt.com/data/documenttools/apple-statement/61821a018e163070/full.pdf> (May 19, 2021).

we operate.”⁶ Apple has also claimed that “[h]uman trafficking and the use of involuntary labor are strictly prohibited in Apple’s supply chain and our own business operations.”⁷

The Committee on Foreign Relations has a responsibility to investigate these issues and hold a hearing about Apple’s business practices in China. The Committee and its members have demonstrated significant concern about the People’s Republic of China use of digital authoritarianism and genocide against the Uighurs, including the use of forced labor.

The 2020 minority staff report, *The New Big Brother: China and Digital Authoritarianism*, described how “[d]igital tools provide the [Chinese Communist Party] with a range of new options that greatly enhance its ability to monitor citizens, turning China into a surveillance state.”⁸ It should be a matter of alarm to members of the Committee that a US-based company may be facilitating such surveillance.

Legislation sponsored by Senator Marco Rubio and supported by 48 cosponsors, if enacted, would establish that the policy of the U.S. government is “to lead the international community in ending forced labor practices wherever such practices occur through all means available to the United States Government, including by stopping the importation of any goods made with forced labor, including those goods mined, produced, or manufactured in the Xinjiang Uyghur Autonomous Region.”⁹

Given the gravity of these recent reports, the Committee has a fact-finding responsibility for the American people. We respectfully urge the Committee to investigate these issues and hold a hearing to bring the truth to light.

Thank you for your consideration.

Sincerely,

Dan Lips, VP for National Security and Government Oversight, Lincoln Network
Rachel Bovard, Policy Director, Conservative Partnership Institute
Rebecca L. Heinrichs, Senior Fellow, Hudson Institute
L. Brent Bozell III, Founder and President, Media Research Center
Carrie Lukas, President, Independent Women’s Forum
Jon Scheppe, Director of Policy and Government Affairs, American Principles Project
Mike Davis, Founder and President, Internet Accountability Project
Garrett Bess, Vice President, Heritage Action
Samuel Hammond, Director of Poverty and Welfare Policy, Niskanen Center

⁶ Ibid.

⁷ Apple, “2019 Statement on Efforts to Combat Human Trafficking and Slavery in Our Business and Supply Chains,” at: <https://www.apple.com/supplier-responsibility/pdf/Apple-Combat-Human-Trafficking-and-Slavery-in-Supply-Chain-2019.pdf> (May 19, 2021).

⁸ Senate Committee on Foreign Relations, Democratic Staff Report, *The New Big Brother: China and Digital Authoritarianism*, 2020.

⁹ Uyghur Forced Labor Prevention Act, S. 65, 117th Cong. (2021).