

# CORPORATE SPONSORSHIP OF THE 2022 BEIJING OLYMPICS

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## HEARING BEFORE THE CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA ONE HUNDRED SEVENTEENTH CONGRESS FIRST SESSION

JULY 27, 2021

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## **CORPORATE SPONSORSHIP OF THE 2022 BEIJING OLYMPICS**

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**TUESDAY, JULY 27, 2021**

CONGRESSIONAL-EXECUTIVE  
COMMISSION ON CHINA,  
*Washington, DC.*

The hearing was convened, pursuant to notice at 10:02 a.m., via videoconference, Senator Jeff Merkley, presiding.

Also present: Senators King, Cotton, and Daines, and Representatives Smith, Steel, Malinowski, and Wexton.

### **OPENING STATEMENT OF HON. JEFF MERKLEY, A U.S. SENATOR FROM OREGON; CHAIR, CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA**

Chair MERKLEY. Good morning. Welcome to today's hearing of the Congressional-Executive Commission on China entitled "Corporate Sponsorship of the 2022 Beijing Olympics." The meeting has been brought to order.

As the world watches the Olympics currently unfolding in Japan, this Commission remains deeply disturbed that in less than seven months another Olympics is scheduled to begin in the shadow of some of the world's most egregious human rights abuses. The Olympic Games exist to uplift the human spirit. Yet, unless something dramatically changes, in a few months' time the Games will be held in a country that continues to mercilessly crush the human spirit—in Xinjiang, in Hong Kong, and in Tibet, among human rights activists and civil society, and anywhere where defenders of freedom stand up to the Chinese government's bullying.

This hearing will explore how Olympic corporate sponsors can leverage their influence to insist on concrete human rights improvements in China, and how they will manage the reputational and material cost of being associated with an Olympic Games held in the midst of a genocide. It follows up on recommendations made at a May 18th hearing we held jointly with the Tom Lantos Human Rights Commission entitled "China, Genocide and the Olympics." That hearing demonstrated just how deep the bicameral and bipartisan congressional concern is on this issue. I am especially grateful to Representatives McGovern and Smith for their partnership and leadership.

For this hearing, we have invited the U.S.-based companies who sponsor the Olympics through The Olympic Partner Programme of the International Olympic Committee. We are pleased that all five companies whose TOP sponsorships run through the 2022 Beijing Olympics have agreed to testify. These companies are some of the

most well-known and respected brands in the world. This hearing is not meant to attack or embarrass individual U.S. companies, but rather to explore how key Olympic movement stakeholders—corporate stakeholders—can use their influence to ensure that the Olympics lives up to its values.

Holding the '22 Winter Olympics in China and allowing its authoritarian government to reap the rewards in prestige and propaganda of hosting this globally beloved event does not uphold the Olympic spirit. There is a parallel. That parallel is Berlin in 1936, when Hitler used the Olympics to put a real shine on his country at the same time he was already engaged in horrific acts against his own citizens, and worse was to come. But in this situation, it's worse than Berlin in 1936, because the genocide is already underway.

As my co-chairman said in our last hearing, this is not the time for business as usual. We want to hear how Olympic sponsors can help us deny the Chinese government its propaganda coup, support inspirational athletes without channeling the money through an IOC that has demonstrated little regard for internationally recognized human rights, influence the IOC to improve its policies so that the Olympics are never again awarded to a country engaged in genocide and gross violations of human rights, and embrace Olympic ideals of diversity and inclusion without supporting Olympic organizing committees that plan opening and closing ceremonies that will cynically display religious and ethnic minorities that in reality are being subjected to the cruelest forms of mass internment, slavery, forced sterilization, religious repression, and destruction of cultural practices.

I look forward to hearing from our witnesses, and I'd now like to recognize my co-chairman Representative McGovern for his opening statement.

Co-chair MCGOVERN. I want to yield to Representative Smith first, and then I will go after him. Thank you, Chairman.

**STATEMENT OF HON. CHRIS SMITH,  
A U.S. REPRESENTATIVE FROM NEW JERSEY**

Representative SMITH. Well, thank you very much, Jim—Co-chair McGovern. And thank you, Chairman Merkley. Today's hearing is the second in a series which began with a hearing I chaired, joined by Co-chair McGovern and Chairman Merkley, on May 18, 2021—just a few months ago—entitled “China, Genocide and the Olympics.” While that hearing featured testimony from civil society human rights experts, today's hearing will focus on the corporate sponsors of the Beijing Olympics—in effect those who underwrite and help legitimize what we're calling the genocide Olympics.

Let's be very clear what we are talking about here and why multiple hearings and concrete action on this topic are absolutely called for. First and foremost, we are not—we not only see genocide and concentration camps directed against the Uyghurs and the Kazakhs in Xinjiang, but also the ongoing eradication of the culture of Tibet, the harvesting of organs of Falun Gong practitioners, the destruction of Christian churches, and the dismantling of freedom in Hong Kong. And yet, for many American corporations it is business as usual when it comes to China, notwithstanding the

Communist government's repeated unwillingness to abide by its obligations and written agreements including, in the case of Hong Kong, a bilateral treaty with the government of the United Kingdom.

While I appreciate that several corporations have sent their representatives to testify at this hearing, I cannot but shake my head in dismay when I read the preening about compliance with ESG—the environmental, social, and governance—principles, and the virtue signaling about their support for Olympic athletes. For example, we have a submission from Visa's Andrea Fairchild which touts ESG compliance, yet not once mentions Xinjiang or the underlying violations of human rights which have prompted this series of hearings.

Nor is she the only one. In fact, unless I overlooked something, the only submission that even mentions Xinjiang and makes an attempt to deal directly with at least some of the underlying issues appears to be the submission of Intel's Steve Rodgers. Now, to clarify the issue before our witnesses begin speaking, we are talking about state crimes up to and including genocide—a determination made by two secretaries of state, in the last administration and in the Biden administration. And if it helps crystalize the issue further, unlike the 1936 Berlin Olympics, where Hitler sought to showcase the superiority of Nazism, much as the Chinese Communist Party is seeking to use the Olympics as a platform to tout its alternative vision of global governance, the world in 2022 cannot claim that the extent of the PRC's genocide remains unknown.

In light of this, my congressional colleagues and I—Senators Merkley and Rubio, Lantos Commission Co-chair Jim McGovern and I—wrote to the International Olympic Committee's President Thomas Bach last week, stating unequivocally that “No Olympics should be held in a country whose government is committing genocide and crimes against humanity.” Nor should there be any surprise, as in October of 2018 Senator Rubio and I had also written IOC President Bach, asking the IOC to “review and ultimately reassign the location of the 2022 Winter Olympics, given credible reporting of the mass arbitrary internment of 1 million or more Uyghurs or other Muslim ethnic minorities in China's Xinjiang Uyghur Autonomous Region, and other ongoing human rights abuses by the Chinese government.”

My question that I hope all of you will answer is, Did any of you convey opposition to the IOC regarding Beijing as host of the 2022 Olympic Games? And if so, can you provide the Commission with that documentation? I would note parenthetically, that in the early 1990s, when China was seeking to host the 2000 Olympics, I met the father of the Democracy Wall movement Wei Jingsheng in Beijing, who had been released from prison to help the CCP persuade the IOC to select Beijing for the 2000 Games. After China was denied the Games, he was promptly rearrested and tortured, before eventually being released and allowed to come to the United States in 1997. And he was near dead. Wei Jingsheng testified in 1998 before my human rights subcommittee and said that the bullies in the Chinese Laogai and prisons beat and torture prisoners of conscience more when U.S. officials kowtow and appease, and less when we are resolute and serious and penalize barbaric behavior.

The PRC was eventually awarded the Olympics in the year 2008, over the rigorous protests of me and many, many others. So immediately prior to the beginning of those Games, Congressman Frank Wolf and I traveled to Beijing to raise the issue of human rights and to highlight the fact that the Chinese Communist Party was arresting dissidents in and around Beijing to prevent any contact with journalists. Will we have that again as well in the Winter Olympics? So again, these issues—which corporate witnesses need to squarely address today—and how can you reconcile their ostensible commitment to human rights with subsidizing an Olympics held in a country which is actively committing human rights abuses, up to and including genocide?

I respectfully suggest that moral posturing is—granted, these corporations are not directly complicit in China abuses—they're not Thermo Fisher Scientific, whose DNA sequences were used to collect the biometric data of Uyghurs. I mean, that is unconscionable. Further to the point, in 2006 I held a hearing where representatives of Google, Cisco, Yahoo, and Microsoft testified as to their role in assisting the repression in China—especially with surveillance and denying people access to an internet—that was not, again, in any way, doctored.

The year before, Yahoo had shared information with China's secret police which led to the arrest and imprisonment of cyber dissident Shi Tao. Yahoo also handed over data regarding one of its own users, Li Zhi, who had criticized the corrupt local Chinese Communist Party officials in an online discussion, for which he was sentenced to eight years in prison. And Shi Tao, again with Yahoo, got 10 years in prison. While your complicity might not be so direct, your corporate involvement in the Olympic Games nevertheless does further the interests of the government of China, which will utilize the Olympics as a platform to showcase its governance model, all while signaling that crimes up to and including genocide should not interfere with business as usual.

I also want to address a claim we often hear when the issue of an Olympic boycott is broached. What about the athletes who have sacrificed so hard to make it to the Olympics? Yes, their willingness to sacrifice is absolutely admirable, exemplified by their commitment to rigorous training regimens and time spent away from family and friends. But sometimes greater sacrifice is called for from each of us, and that would include the athletes as well. I think of Ted Williams, the last baseball player to hit .400. He sacrificed six years during the prime of his career to serve his country in both World War II and the Korean War. He flew a jet fighter, a Navy F-9F Panther, in 39 combat missions in Korea. In one of those missions his plane was hit and badly damaged, forcing him to crash land.

Finally, I want to close by mentioning where this genocidal mania against the Uyghurs and other Central Asian Muslim minorities like the Kazakhs originates. And that's at the very top. In 2014 Xi Jinping, labeling all Uyghurs who dissented as terrorists, told his officials to wipe them out completely, destroy them root and branch, show no mercy. This has led not only to massive internment in concentration camps in Xinjiang, but also to tracking down Uyghur dissidents around the globe and seeking to have



them extradited or renditioned back to China, often from Muslim countries such as Egypt and even Turkey—which in the past has provided refuge.

One particularly egregious example of this crime came to my attention just yesterday, where a 34-year-old Uyghur activist named Yidiresi Aishan, who had landed in Morocco on a flight originating in Istanbul, was arrested by Moroccan authorities apparently at the request of Chinese government officials. I understand he is in imminent danger of being repatriated to China. I intend to reach out to the Moroccan Foreign Ministry to ask that they withhold any removal proceedings given the danger that he faces in the PRC. Perhaps my colleagues would like to join me in that endeavor.

One reason I mention this individual is that I would like our witnesses to keep in mind that at the end of the day, in this case as in so many others, it is a person with a name who is being oppressed—in this case, millions. The fanfare of the Olympics cannot drown that out. I yield back, and I thank you, Chairman Merkley, for chairing this hearing.

Chair MERKLEY. Thank you.

Co-chairman McGovern.

**STATEMENT OF HON. JAMES P. McGOVERN, A U.S. REPRESENTATIVE FROM MASSACHUSETTS; CO-CHAIR, CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA**

Co-chair McGOVERN. Thank you very much, Senator Merkley, and my colleague Congressman Smith. I thank you for convening this timely hearing entitled “Corporate Sponsorship of the 2022 Beijing Olympics.”

You know, we hold this hearing as the Summer Games are going on in Tokyo. And we wish the athletes the best of luck. But in Japan, there is strong domestic opposition to their government’s handling of the COVID crisis. And I think it’s probably fair to say that the Olympics are being held under somewhat of a cloud. No fans can attend. In addition, some athletes, including Americans Sha’Carri Richardson and Becca Meyers, were denied the ability to compete due to arcane or obsolete rules. This cloud is significant enough that Toyota—perhaps the best-known Japanese company in the world—pulled its Olympic TV ads to stop its brand image from being tarnished. Its CEO joined executives from Panasonic, NTT, NEC, and Fujitsu in choosing not to attend the opening ceremonies in their host country.

In less than seven months, as has been pointed out, the Winter Olympics are scheduled to take place in China. Unless things change quickly, the Beijing Games will be held under a cloud as well—a different cloud, a cloud of genocide, crimes against humanity, gross violations of human rights, and denial of religious freedom. The Congressional-Executive Commission on China has documented these abuses. Our work helped lay the foundation for a legislative response. In the last three years, we have passed major human rights legislation on the Uyghurs, Tibet, and Hong Kong. My CECC colleagues and I are working to pass our Uyghur Forced Labor Prevention Act. Both the Trump and Biden administrations have taken action to respond to Chinese abuses, including a ban

on certain imports from Xinjiang made with forced labor, and sanctions against complicit Chinese officials.

So Congress and the executive branch are doing our part. Now we ask you, as American companies, to do your part. Congress and the executive branch are acting because, when it comes to the Chinese government committing atrocities, we do not accept business as usual. Today we ask you—we ask whether you will treat the Beijing Olympics as business as usual. As U.S.-based Olympic sponsors, your companies represent America on the world stage. We ask whether you're willing to stand up for universal values and use your leverage against genocide and crimes against humanity.

As was pointed out, last week Senators Merkley and Rubio and Congressman Smith and I asked the International Olympic Committee to postpone the Beijing Olympics and relocate them if China does not change its behavior. Now, if we can delay an Olympics for a year for a pandemic—and that's what happened in Tokyo—we certainly can delay it for a year for a genocide. Now we have received the IOC's response. And they said they would do nothing, not even acknowledging the atrocities in China. Today we ask you, as American companies, if you will stand with human rights principles to take action against the abuses in China. Or will you side with the IOC and do nothing?

Now we hope that you agree that your company's reputational risk—noting that each of your testimonies cited your company's human rights values—is not worth the association with an Olympics held in the midst of a genocide. If Toyota can do it, well, why can't you? You know, what is—and I'll close with this—what is particularly galling to me about the IOC's response is its cold indifference to genocide. I mean, this is not a policy disagreement. This is not a trade dispute. This is not politics. This is not even a question about a particular system of government. This is about genocide. And we all appreciate—and I say this, I think, for all of us on this Commission—we all appreciate all that your companies contribute to our country, our economy, the global economy, the jobs and all that you produce. But we are here because we are genuinely horrified by what is happening. And we have to believe that you are, too. I think the question here is what you are going to do about it. So I thank you very much. I look forward to your testimony. I yield back my time.

Chair MERKLEY. I'd now like to introduce our witnesses.

David Holyoke is the head of Olympics and Paralympics Partnerships for Airbnb. He leads the strategic direction, execution, and operation of the company's experiences, Airbnb for work, and Olympics and Paralympics Partnership teams. Prior to Airbnb, he established and built Travel Leaders Corporate into one of the nation's largest travel management companies.

Paul Lalli is the global vice president for human rights for The Coca-Cola Company. He sets company policy, leads engagement with civil society on human rights issues, and oversees the company's global value chain due diligence program. Prior to joining The Coca-Cola Company, he served as GE's global counsel for labor and human rights.

Steven R. Rodgers is executive vice president and general counsel of Intel Corporation. Intel's legal, government, and China groups

report to Mr. Rodgers. He also serves on Intel's senior executive team and reports to the chief executive officer. Before joining Intel, he was a litigation partner at Brown & Bain P.A.

Sean Mulvaney is the senior director for global government relations and public policy for the Procter & Gamble Company. Before joining Procter & Gamble, Mr. Mulvaney served as a member of the board of directors of the Export-Import Bank of the United States from June 2011 until July 2015. In the Bush administration, he was assistant administrator for management at the U.S. Agency for International Development.

Andrea Fairchild is senior vice president of global sponsorship strategy for Visa Inc. She is responsible for leading Visa's global sponsorship portfolio. Prior to joining Visa, Ms. Fairchild provided brand-building services for elite athletes and for businesses that work with athletes. She previously spent over five years with Gatorade and ten years with Nike.

Each witness will be recognized for five minutes of testimony. Mr. Holyoke, you have the microphone.

**STATEMENT OF DAVID HOLYOKE, HEAD OF OLYMPICS AND  
PARALYMPICS PARTNERSHIPS, AIRBNB**

Mr. HOLYOKE. Thank you, sir. Chairman Merkley, Chairman McGovern, respected members of the Commission, thank you for the opportunity to testify before you today. My name is David Holyoke. I've been at Airbnb since 2016, and I am currently the head of Olympics and Paralympics Partnerships.

In our 14 years, Airbnb has helped guests experience the world in a more authentic, connected way. We began with two hosts taking in three guests at their apartment in San Francisco. Today, Airbnb has grown to 4 million hosts who have welcomed 900 million guest arrivals in more than 220 countries and regions around the world. At Airbnb, we believe travel can be transformational. It can break down barriers, help people get to know each other, and foster acceptance and understanding.

The Olympic Games have shown that sports can do the same, bringing the world together through an incredible and inspirational athletic competition. In the same way that hosts are at the heart of the Airbnb experience, athletes are at the core of the Olympic and Paralympic movement. That's why we are proud that our Olympics partnership is premised on empowering and connecting athletes from different cultures, races, religions, and creeds, all under the banner of sports.

As an IOC TOP partner, we are committed to a unique partnership to support both the economic empowerment of individual athletes and the role that the Olympics and Paralympics have historically played as a global movement to foster people-to-people connections. This commitment spans nine years and encompasses five Olympic and Paralympic Games. And our partnership is designed to support athletes, not any particular city or Games. Our athlete-centered approach is based on three pillars.

First, supporting and empowering athletes, particularly via the creation of a specific category of Olympian and Paralympian hosted experiences, to provide them with a platform to share their voices and earn extra income. Second, providing accommodations support

to the Olympic family, including accessible stays for Paralympians. And, third, supporting the Refugee Olympic and Paralympic Teams, which we see as an extension of our longstanding efforts to support refugees. Through this athlete-focused partnership, we are proud to do our small part to support Olympic and Paralympic athletes as they strive to achieve their dreams and inspire the world.

As a company based on connection and belonging, we operate globally everywhere the U.S. Government allows us to. We recognize that our global footprint means we have and will continue to face complex and challenging issues worldwide. That's why our core values and policies have long reflected our recognition of and respect for human rights, as informed by internationally recognized standards such as the Universal Declaration of Human Rights and the United Nations Guiding Principles on Business and Human Rights.

Everyone who uses Airbnb must agree to our Community Commitment, a global standard that requires all members of our community to affirmatively agree to treat everyone in the Airbnb community with respect and without judgment or bias. This commitment applies to everyone who uses Airbnb around the world, including users in China.

In markets throughout the world—including in all the countries where the Olympics are scheduled to take place over the course of our partnership—we have removed listings and people from the platform when we find they violate this Community Commitment. This is an important part of our work to address bias and discrimination on our platform, which are antithetical to our mission and values. We are constantly working to improve and to ensure that human rights considerations are embedded in our policies and practices.

We're grateful for the opportunity to support global Olympic and Paralympic athletes, Team USA, and our host and guest community. Thank you for the chance to testify before you today to share more about Airbnb's commitment to these athletes and the Olympic spirit. I look forward to your questions. Thank you.

Chair MERKLEY. Thank you very much.

[The prepared statement of David Holyoke appears in the Appendix.]

And now Mr. Lalli.

**PAUL LALLI, GLOBAL VICE PRESIDENT FOR HUMAN RIGHTS,  
THE COCA-COLA COMPANY**

Mr. LALLI. Chairman Merkley, Chairman McGovern, and distinguished members of the Congressional-Executive Commission on China, thank you for inviting me to speak to you about The Coca-Cola Company's human rights commitment and our proud history of supporting global sporting events. We as a company and I personally, share your passion for human rights and have the greatest respect for this Commission's essential work. My name is Paul Lalli. I am global vice president of human rights at The Coca-Cola Company. In that capacity, I oversee the company's human rights policies and due diligence programs across the world. I also lead our human rights transparency and stakeholder engagement efforts.

Almost a century ago, The Coca-Cola Company sponsored the 1928 Olympic Games and partnered with the U.S. Olympic Committee for the first time. In every Olympic Games since then, we have proudly supported the International Olympic Committee and Team USA. As the U.S. Olympic and Paralympic Committee always stresses, no athlete achieves their dream alone. The Coca-Cola Company is proud to play a part in making these dreams come true. We are also a longstanding partner of other major sporting events, including the FIFA Men's & Women's World Cups, the UEFA Championships, the Special Olympics—of which we are the founding partner—and many others.

We sponsor these events because we believe that sport is unique in its ability to bridge divides between people and showcase the best of the human spirit. Across our sponsorships, our credo is simple. We follow the athletes. We do not select venues. We do not endorse cities, countries, or governments. We sponsor events and competitors. We ensure that the vast majority of our funding flows to the athletes. With the Olympics, for instance, 90 percent of our funding flows to 206 National Olympic Committees, their teams and athletes, and the IOC Refugee Olympic Team. Team USA is the largest single beneficiary of this funding.

In our sponsorships and our business, we have long been a leader in advancing respect for human rights. The Coca-Cola Company was among the first companies to commit to the United Nations Guiding Principles on Business and Human Rights, and we strive constantly to realize their ideals. Two elements are critical in that effort—due diligence and stakeholder collaboration. Both are pillars of our approach. Our policies establish strict and binding human rights expectations of our employees, our bottlers, and our suppliers. These policies are supported by a robust infrastructure to identify and address human rights risks across our value chain.

We regularly disclose how we're doing with reference to these standards. The Coca-Cola Company's Sustainability Report, for instance, is integrated with our annual report to make clear that respect for human rights and the environment is at the heart of our business. In pursuit of practical and meaningful difference, we engage with a broad array of stakeholders across the world regarding the full range of human rights. And we are proud of our strong relationships with so many leaders in the global fight for human rights, from Oxfam and Human Rights Watch to the Interfaith Center on Corporate Responsibility.

We operate in more than 200 countries and territories, each posing unique economic, cultural, and political challenges. We do our best wherever we operate to improve the lives of everyone we impact—workers, communities, and consumers. Stakeholder collaboration empowers us to make a practical difference. Collaboration is also the cornerstone of our drive to embed respect for human rights in global sporting events. The Coca-Cola Company is a founding member of the Centre for Sport and Human Rights. The Centre brings together sports bodies, governments, international civil society, sponsors and, critically, broadcasters, to do what no individual actor alone could, by building consensus and offering practical guidance.

Much work remains to be done. The international world of sport is vast and complex, with many different stakeholders and interests. The Centre provides a unique platform to bring these stakeholders together to drive practical progress. And we remain committed to its success. As we strive for this progress, we will continue to follow the athletes. But the United States is our home and beacon. We will always follow U.S. law. And if our government decides not to send athletes to any sporting event for public policy reasons, we will treat that decision with respect. Thank you for your time. I look forward to answering the Commission's questions.

Chair MERKLEY. Mr. Lalli, thank you very much.

[The prepared statement of Paul Lalli appears in the Appendix.]

Chair MERKLEY. And now Mr. Rodgers.

**STEVEN R. RODGERS, EXECUTIVE VICE PRESIDENT AND  
GENERAL COUNSEL, INTEL CORPORATION**

Mr. RODGERS. Good morning, Chairman Merkley, and Co-chair McGovern, and distinguished members of the Commission. My name is Steve Rodgers, and I'm the executive vice president and general counsel of Intel Corporation. My role at Intel is to keep the company legal, ethical, respected in every jurisdiction in which we do business. My day-to-day responsibilities at Intel include managing the company's legal, government affairs, trade, ethics, and legal compliance functions generally. Additionally, Intel China's headquarters operation reports to me. Thank you for inviting Intel to testify today and thank you for the Congressional-Executive Commission's continued leadership and guidance on important issues regarding China.

Intel is a proud sponsor of the Olympic Games. Our sponsorship of the Olympics spans several Games and cities, including PyeongChang, Tokyo, Beijing, and Paris. Intel supports the Games' overarching mission to bring athletes together from every corner of the world to participate vigorously and peacefully, to experience fellowship, and to participate in the symbolic nature of a diverse, inclusive, and global event that celebrates excellence among us. Intel is driven by our mission to develop world-changing technology that enriches the lives of every person on Earth. The success of that mission is predicated on the continued trust placed in us by our customers, business partners, governments, employees, and communities around the world, and includes our longstanding focus on corporate responsibility.

Intel is committed to respecting and promoting human rights in connection with our operations, supply chain, business relationships, and products. In 2021, Intel was named one of the world's most ethical companies by Ethisphere—an honor that we have received for each of the past 10 years. At Intel, we pride ourselves on not just complying with the law but going above legal mandates on issues of human rights. For example, under our human rights principles we have forgone hundreds of millions of dollars in sales globally that, while legal, did not meet our internal standards. Intel actively collaborates in the business and human rights community, and we engage on human rights issues through memberships, partnerships, and participation in external organizations, as well as with leading human rights experts.

Our engagement includes serving as a founding member of the Responsible Business Alliance since that organization's inception in 2004. The RBA is the world's largest industry coalition dedicated to corporate social responsibility in global supply chains and helps Intel hold suppliers accountable and to the same high expectations and human rights standards that we have set for ourselves. We are deeply concerned when we hear reports of human rights violations in any jurisdiction in which we do business.

We are aware of the determinations made by the U.S. Department of State regarding the Xinjiang region, as well as the U.S. Government's ban on the importation of products sourced from that region. We respect the rule of law and seek to operate ethically everywhere we do business. After conducting due diligence, we have confirmed that Intel does not use any labor or source goods or services from the Xinjiang region. We also take steps to prevent and mitigate the risk of our third-party business partners globally using our products to cause, contribute, or be linked to human rights abuses.

Our sponsorship of the 2022 Winter Olympic Games in Beijing does not negate or undermine our commitment to respect for human rights, or the activities we have taken for over a decade to prevent the risk of human rights violations around the world. Moreover, our sponsorship of the Olympics is not an endorsement of any specific host country, nor an acceptance of every activity that occurs within any specific country. We are strong supporters of the Centre for Sport and Human Rights, which has engaged with the IOC and openly commented on the 2022 Olympic Games, including recommending specific steps for the IOC to accept.

It is our goal to conduct our business around the world ethically and to fulfill our commitment to respect human rights in all of our business dealings. We appreciate the opportunity to participate in this hearing. Thank you.

Chair MERKLEY. Great.

[The prepared statement of Steven Rodgers appears in the Appendix.]

Chair MERKLEY. And now we'll turn to Mr. Mulvaney.

**STATEMENT OF SEAN MULVANEY, SENIOR DIRECTOR, GLOBAL GOVERNMENT RELATIONS AND PUBLIC POLICY, THE PROCTER & GAMBLE COMPANY**

Mr. MULVANEY. Chairman Merkley, Co-chairman McGovern, fellow members of the Commission, my name is Sean Mulvaney, and I'm a senior director for government relations and public policy at Procter & Gamble. Thank you for the opportunity to appear to discuss P&G's commitment to respecting and prioritizing human rights, including our longstanding support of Olympic athletes and their families.

P&G's support for the Olympic movement began with our sponsorship of Team USA in the 2010 Vancouver Games and continues today with our participation in the IOC's Olympic Partner (or TOP) program. This commitment spans two decades and nine past and future Games, from London 2012 to Los Angeles 2028. As an Olympic sponsor, our focus from the very start has been on supporting Olympic athletes and their families. To date, we have supported

more than 400 global athletes, including at least 100 American athletes.

This support is particularly important here in the United States. Unlike in many other countries, the U.S. Olympic and Paralympic Committee is privately funded and receives no direct funding from the government. The USOPC is therefore especially reliant on private funding, with 33 percent of funding for Team USA coming from TOP sponsorships. This funding allows the USOPC to pay for things like athlete programs, training facilities, and competition support like travel and lodging. Simply put, it is support from private sponsors like P&G that enables Team USA's athletes to compete and win at the highest level.

Our support for athletes and the Olympic mission also includes direct athlete sponsorships, marketing campaigns, spectator activations, and providing essential personal services for athletes participating in the Games. For instance, one of P&G's central initiatives during the Games is the P&G Family Home, which gives athletes and their families a place to convene, relax, rest, and eat. Through our Olympic advertising, we also seek to champion the accurate portrayal of all people, including female athletes, while raising their voices and highlighting the causes they champion, on and off the field.

In the Tokyo Olympics, 16 of 18 P&G-sponsored athletes are women, and five of our brands are launching campaigns celebrating a diverse group of women Olympians. Separate from our role as a TOP sponsor, P&G and the IOC jointly established the Athletes for Good Fund, which in the lead-up to the Tokyo Olympics has provided 52 grants to community causes that Olympic and Paralympic athletes and hopefuls support. These efforts are just some of the ways that we put our purpose, values, and principles into practice. And as in all things we do, P&G is committed to respecting human rights in our Olympic sponsorship.

That's why we ensured that our TOP sponsorship contract required the IOC to maintain policies that respect human rights, and why we have supported the IOC's efforts to implement the UN Guiding Principles in its operations and oversight of the Games. It's also why, as a founding member of the Centre for Sport and Human Rights, an alliance of organizations working to protect and promote human rights in athletics, we have encouraged the Centre to reach out to the IOC. Specific to the Beijing Games, the Centre has engaged with the IOC regarding supply chain considerations, free speech protections, and protections against displacement of local communities.

We have further urged the IOC to implement expert-developed recommendations on a human rights strategy, including amending the Olympic Charter to address human rights, building the IOC's human rights expertise, strengthening due diligence on human rights risks, helping improve athlete grievance mechanisms, and communicating human rights progress publicly. P&G has consistently engaged with the IOC to offer support as the IOC implements these recommendations.

At P&G, our commitment to respecting and prioritizing human rights is fundamental to how we manage our entire business. In particular, we support the UN Guiding Principles. We encourage



anyone with potential human rights concerns related to our business to share information. And we have set up a 24/7 help line to enable confidential reporting. We have also extended our commitments to our global supply chain by adopting our Responsible Sourcing Expectations for External Business Partners. These expectations include prohibitions on the use of forced or child labor; prohibition of discrimination based on race, gender, religion, or other protected characteristics; prohibition of coercion, harassment, or punishment of workers; and respect for employee and consumer privacy.

As this Commission knows well, achieving respect for human rights around the world can be an enormous challenge. P&G believes we can make meaningful contributions in our shared objectives through collaboration and engagement with others. Thank you again for this invitation to testify this morning. I look forward to answering your questions.

Chair MERKLEY. Thank you, Mr. Mulvaney.

[The prepared statement of Sean Mulvaney appears in the Appendix.]

Chair MERKLEY. And now we'll turn to Ms. Fairchild.

**STATEMENT OF ANDREA FAIRCHILD, SENIOR VICE  
PRESIDENT OF GLOBAL SPONSORSHIP STRATEGY, VISA INC.**

Ms. FAIRCHILD. Good morning, Chairman Merkley, Co-chairman McGovern, and members of the Commission. Thank you for the opportunity to appear before you today to discuss Visa and the 2022 Beijing Winter Games.

Visa is a proud, longstanding supporter of the Olympic and Paralympic Games and the athletes who dedicate their lives training to compete at the highest levels of their sport. We view the Games as one of the most important global movements that bring people together to promote peace, friendship, and mutual understanding. At Visa, our mission is to connect the world to enable individuals, businesses, and economies to thrive. We recognize our responsibility to respect, advance, and maintain global human rights across our company and operations, and in connection with our global sponsorship programs.

Our approach to respecting human rights is guided by the international frameworks, including the United Nations Guiding Principles on Business and Human Rights, which we fully support. Visa is also a proud founding supporter and Advisory Council member of the Centre for Sport and Human Rights. The Centre is dedicated to advancing a vision of the world of sport that fully respects and promotes human rights through stronger accountability across the sports ecosystem.

Visa's mission also underpins our approach to sponsorships. For more than 35 years, our partnership with the International Olympic Committee has been rooted in a shared commitment to make a positive transformational impact on the world, and in supporting the athletes. Visa is a founding member of The Olympic Partner Program, a global sponsorship program which was founded by the IOC in 1985 with the goal of establishing long-term partnerships that would directly benefit athletes, who are at the heart of the

Olympic movement. Visa also became the first global partner of the International Paralympic Committee in 2003.

I would like to address the issues that bring us here today. Sponsors like Visa have no say in the countries selected by the IOC to host the Games. It has been that way for the entirety of our 35-year partnership and remains that way today. Indeed, the foundation of our sponsorship has always been supporting the incredible Olympic and Paralympic athletes and hopefuls in their journeys to achieve their dreams. And as long as governments allow athletes to participate in the Games, we will be there to support them.

Without the contributions of the Olympic partners, the world's best athletes simply would not have the opportunity to compete at the Games. In fact, 90 percent of all IOC revenues are redistributed to support athletes and sports organizations globally, including the 206 National Olympic Committees and International Sports Federations. This support is even more critical for Team USA athletes, as the United States Olympic and Paralympic Committee relies solely on private funding to deliver on their mission of empowering American athletes to achieve their sustained competitive excellence and well-being.

In addition, Visa created its own athlete support program, called Team Visa, more than two decades ago, focused on supporting athletes before, during, and after the Olympic and Paralympic Games. We are proud that more than 500 athletes have joined the Team Visa roster to date. Olympians and Paralympians representing the United States have generally had the largest representation on Team Visa and more than half of Team Visa athletes have been women. Many Team Visa athletes have had to overcome significant challenges to rise to the highest levels of competition.

The Olympic Games have been a bright spot for many athletes and allowed them to achieve their lifelong dreams. The Team Visa roster for Tokyo 2020 includes 102 athletes from 54 countries and territories, and 28 sports. It's our largest and most diverse and inclusive roster in our history. We look forward to naming our Team Visa athletes for the 2022 Winter Games later this year.

In closing, we know that when we empower someone—whether a local shop owner or an athlete competing in the Olympic Games—we can bring about positive change to uplift everyone, everywhere. Thank you, again, for the opportunity to represent Visa today. And I am happy to address any questions that you may have.

Chair MERKLEY. Thank you, Ms. Fairchild.

[The prepared statement of Andrea Fairchild appears in the Appendix.]

Chair MERKLEY. And we'll now have questions. And we'll ask each individual to limit their questions to seven minutes. So I'm starting the timer on myself because I'm going to go first.

I'm going to ask similar questions of each of you, just kind of setting the framework here. Starting with you, Mr. Holyoke: Does your company reject human rights practices like mass internment, forced labor, forced sterilization, religious repression, destruction of cultural and religious practice, arrest and intimidation of human rights defenders, and other violations of internationally recognized human rights?

Mr. HOLYOKE. Thank you for the question. Human rights is core to our values and principles. And discrimination has no place on our platform.

Chair MERKLEY. And all of those things that I just mentioned, you reject those as inappropriate activities of a government?

Mr. HOLYOKE. Correct.

Chair MERKLEY. Thank you. Second, if you sign up for another IOC contract, will you insist that the IOC not assign the Olympic Games to any country engaged in genocide?

Mr. HOLYOKE. Thank you for the question. Our partnership with the IOC spans nine years. It's not about any specific Games or city. We've had numerous conversations with the IOC about the importance of human rights. And we've encouraged the IOC to be transparent and engage with host governments about this important matter.

Chair MERKLEY. OK, but you didn't really answer my question, unless you're saying no, you would not insist that the IOC not assign the Olympics to a country engaged in genocide.

Mr. HOLYOKE. As I mentioned, human rights is core to our values. We've had, prior to coming into the partnership and ongoing, conversations with the IOC about the importance of this, and we would continue to have that dialogue with the IOC.

Chair MERKLEY. Would you consider insisting that your contract in the future be "Games-by-Games," so you're not locked into being a sponsor of the Olympics at a nation engaged in genocide? So the first question was whether in renegotiating the contract you'd insist the IOC not put the Games in a country that's engaged in genocide—obviously putting you in a very difficult situation. But another choice would be to negotiate that contract and to go "Games-by-Games," so you're not accidentally, if you will, locked into this situation.

Mr. HOLYOKE. Thank you for the question, sir. We would continue to have ongoing dialogue with the IOC, and we would continue to express our views and values around human rights and encourage them to be in the selection and engage with host governments on this important topic.

Chair MERKLEY. OK. Well, I hope you will consider that—those types of possibilities. This is where your corporate leverage is—not being put in this regrettable and horrific situation. This host, China, made promises in 2015 when it was awarded the Games, about improving its human rights. It did not honor those promises and went in the other direction, went in the other direction on Hong Kong, certainly went in the other direction in the treatment of Uyghurs and other ethnic minorities. If the IOC accepts such promises and a country doesn't deliver, would you encourage the IOC to move the Games to another country, to reassign them?

I'm sorry, were you able to hear my question?

Mr. HOLYOKE. I'm sorry, sir. Was that directed to me?

Chair MERKLEY. Yes.

Mr. HOLYOKE. Would you mind repeating the question? Apologies.

Chair MERKLEY. Certainly. If in 2015, in this situation, China made promises on human rights to the IOC—those promises the IOC has never actually delivered the details on—but they said that

China promised improvements. If a nation promised improvements on human rights to meet certain human rights standards and they failed to meet those, would you encourage the IOC to have a practice of moving the Games?

Mr. HOLYOKE. Thank you, sir. And again, apologies for not hearing it originally. Prior to entering our partnership—we came in after 2015—we had numerous conversations with senior officials at the IOC around the importance of human rights. We continued to encourage them to be engaged on this topic with host governments. And we will continue to do so.

Chair MERKLEY. OK. And several companies have noted that this is all about the athletes. The IOC has threatened to disqualify athletes who express concerns about human rights at the Olympic Games. Would your company support athletes' rights to speak up about violations of human rights?

Mr. HOLYOKE. Thank you for the question. We believe athletes are humans, first and foremost, and should have the ability to express their voice in a peaceful manner that aligns with the Olympic Charter and principles. And so our partnership is, first and foremost, about empowering and supporting athletes. And we would continue to be focused on that.

Chair MERKLEY. I'll ask one final question, and I intended to ask these questions of each person; it's just that you are the first person to testify. So I don't mean to be ganging up on you.

But this one is a specific question about Airbnb. It's an article from The Telegraph. I'll ask unanimous consent to put it into the record. Hearing no objection, so ordered. And it notes that Uyghurs and Tibetans are locked out of Airbnb in China's latest crackdown on ethnic minorities. This article goes on to note that essentially people have to put on their Airbnb listings that they will not allow Uyghurs or other ethnic groups to utilize an Airbnb listing.

So here is a piece of the discrimination—a part of the broader, even more horrific practices of genocide, directed at the Uyghurs. Is this an issue you're aware of? And is Airbnb working to address this in the specific context of your company?

Mr. HOLYOKE. Thank you, Chairman, for the question. Yes, I am aware of the article. Human rights is core to our values and principles. Discrimination has no place on our platform. Anywhere that we see language that is discriminatory, we take action to remove those listings and hosts from our platform. All of our users, whether hosts or guests, are required to sign our Community Commitment, which ensures that our users behave and operate on our platform without bias or discrimination. We regularly scan for listings and hosts on our platform where we see discrimination against minorities. And we take action up to removing those hosts and listings from our platform. To date, we have removed over 1.5 million people from our platform that have failed to agree to our Community Commitment, including users in China.

Chair MERKLEY. Thank you very much. And again, I apologize for putting you on the spot through my entire questioning, but I'll direct my next set of questions elsewhere.

Meanwhile, my time is up. And so we'll turn to Co-chairman McGovern.

Co-chair MCGOVERN. I thank you very much. And I appreciate everybody testifying here today. And I appreciate everybody's commitment to human rights, but I kind of feel we've tiptoed around the focus of this hearing. Nobody really talked about what is happening in China or what is happening in Xinjiang.

So let me if I can, ask—these are yes-or-no questions to all the witnesses. And I mean yes or no. Would your company be willing to ask the IOC to postpone the Olympics to allow time for the Chinese government to stop its atrocities and relocate if they do not? I'll begin with Ms. Fairchild.

Ms. FAIRCHILD. I'm sorry. Could—

Co-chair MCGOVERN. It's a yes-or-no question. Would your company be willing to ask the IOC to postpone the Olympics to allow time for the Chinese government to stop its atrocities and relocate if they do not?

Ms. FAIRCHILD. As a sponsor we have no role in the site selection process of where the Olympics are held.

Co-chair MCGOVERN. As a sponsor, I would assume that you could make a request. Mr. Mulvaney.

Mr. MULVANEY. Congressman, we respect human rights all around the world. As Visa said, we don't have a role in site selection. So I don't believe that we would be in a position to tell the IOC to move the Games.

Co-chair MCGOVERN. All right. Mr. Rodgers.

Mr. RODGERS. Good morning, Mr. Chairman. The answer to the question is yes. We have stressed with the IOC the importance of human rights to Intel and have encouraged them to take these matters most seriously.

Co-chair MCGOVERN. Thank you. Mr. Lalli.

Mr. LALLI. We, again, do not have a say on the host city selection and whether Games are relocated or delayed. We follow the athletes. But we work through the Centre to strive for a responsible event, including embedding human rights in any of the mega sporting events.

Co-chair MCGOVERN. All right. Mr. Holyoke.

Mr. HOLYOKE. Thank you, sir. We've had numerous conversations with senior leaders at the IOC about the importance of human rights. And we've continued to stress to them the importance of being transparent and engaged with host governments about this matter.

Co-chair MCGOVERN. The question is, though, would you ask them to postpone the Olympics to give China an opportunity to try to stop its atrocities and urge them to relocate if they do not?

Mr. HOLYOKE. Thank you, sir. We're not involved in the selection of host cities. Human rights—

Co-chair MCGOVERN. All right. So another yes-or-no question. Noting that the CEOs of at least four Japanese companies declined to attend the Tokyo Olympics, is your company willing to consider not sending its CEO or their designee to Beijing? We'll begin with Mr. Holyoke.

Mr. HOLYOKE. Thank you for the question. Our partnership as it relates to Beijing 2022 isn't about any large global marketing activities. It's about empowering and supporting the athletes. Any ac-

tivations or participation in Beijing is local in nature and focused in the China market.

Co-chair MCGOVERN. OK. All right. Mr. Lalli.

Mr. LALLI. Chairman, again, we really—we follow the athletes in respect to these Games and are not involved in determining who attends with respect to our company.

Co-chair MCGOVERN. But you will decide whether your CEO or a designee attends. I mean, that's a decision you make, not the IOC. So the question is, given what is going on, are any of you willing to—I mean, we've had four Japanese companies decide to have their CEOs not attend based on the cloud over the current Olympics in Tokyo. The question is, would you consider having your CEO or your designee not attend these Olympics, given what is happening there?

Mr. LALLI. Chairman, I respect the question. And our focus is twofold: on sponsoring and supporting the athletes and on embedding human rights in the lifecycle of these Games.

Co-chair MCGOVERN. OK. Mr. Rodgers.

Mr. RODGERS. We haven't made any decision on who will attend any particular Games, Mr. Chairman.

Co-chair MCGOVERN. Thank you. Mr. Mulvaney.

Mr. MULVANEY. We have not made any decisions as well on who attends the Games. In fact, we're holding off on a lot of our marketing decisions in order to hear the perspective of you and the members of the Commission.

Co-chair MCGOVERN. I appreciate it. And Ms. Fairchild.

Ms. FAIRCHILD. Yes, Chairman. Agreed, we have not made those decisions at this time. And it's not possible right now, several months out—especially given the variable of COVID-19. And, again, our focus now is on the Tokyo Games.

Co-chair MCGOVERN. OK. All right. Let me ask you another yes-or-no question here. You know, noting that Toyota decided to pull all of its domestic Olympic-themed television commercials for Tokyo, is your company willing to consider canceling its Olympic-themed television commercials for Beijing, to disassociate itself from the host government's atrocities? Why don't we begin with Mr. Mulvaney.

Mr. MULVANEY. Thank you, Congressman McGovern. You know, our advertising is always about the athletes. It's not about the host city. You can go back to London, currently in Tokyo, all the Games, it's never been about the host city. It's always been about the athlete. I'm taking all this in. Our company is taking all this in. Our normal approach to this is to advertise, because it's about the athletes and enabling them to compete. And we portray the athletes and the grit, and their family support. And so I'm here to listen. You know, I can take this back to my company but, you know, I can't make a commitment that we won't advertise.

Co-chair MCGOVERN. OK. Ms. Fairchild.

Ms. FAIRCHILD. Similarly, we are assessing the situation at this point. However, it is important for us to support the athletes. That's the foundation of our sponsorship. And we focus our advertising in that realm as well. We will continue to assess the situation and make that determination.

Co-chair MCGOVERN. Mr. Rodgers.

Mr. RODGERS. Chairman, we have not made any decision at this point beyond what we're going to do with the current Tokyo Games.

Co-chair MCGOVERN. Mr. Lalli.

Mr. LALLI. Chairman, I'm not aware of our decision yet regarding advertising in the Beijing Games. Our focus is on the athletes and on working through these multi-stakeholder initiatives.

Co-chair MCGOVERN. Mr. Holyoke.

Mr. HOLYOKE. Thank you, sir. We are not planning any traditional large-scale global marketing campaigns relating to Beijing. Our focus will be on empowering athletes and the sponsorship of the Olympic and Paralympic refugee teams. And any programs would be local to the China market only.

Co-chair MCGOVERN. I know my time is running out, but let me just kind of sum up my thoughts at this moment. As I said in the beginning, we appreciate all of the companies that are represented here today, as to what they do in terms of creating jobs and helping our economy and the global economy. That goes without saying. But you know, enough of you keep on going back to, "We support the athletes, we support the athletes." Everybody supports the athletes. This is not about—this whole hearing is not about supporting the athletes. It is about dealing with something, quite frankly, that is beyond the pale, that is at the extreme. What is happening in China right now, especially in Xinjiang, is beyond the pale. This is different. This is at the outer edges of what is bad.

And I think that with respect to everyone here, in addition to trying to send a message to China—and I know it is difficult, because China plays hardball. And I know you're worried about your profits, and your business models, and dealing with China. I understand all that comes into play. But there's also something else that I think people need to consider, and that is reputations, because we are talking about—you heard from Mr. Smith and from Senator Merkley—we are dealing with a genocide that is unfolding that is well documented.

And I think we all took note that in all the testimonies nobody really talked about what is happening to the Uyghurs in Xinjiang. Nobody talked about specifically what is going on. And I attribute that to, I think, trying to prevent a backlash from China. But I'll just say this—we want to influence China's behavior here in a good way. And we think that you can play a role in that. I understand the difficulties that you all face, but on the other hand—we are happy to provide briefings on what is going on with the Uyghurs and others. But again, it is at the extreme. And it is beyond the pale.

So with that I will stop, and I will yield back my time. Thank you.

Chair MERKLEY. Representative Smith.

Representative SMITH. Thank you very, very much, Mr. Chairman.

I'd like to ask each of our witnesses, if I could—and this would be a yes-or-no answer. Knowing what we know now about the Beijing genocide Olympics, should it be moved to another country and another city? We'll begin with Ms. Fairchild. Yes or no.

Ms. FAIRCHILD. Again, as I stated in my opening statement, as sponsors we have no responsibility in the site selection.

Representative SMITH. I understand that. But you know what's going on there, and the myriad of other human rights abuses that are being committed. But genocide is in a league of its own. Should it be moved, yes or no?

Ms. FAIRCHILD. I will respond to that by saying that our sponsorship commitment really spans several years, so it's not about a particular host city. It's more about the long-term support for the Olympics.

Representative SMITH. We're just talking about the Beijing genocide Olympics. We all respect what you do for the Olympians. It's fantastic. But we're talking about a host city that is analogous to exactly what Hitler did in 1936. And Xi Jinping has said clearly on the record he wants to tell the whole world how great his governance is, which is despotic. It's dictatorial. And it's a genocide. Should it be moved, yes or no?

Ms. FAIRCHILD. Again, I will answer the question by saying as long as the governments allow the athletes to attend the Games, Visa will be there to support and sponsor them.

Representative SMITH. So that's "no."

Ms. FAIRCHILD. We will be there to support and sponsor them if the Games are held.

Representative SMITH. But you don't think it should be moved. I just want clarity. Just clarity.

Ms. FAIRCHILD. I do not have any specific opinion on that. Again, that is not a decision and a role that the sponsors play.

Representative SMITH. But as a human being and as somebody—as a corporation that believes in human rights, it seems to me that you have a moral responsibility, very clear, when a genocide is ongoing, when women are being raped and in concentration camps, forced abortion, forced sterilization. The men are being tortured as well as the women. And we have, on the China Commission, of which I'm ranking member, and on the Lantos Commission, numerous hearings about what these individuals are undergoing. I'm baffled and disappointed that you can't just say: Move the Games.

Ms. FAIRCHILD. I understand, Chairman, and absolutely recognize the seriousness of the issues that we're discussing today. We take note that the Olympics is what we are discussing and what has brought us together to have this important conversation. But I will say again that as long as the governments are allowing the athletes to attend the Games, we will be there to support and sponsor them, including our American athletes.

Representative SMITH. Could I ask Mr. Mulvaney, Mr. Rodgers, Mr. Lalli, Mr. Holyoke—if you could all answer that question. Should they be moved, the Olympic Games? The Beijing genocide Olympics?

Mr. MULVANEY. Mr. Chairman, at Procter & Gamble we don't have a position on moving the Games. We support the promise and the potential of the Olympic movement. And that's our commitment over a multi-year horizon.

Representative SMITH. Can you not understand that this grossly undermines the Olympic creed, the Olympic mission, which—I love the Olympics, as do my colleagues on this—you know, on the Sen-



ate and House side. This is beyond an unconscionable enabling of genocide, because we know what Xi Jinping is doing with this. You know, in our last hearing we heard from experts who said how he's using this to say to the world: Look at our governance model and replicate it. And again, for those who are suffering in the gulags, in the Laogai, in the concentration camps, how demoralizing this will be. Should they be moved?

Mr. MULVANEY. Mr. Chairman, our commitment is to the Olympic movement.

Representative SMITH. OK. But this hurts the Olympic movement, as well as the people who are victimized so grossly.

If I could, the other members—Mr. Holyoke, Mr. Lalli, if you all could—and Mr. Rodgers. Should they be moved?

Mr. HOLYOKE. Our partnership is a nine-year partnership with the IOC. It's not focused on Beijing or any other single Games. It's about—

Representative SMITH. But this is unique, isn't it? This is absolutely special and unique—special in a very bad way—because it's a genocide Olympics. Can you not say move them?

Mr. HOLYOKE. Thank you, sir, for the question. Our partnership is providing dedicated support to individual athletes on an ongoing basis. Our purpose is to connect people, and we've seen that the Games do the same.

Representative SMITH. OK. Would the others like to answer it? Mr. Rodgers. Mr. Lalli.

Mr. RODGERS. Commissioner, we haven't stated a position on the location of the Games. A couple of thoughts—

Representative SMITH. Can you do it now? Can you do it now? With all due respect.

Mr. RODGERS. I heard this morning that the IOC has responded to the letter sent by the Commission. I haven't seen that letter. I'd like to look at it. We will continue to urge—

Representative SMITH. I've read their response. It is a nothingburger, with all due respect. It doesn't address this at all.

Mr. RODGERS. I haven't read it and didn't know it existed until this morning. So I've learned something—

Mr. SMITH. We've been asking you since 2018, when Marco Rubio and I did the letter asking that this be moved. And again, this is totally bipartisan and bicameral.

Let me just ask, I guess, Did any of you convey to the IOC or the U.S. Olympic Committee and Paralympic Committee this opposition, or concerns about these Beijing genocide Olympics? And also, if you could all answer this, Has anyone in the Chinese government or anybody acting on their behalf conveyed to your company any penalty or risk of access or participation in the Chinese economy should you raise your voice on behalf of the victims and suggest that there be a move to another venue in another country?

Mr. RODGERS. Commissioner, the answer to your second question is no. And the answer to your first question is yes.

Representative SMITH. OK.

Mr. LALLI. Commissioner, this is Paul Lalli, on behalf of The Coca-Cola Company.

Representative SMITH. Mr. Lalli.

Mr. LALLI. We have conveyed to both the IOC and through the Centre, through these multi-stakeholder initiatives, the importance of embedding human rights in these events. We've worked for years, including being the sole funder of the initial Mega Sporting Events Platform for Human Rights, to try to bring progress and human rights into these Games. And I'm not aware of any communications regarding your second question.

Representative SMITH. OK. Anybody else want to speak to that, whether or not there's been any threat by the Chinese Communist Party, or anybody acting on their behalf that should you, like today, say "Move the Games," that there would be a penalty to your corporation in access to the Chinese market in any way?

Ms. FAIRCHILD. In answer to that question, I can say no, that has not happened. And in answer to your first question, we have had ongoing dialogue with the IOC. And as a TOP sponsor, we have encouraged the IOC to adapt to the recommendations contained in the December 2020 report on human rights strategy.

Representative SMITH. OK. But again, I think this is so injurious to the Olympic movement in and of itself, but above all to the victims in China—whether it be the Uyghurs, the Tibetans, the Hong Kongers. Joshua Wong, who appeared before our Commission has been prosecuted so grossly and unfairly by the Chinese Communist Party. And this is a reward. You know, in 2015, I think you will know this, as Xi Jinping was doing the planning for the genocide in Xinjiang, simultaneous with that he was telling the IOC how they would comport with human rights standards and norms. And we've asked the IOC to be specific on that. They have not told us exactly what promises were made.

We don't even know how the American affiliate voted. It was a 44 to 40 vote. And Kazakhstan was the competitor. And yet 40 countries voted no. How did the U.S. vote? Maybe some of you might know that. We can't get that information. Why is that not transparent? This isn't the Manhattan Project. There ought to be complete transparency as to how that vote went down. But I'm not sure how much time I have. I'm out of time? I'm out of time. If there's a second round, I do have a number of other questions. But thank you very much.

Thanks, Chairman.

Chair MERKLEY. Thank you.

And we will now turn to Senator Angus King.

Senator KING. Thank you very much, Mr. Chairman. I've listened to this hearing with a great deal of interest. And this is a very difficult question. But it strikes me that we have the wrong set of witnesses here today, that our real beef is with the International Olympic Committee in terms of how the decision was made, whether the decision is under review, as it should be. I've been a member of this Commission for four or five years now. I've sat in on the hearings with regard to the Uyghurs. I think what's going on is accurately characterized as atrocious and genocide.

The question is, these companies that are before us today made long-term commitments. One of the questions earlier was, Why are you supporting the Beijing Olympics? My understanding is they're not supporting the Beijing Olympics. They are supporting a whole series of Olympic Games at different sites. And they're supporting

the International Olympic Committee, and through them the American Olympic Committee, and the athletes. So I must say, it bothers me that these companies, which have contractual relationships that span 8, 10 or 12 years—in the case of Coca-Cola going back almost 100 years—are being asked to essentially say, you know, we're going to—we're going to boycott, or we're going to insist on a change.

They have no role as I understand it—and perhaps I could ask Mr. Mulvaney from Procter & Gamble, do you have as part of the contract that you signed—that I understand goes back 8 or 10 years—do you have any control whatsoever on the site selection? Is that something that is—do you have a veto or a voice in that process?

Mr. MULVANEY. Senator, thank you for the question. We do not have a role in site selection. And we can't force the IOC to make a decision or make a choice on its business operations. Now, that's not to say that we don't have influence in the situation. We do. And we try to use that influence, as Procter & Gamble. As a part of the contract that P&G has as a sponsor with the IOC, that contract obligates the IOC to respect the UN Guidelines on Human Rights and Business. And we have a concerted effort to upgrade the practices at the IOC. We work both directly with the IOC and indirectly through other stakeholder groups to try to get them to upgrade their processes in three dimensions—really briefly.

A, they need to change their governance documents. They need to amend their charter. Second, they need to aggressively create due diligence processes that are compliant with the UN Guiding Principles. And third, they need to create grievance mechanisms for athletes. Those three items would be helpful in a situation like this. And they have a responsibility for that. And the companies on the panel today, including P&G, we do push for that, Senator.

Senator KING. Well, and I presume all the companies would respond as Mr. Mulvaney did in terms of your role in the location process. Let me ask a question. Is it a contractual obligation? If you said, we're pulling our sponsorship of this particular Olympic Games, what would that do to your relationship to the remaining Games or to the relationship that you have with the IOC in terms of your legal obligation?

Mr. MULVANEY. Senator, I don't know the details of the exact contract in the context of P&G in terms of a pullout. I do know there are penalties, and those penalties are probably written onto the entire scope of the contract. Again, our contract isn't written to a specific city. And so I can't address that situation.

Senator KING. Mr. Rodgers, you're the general counsel, as I recall. What are the legal obligations under this contract that you—the multi-year contract that you all executed?

Mr. RODGERS. Senator, thank you for the question. And I knew as a lawyer this was going to come—that you'd bring this question to me. So I appreciate the chance to answer it. Our contract sounds similar to P&G's and does not give us any influence over site selection and the ability to veto or change the site selection. It includes penalties if we don't live up to our side of the bargain, which is the sponsorship and other promotional and marketing events that we participate in.

Senator KING. And if you pulled out—if you said, we’re not going to sponsor the Beijing Olympics, what would the impact of that be? I suppose the members of this Commission would say, well, maybe that would make Beijing change their policies. But basically, it would leave the Olympic movement without a substantial form of support, and that would, in turn, leave the athletes without that substantial support. Is that correct?

Mr. RODGERS. I think that is correct, Senator. I don’t know what portion of the overall IOC budget our sponsorship money is. You know, we do have influence on the IOC, and we’ve used that influence, and continue to use that influence as a sponsor to encourage the IOC to improve on human rights. I think that the specific recommendations that I mentioned in my opening remarks, that come from the Centre for Sport and Human Rights, are something that we’ve urged the IOC to adopt, and we’ll continue to do so.

You know, I think one other key point, Senator, is the voice of the USOPC. Our contract is not just with the IOC, it’s always with the U.S. Olympic and Paralympic Committee. And to date, the U.S. Committee has asked the sponsors to not drop our sponsorships because, in their view, doing so would hurt the athletes.

Senator KING. Thank you. Thank you all very much. Thank you, Mr. Chairman.

I would suggest that the next hearing we have should be with the IOC and perhaps the American Olympic Committee. I think that would be a more appropriate—those would be a more appropriate focus of our attention. Thank you, again, for all of your testimony and thanks to the members of the Commission.

Chair MERKLEY. Thank you, Senator King. And certainly future conversations with the IOC, we hope we can in fact have them appear to address some of these issues regarding human rights and the selection process.

We’ll now turn to Congresswoman Steel.

Representative STEEL. Thank you, Mr. Chairman. And thank you for all the witnesses coming out today. And the human rights atrocities and abuse happening in China right now should horrify every one of us. Forced sterilization, labor camps, and murder are happening right now against Uyghur and other Muslim minorities. We have a responsibility to speak out. I am just so honored to be on this Commission because we really have to study what’s really going on in China.

Our witnesses today certainly felt compelled to speak out over the last year in support of political and social protests. Coca-Cola spoke out loudly against laws passed in Georgia. Visa said change starts here and highlighted their focus on global acceptance. Airbnb condemned racism, bigotry, and hate. But where are your statements against the human rights abuses happening right now in China? How can we support sending our athletes, the best of the best, who have worked so hard for these moments, to a country with a backdrop of abuse and violence? A few months ago, Senator Ted Cruz and I sent a letter out to actually change the location of the Beijing Olympics to another, safer place for our athletes. But the International Olympic Committee sent us a letter that the UN’s been supporting them, so they’re not going to change it.

So having said that—Beijing is going to be happening. So my question to all is this: Will you use public platforms—like social media—to raise awareness of the atrocities being committed by the Chinese government and to pressure China to end its human rights violations? This question is for all of you.

Mr. RODGERS. Commissioner, I'll go first. The answer to your question is that we will. We have and will continue to speak out on the importance of human rights. And I would just refer back to my opening remarks just an hour or so ago in front of this Commission, which specifically referred to some of the matters that you raise in your question.

Mr. LALLI. Congressman, this is Paul Lalli with the Coca-Cola Company. We speak out very loudly on respect for human rights through our policy and through our industry-leading due diligence program. We require any business partner we operate with to comply with our policy, or we won't do business with them, period. We do business in 200-plus countries and territories around the world. But we are founded and headquartered in one, and that's the United States. And we're proud to call Georgia our home. So we are concerned about allegations of human rights abuses anywhere in the world. We will always be most active, engaged in policy issues here at home. And we are proud to be—really have been at the vanguard, have a history of fighting for voting rights and equality for the last 50-plus years, dating back to the Voting Rights Act of 1965.

Mr. MULVANEY. Congresswoman, this is Sean Mulvaney. And on behalf of Procter & Gamble, I want to answer your question and communicate that P&G's respect for human rights is fundamental to our business. Addressing human rights situations whenever they happen around the world is not a nice thing to do—it's a must-do, as we navigate our business operations. Respecting human rights is central to our values as a company. And when it comes to communicating support for human rights, our advertising around the world reflects our belief in diversity and inclusion. And so you can look at examples and see how we walk the walk in that context, supporting human rights.

And so I respect the question. And you asked about how we participate in the U.S. political system. And like Coca-Cola we are really active in our home market. And we operate in 70 countries around the world, where—and our products are available in 180. And so it's natural for us to be more active in this market. And that's why you see us active in this market.

Mr. HOLYOKE. Thank you, Congresswoman, for the question. This is David Holyoke with Airbnb. As I mentioned in my opening statement, racism, hate, and discrimination go against everything we believe in as a company. We take the topic of human rights very seriously. It's core to our values and our principles as a company. We are committed to fighting discrimination and making Airbnb a place where everyone belongs and can succeed. All of our users from our host and guest community must agree to our Community Commitment policies, which requires them to treat everyone in the Airbnb community with respect and without judgement or bias. And we regularly monitor our platform. And where we see

discrimination against minorities we take the appropriate action, including removing those hosts from our platform.

Ms. FAIRCHILD. Thank you. This is Andrea Fairchild. And I will just add, on behalf of Visa, in response to your question, that, yes, we do our part, and we are extremely proud of the work that we do. We recognize that it is our responsibility to respect, advance, and maintain global human rights across our company and our operations. We do perform regular human rights assessments. And Visa has been recognized as one of the most ethical, responsible companies, guided by those UN principles.

Representative STEEL. Thank you, Mr. Chairman. I yield back.

Chair MERKLEY. Thank you very much.

And I believe that Senator Daines is not back with us, but if you are, Senator Daines, jump right on. If not, then Senator Tom Cotton is next.

Senator COTTON. Thank you, Senator Merkley. I just want to say, I've been listening to all the testimony here. This is one of the most pathetic and disgraceful hearings in which I've participated in my eight years in Congress. It's clear to me that every one of you were sent here probably with directions directly from your CEOs and your board not to say a single cross word about the Chinese Communist Party. And for that matter, I think most of you could be spouting talking points of the Chinese Communist Party. So we're going to see about that in a moment. I've got a few questions for all of you.

First, though, I just want to address some questions to Mr. Lalli from Coca-Cola. Mr. Lalli, earlier this year when the Georgia legislature passed an election reform law, your CEO, James Quincey, decided that he was going to weigh in against it and your company was going to lead a bunch of other "woke" corporations to denounce that law. Let me ask you first, is James Quincey an American citizen?

Mr. LALLI. I believe he is a citizen—I believe he is, yes.

Senator COTTON. Can you tell me when he was naturalized as an American citizen?

Mr. LALLI. I cannot tell you that.

Senator COTTON. Yes, well your company and Mr. Quincey seem to have done an extremely thorough job of trying to conceal that fact. So I would like you to return to me on the record in written testimony if necessary if James Quincey is an American citizen.

Mr. LALLI. Senator, I'll take that question back.

Senator COTTON. Your company said at the time: That we will continue to stand up for what is right in Georgia and across the United States. So are we to take from that statement at the time—that Coca-Cola will not stand up for what is right outside the United States? Because that's what it sounds like this morning, this testimony.

Mr. LALLI. No, Senator. We stand up for what is right across the world. We apply the same human rights principles in the United States that we do across the world.

Senator COTTON. Do you believe that the Chinese Communist Party is committing genocide against the Uyghur people?

Mr. LALLI. We're aware of the reports of the State Department on this issue as well as other departments of the U.S. Government.

We respect those reports. They continue to inform our program, as do reports from other—from civil society. We of course——

Senator COTTON. See, this is what I'm talking about. Under questioning from Senator Merkley and Representative McGovern and Representative Chris Smith, every single one of you refused to say a single word, by all appearances, that will cost you one bit of market share inside of mainland China. Mr. Lalli, for instance, you were asked if Coca-Cola would call for the IOC to delay the Chinese Olympics, to give a chance for them to be re-bid or for China to stop its genocide against its own people. And you said that Coca-Cola—I think these are your exact words—"doesn't have a say." So can you tell me why Coca-Cola doesn't have a say in whether it sponsors the genocide Olympics next year, but it does have a say in how the state of Georgia runs its elections?

Mr. LALLI. Senator, what I stated was that we do not have a say in the selection of the host city, nor on whether an Olympics is postponed or relocated.

Senator COTTON. So you don't. But you could just make a statement. Your CEO could saddle up the same moral high horse that he got on when Georgia passed its election law and write a letter to the IOC and ask them to. Anybody can do that. If he's an American citizen, that's his right under our Constitution.

Mr. LALLI. As I said, we are mostly engaged on policy issues here at home, but we are clear in our respect for human rights globally.

Senator COTTON. So can you explain to me why James Quincey will denounce a democratically elected legislature's laws but he will not simply say that the IOC should consider re-bidding its Olympics or that Coca-Cola should reconsider sponsoring the genocide Olympics? What's the difference there?

Mr. LALLI. Our role as a sponsor is to support and follow the athletes. Our——

Senator COTTON. So you're sponsoring the genocide Olympics. You are spending millions of dollars to sponsor the genocide Olympics, yet you will not opine on any matter about it. Yet you will stick your nose in the Georgia legislature's election reform laws. Can you explain to me the contrast?

Mr. LALLI. First, let me say that we do not make decisions on these host locations. We support and follow the athletes wherever they compete. Second——

Senator COTTON. Yeah, no, I've heard your talking points and I'm tired of hearing them, Mr. Lalli. I'm asking you a simple question. Why is it that Coca-Cola will opine on Georgia's election laws but not on the genocide Olympics?

Mr. LALLI. As I stated, Georgia is our home. It's where many of our employees live and work. And we are most engaged on public policy issues here in the U.S. But we are——

Senator COTTON. I think the answer is you're afraid of the Chinese Communist Party. You're afraid of what they will do to your company if you say a single word. Like, for instance, saying that both the Biden and the Trump administrations are correct when they say that China is committing genocide against its own people.

Let's ask that simple question of the other witnesses. Mr. Hol-yoke, will you agree with the Trump and Biden administrations that China is committing genocide against the Uyghur people?

Mr. HOLYOKE. Thank you, Senator, for the question. Human rights is core to our values and principles as a company. We would defer to the U.S. Government or other experts who are better equipped than us to address that.

Senator COTTON. All right. Let's try Mr. Rodgers. Will he answer the question? Mr. Rodgers, do you agree with the Trump and the Biden administrations that the Chinese Communist Party is committing genocide against the Uyghur people?

Mr. RODGERS. Senator, we don't do business in Xinjiang. That was true before the State Department issued its report. I've read the State Department report. I've studied it. And I believe its conclusions.

Senator COTTON. Thank you, Mr. Rodgers, for a straight answer. Mr. Mulvaney, do you agree with the Trump and the Biden administrations that the Chinese Communist Party is committing genocide against the Uyghur people?

Mr. MULVANEY. Senator Cotton, P&G supports human rights all around the world in our operations. On this particular issue, directly to your question, Senator, we believe that it is the role and responsibility of government to make these determinations.

Senator COTTON. OK. So I'll take that as you also are joining some of your colleagues in dodging and you refuse to answer that simple, basic question.

Ms. Fairchild, now to you. Do you agree with the Trump and the Biden administrations that the Chinese Communist Party is committing genocide against the Uyghur people?

Ms. FAIRCHILD. Thank you, Senator. We oppose genocide anywhere it's happening, and that is why as a company we are guided by those human rights principles. But as the other members have said, Visa's not in a position to make those kinds of determinations. And we defer to and respect our government.

Senator COTTON. All right. So one for five. That's why I say this is the most pathetic, disgraceful hearing in which I've participated in eight years. Obviously every one of you, with the exception on occasion of Mr. Rodgers, were sent here with orders not to say anything that could offend the Chinese Communist Party.

You know, I'll just close with a story, Mr. Lalli. I used to drink a lot of Coca-Cola, back when I was a kid and a young man. I stopped drinking it before I joined the Army because I knew the Army wouldn't offer it in places like basic training, and Officer Candidate School, and Ranger School. One night in Ranger School, when you get by on just a few hundred calories a day, we were able to buy hot dogs and cokes. And I bought them because I was so hungry. I took a drink of the coke and I spit it out, because I hadn't had one in two years. I couldn't tolerate the taste of it. That's about the feeling I have today about your testimony and about all the witnesses' testimony in this pathetic hearing.

Mr. LALLI. Senator Cotton, I'm sorry to hear that. I hope you reconsider that position. And we respect human rights globally. And we earn our social license every day. We take that very seriously.

Senator COTTON. Well, you wouldn't know from this testimony. Senator Merkley, I'm going to yield my time back.

Chair MERKLEY. Thank you. Your time has expired, but thank you for yielding it back.



And we now have Representative Malinowski.

Representative MALINOWSKI. Thank you so much, Senator Merkley. Thanks to the witnesses.

I rarely in life agree with Senator Tom Cotton. I'm pretty much in full agreement with him today. So with that, let me start with you, Mr. Holyoke. And I'm going to give you a hypothetical. I'm going to pick a completely random American city for this. Imagine there were a major sporting event in the city of Los Angeles. And you knew that the state of California was holding hundreds of thousands of LGBTQ Americans, Jewish Americans, and African Americans in concentration camps. And you further knew that even those LGBTQ, Jewish Americans, and African Americans living in California who were lucky enough not to be in concentration camps were going to be barred by the state of California from attending this sporting event in Los Angeles and booking Airbnb accommodations. Would you sponsor that event?

Mr. HOLYOKE. Thank you, sir, for the question. You know, I don't think it's appropriate to weigh in on a hypothetical. What I can share with you is that human rights is core to our values and our mission. Discrimination has absolutely no place on our platform. And we take a number of steps to—with our hosts and our guest community—require them to commit to our Community Commitment principles—

Representative MALINOWSKI. So you're not willing to say that you wouldn't participate in a sporting event in the United States if hundreds of thousands of Jewish Americans in that state were being held in concentration camps? All you're willing to say is human rights are core to your values, but you won't apply those values to that kind of situation. I mean, I know the answer to this question. The answer to this question is you would absolutely not participate in that kind of event if it was in the state of California or anywhere in the United States. I mean, that's absolutely plainly obvious. Do you disagree with me?

Mr. HOLYOKE. As I stated, human rights is core to our mission and our values. Where we see discrimination occurring on our platform, we take appropriate action.

Representative MALINOWSKI. Well, OK, where you see it occurring on your platform. But are you aware of the fact, Mr. Holyoke, that in China you can't stay in accommodations, whether a hotel or an Airbnb, if you don't have a passport issued by the government—an identification document? Are you aware that the Chinese government denies those documents to Uyghurs and Tibetans, and that they are therefore unable to actually stay at your accommodations in Beijing for these Games?

Mr. HOLYOKE. Thank you for the question. Obviously we operate in 220 countries and regions around the world, everywhere that the U.S. Government allows us to. We believe our platform is about building bridges between cultures around the world through—

Representative MALINOWSKI. Are you aware of what I just said to be a fact? Are you aware of it?

Mr. HOLYOKE. In China, we are required to follow local laws and regulations. However, all of our users are required to commit to our Community Commitment principles. And where discrimination is happening—

Representative MALINOWSKI. How can they commit to not discriminate if persons of those ethnicities can't even show up at their door because that's the policy of the government?

Mr. HOLYOKE. We regularly scan for posts and listings on our platform that are discriminatory about minorities——

Representative MALINOWSKI. I'm not asking about the host and listings. I'm asking about the policy of the government which effectively prohibits those people from staying. And, again, think about my California example. If the state prohibited Jewish Americans from staying in your properties, would you still run a business in that jurisdiction?

Mr. HOLYOKE. Sir, thanks for the question. Our policies do not require hosts to violate local laws. In some cases, I do understand, hosts receive guidance from local authorities that they may not host guests from outside mainland China.

Representative MALINOWSKI. I understand. So you're just completely absolving yourself of responsibility for being complicit in abject discrimination.

Mr. Lalli, let me go back to you here, because I have huge respect for the stand that Coca-Cola has taken on domestic civil rights issues. I guess in that respect I do differ with Senator Cotton. And I understand why you might not want to echo a legal determination on whether genocide is happening in China. But, you know, are you willing to say that you condemn the Chinese government's policy of holding hundreds of thousands of people in concentration camps because of their ethnicity and religion—whether we call that genocide or not?

Mr. LALLI. Commissioner, we condemn any violation of human rights. Our policy is absolutely clear on that. We——

Representative MALINOWSKI. No, not any violation of human rights. Do you specifically condemn that violation of human rights?

Mr. LALLI. We condemn all violations of human rights. And we respect the report's——

Representative MALINOWSKI. So you do not condemn the Chinese government's practice of holding hundreds of thousands of people in concentration camps? You're not willing to say that? Yes or no?

Mr. LALLI. Back to our clear policy on this; we respect all human rights and condemn any abuses. Our role as sponsor is to try to embed these fundamental principles in the mega sporting events. And I would say that there has been progress in that space, but there is much more to be done.

Representative MALINOWSKI. I'm absolutely—I just think this is stunning. Again, you are absolutely right to condemn voting laws in the United States that make it harder for people to vote. You never in those cases said, well, we condemn any and all voter suppression. You signed letters condemning specific legislation. I understand and respect your point that the United States is special to you because this is your country. But I would also submit to you that genocide is a human rights abuse of such magnitude that when it is occurring in a country where you not only do business, but you are sponsoring an event that is beneficial to the government of that country, that you have a particular responsibility.

And it is absolutely clear to me that the only reason you are not doing so is because you know for a fact that if you simply utter the

words, “We condemn the Chinese government’s policies,” that you would be subject to a campaign organized by the Chinese government that would undermine your ability to make a profit in that country. You are afraid of them in a way that you are not afraid of critics in the United States. And I think that’s shameful. I yield back my time. Thank you.

Chair MERKLEY. Senator Daines.

Senator DAINES. Great. Senator Merkley, thank you. And I want to thank the witnesses for coming before this Commission and providing perspective on this very important topic. Certainly, I support American athletes continuing their longstanding record of success at the 2022 Olympic Games in Beijing. But I also believe it’s very important to address the serious and legitimate human rights concerns and the atrocities occurring in China. To see what’s been going on in Hong Kong, to see what’s been going on in Tibet, with the Uyghurs, with the very bellicose rhetoric coming from Beijing toward Taiwan, I think we all should be very, very concerned.

Additionally, what concerns me greatly—and Senator Cotton alluded to this earlier—is the contrast between many large U.S. corporations, including some of the sponsors of the 2022 Games, who on one hand are criticizing U.S. states or some of the laws in these states, while remaining silent—silent—on the repression of Uyghurs, Tibetans, and others in China. And that contrast could not be more stark, and in my opinion is unacceptable. On one hand you see American corporations becoming very “woke,” while at the same time they’re asleep as it relates to what’s going on in China.

Mr. Lalli, as you know, Coca-Cola’s CEO described a recent Georgia election law as “unacceptable” and “a step backward” and released a statement expressing disappointment in the law being enacted. And just last year, Coca-Cola was also reported to have spent millions seeking to weaken and modify the Uyghur Forced Labor Prevention Act. I see hypocrisy between these actions. On one hand criticizing a U.S. legislative body but at the same time remaining largely silent on the plight of Uyghurs and, frankly, working to undermine a key proposal to strengthen U.S. supply chains to ensure that forced labor isn’t utilized. I find that quite disturbing.

Mr. Lalli, what actions has Coca-Cola taken to ensure that none of your supply chain utilizes forced labor? And how have you engaged the CCP in support of human rights?

Mr. LALLI. I appreciate the question. Let me—there’s a few points I’d like to make.

First, I need to correct the record. We did not take a position against the legislation that you mentioned. That was erroneously reported. As a company that has invested much in its human rights program, we would generally support any legislation that practically and meaningfully advances respect for human rights.

Secondly, with respect to our human rights program and supply chain, I appreciate that question. We have an industry-leading due diligence program when it comes to our supply chain. We have over 700,000 systemwide employees, over 900-plus bottling plants, tens of thousands of suppliers throughout the world. We conduct thousands of onsite assessments with respect to that supply chain to assure compliance with our human rights policy. If any of those sup-

pliers, any of them, do not comply with our policy, they're required to correct that and subject themselves to a reassessment. If they either can't or won't comply with our policy, we will terminate that relationship.

That is the way we handle all of our business relationships around the world. We've conducted over 35,000 on-site assessments since the beginning of this program. We've used a number of other resources to corroborate these findings, to support and ensure that we're respecting human rights throughout our value chain.

Senator DAINES. OK, thank you. And perhaps—let me differentiate between the position taken by Coca-Cola as a corporation and statements made by the CEO. But I think for many Americans, the statement by a CEO would reflect, oftentimes, the position of the company.

Mr. LALLI. I'm sorry. I thought you were talking about Federal legislation. The——

Senator DAINES. No, I'm talking about the recent Georgia election law.

Mr. LALLI. OK. I'm sorry. As I mentioned, we're a U.S. company.

Senator DAINES. I want to make sure—I want to make sure we both set the record straight. You said my statement was erroneous. And I just want to make sure we got the facts right too, because if I've got the facts wrong I'll be the first one to say I'm sorry, I made a mistake. But I'm really going back to—I talked about the recent Georgia election law. So I'll let you go ahead and clarify that.

Mr. LALLI. No, I appreciate that. I want to make sure we're clear on the record on that. I thought you were talking about the recent Federal legislation that was reported erroneously.

Senator DAINES. Right, no.

Mr. LALLI. We did not take a position against that. And you are right that we did engage on the Georgia voting rights law.

Senator DAINES. OK. And I guess that's the—that's, for me, concerning—the hypocrisy of—and I understand where your headquarters are, and so forth. But to engage the Georgia legislature and positions taken by elected officials there on one hand and remaining silent oftentimes with far worse situations in China, I guess that's the disconnect and the hypocrisy that I was trying to paint.

Mr. LALLI. Well, I would just point out that we take a position on human rights consistently across the globe with our operations and those of our bottlers and suppliers.

Senator DAINES. OK. Thank you.

Ms. Fairchild, a question for Visa. Has Visa received any documentation or demonstration of improved human rights conditions in China, as it relates to the Beijing Olympics—related to it?

Ms. FAIRCHILD. Thank you, sir. Not to my knowledge.

Senator DAINES. And were any human rights assessments undertaken at Visa regarding the 2022 Olympics? And if so, what steps were taken in response?

Ms. FAIRCHILD. No, that did not happen.

Senator DAINES. OK. So there were no assessments of human rights taken regarding the 2022——

Ms. FAIRCHILD. Our last human rights assessment confirmed that Visa is focusing on identifying the right risk areas, which include the role that we play as an employer and a purchaser, an e-payment enabler, and business partner, and sponsor.

Senator DAINES. All right. Thank you. Well, I just want to conclude by stating that we should have little to probably no confidence in the Games' ability to advance human rights in countries under repressive regimes. And I think all of us were hopeful as we saw the liberalization of the Chinese economy over the course of the last couple of decades, that it would lead toward greater freedom and liberalization of the political situation in China. But that has obviously turned out to be very, very different, very concerning for many of us.

Freedom in China, frankly, has regressed since the 2008 Olympic Games in Beijing. Look no further than Hong Kong and the Uyghurs and the Tibetans, and the rhetoric against Taiwan. And I have unfortunately, and regrettably, come to the conclusion that I see no reason to believe that anything will be different following the 2022 Games. And I just would urge all of our Olympics stakeholders—whether governments, sponsors, athletes, and others—to not provide cover or legitimacy to the CCP regime during the 2022 Games, and to work to hold the regime accountable, and with awareness regarding the oppression of its people.

Mr. Chairman, I yield back my time.

Chair MERKLEY. Senator Daines, thank you.

I'm going to turn the gavel over to Co-chair McGovern, because we have a vote on the Senate floor and the time has expired. So that means eventually we have to get over there. I will try to rejoin. I just want to note that the next individual up is Representative Wexton. And then after that, Senator Ossoff. And I'll be returning for final comments.

But before I hand the gavel over, Congressman McGovern, I want to just note in the context of the conversations today, there's some sense that we have no tools at our disposal because we signed this contract, and we have no role. And yet, it's clear that companies have a choice on how to advertise during the Olympics in China. They have power over how they attend. They have power over what influence they seek to exercise with the Olympic Committee through private communications. They have the power to make public statements of concern about gross violations of human rights or genocide.

They have power over the decision on how they will structure their future contracts, whether they would accept a contract in which the Olympic Committee can assign the Games to a country engaged in genocide or gross violations. They have power over whether they would choose to do an "Olympics-by-Olympics" sponsorship, if the IOC is not willing to rule out placing the Games with a country that has engaged in—is engaging in genocide. And they have power over defending the athletes' rights to free expression at the Games.

Many athletes may choose to say that they are absolutely appalled by the treatment of the Uyghurs or other ethnic minorities. Or they may say that they condemn the crushing of the political rights of the people of Hong Kong. And right now, the Olympic

Committee has a threat to take away awards from those who express themselves at the Games. And it's a power that they have reminded athletes that they have. And certainly, you all could express—since you are saying that you are concerned about the athletes—could express a clear defense of athletes' right to express their opinions at the Games.

So you do have many instruments available. And I just hope that your company boards and executives will engage in some pretty significant thinking about how you exercise that set of tools in the context of the horrific practices and genocide that China is engaged in. So with that, Representative McGovern, I hand the gavel over to you. Thank you.

Co-chair MCGOVERN. Thank you. And I yield now to Representative Wexton.

Representative WEXTON. Thank you, Mr. Chairman. You know, one of the things I like about serving on this Commission is we have a very—we have quite a varied group of Representatives and Senators, bipartisan, bicameral. We don't agree on a lot, but we are completely united when it comes to this Commission. And I want to associate myself with the remarks of my colleagues who are very disappointed in the testimony we've heard today from the various witnesses.

Mr. Lalli, how many independent bottling partners do you have in the People's Republic of China?

Mr. LALLI. We have two bottling partners in China.

Representative WEXTON. Are either of those in Xinjiang?

Mr. LALLI. One of them has a bottling operation in Xinjiang, yes.

Representative WEXTON. OK. And in your testimony, you talk about human rights due diligence in suppliers, and you call them human rights assessments. I guess that's your terminology for them, is that correct?

Mr. LALLI. That's correct. Onsite assessments, that's correct.

Representative WEXTON. And those—and those are essentially audits, is that right?

Mr. LALLI. That's correct. By independent third-party certified auditors, yes.

Representative WEXTON. That part of your testimony was kind of concerning to me, because as anybody who's paying attention to what's happening in that region and this issue knows, auditing suppliers in Xinjiang is just about impossible. And it's why at least five international auditing organizations have already pulled out of the regime. It's because it's a police state and forced labor is so systemic that it's hard to determine if there's forced labor in the supply chain. It's even harder to determine if there isn't forced labor in the supply chain.

Another question I had for you is, Why don't you include China in your sugar supply chain report, which was one of the reports that you referenced in your written testimony?

Mr. LALLI. Are you talking about the country sugar reports?

Representative WEXTON. Yes, that's correct.

Mr. LALLI. Those were conducted before I started with the company, but I think we based it on a review of—kind of a geographic spread and risk approach. But we apply the same human rights standards and onsite assessments throughout our supply chain.

Representative WEXTON. OK. With those reports focused on key markets, and that was Coca-Cola's terminology, not mine, and there were 21 countries listed. China is the fourth-largest supplier of sugar in the world and Coca-Cola didn't mention it at all in the news reports. Do you think that that's a pretty important oversight?

Mr. LALLI. Well, I think there was not a separate report done, but the same onsite due diligence occurs throughout our sugar supply chain in China, as it does everywhere. And, if I may discuss a little further, because you mentioned the concerns over onsite assessments. While these audits are the foundation of our program, they're not the only tool we use. We actually do heed the advice that comes from our government, as well as the NGO stakeholder engagement that we participate in regularly, to ensure that our program is up to date and correctly assessing human rights compliance.

In addition to onsite assessments, we use a number of other kinds of mutually reinforcing approaches, be it grievance mechanisms, compliance investigations, stakeholder engagement to ensure that we're understanding the risks that we're facing in the field, and—

Representative WEXTON. So are you confident, and can you say here in your testimony today, that you're confident that forced labor does not exist in Coca-Cola's supply chains in the People's Republic of China or Xinjiang?

Mr. LALLI. Yes, I am confident that the audits that we've done—conducted on our operations throughout the globe, including in that region, have shown that no forced labor exists. If it did exist, it would have to be corrected immediately. And if it wasn't, then the business relationship would be terminated.

Representative WEXTON. So Coca-Cola is the shining unicorn in the whole region, it seems, because you guys can say that your supply chains are 100 percent clean and nobody else can. That's very impressive to me.

Mr. LALLI. Well, I mean, Commissioner—

Representative WEXTON. Now, if I may—I'm reclaiming my time. Now, one of the things that you said in your testimony is that you will always follow U.S. law, right?

Mr. LALLI. That is correct.

Representative WEXTON. And you're familiar with the Uyghur Forced Labor Prevention Act because the previous person asked you about it, right?

Mr. LALLI. Yes.

Representative WEXTON. OK. Why did Coca-Cola oppose that legislation if you're so confident—

Mr. LALLI. We did not oppose—yes. Again, let me state, we did not oppose that legislation. Reports—

Representative WEXTON. So what was the nature of your lobbying on that legislation? I mean, you certainly weren't supporting it, because we didn't hear anything about that and we would have heard about it, if somebody were supporting—

Mr. LALLI. We support any legislation that practically advances human rights. With respect to that, at that time we were having discussions regarding correcting the record concerning reports of

the importation of beverages with sugar from Xinjiang into the U.S., which we do not do. There were erroneous reports about that, and we were correcting those reports, as well as educating the Hill about our due diligence program. We did not take a position against that bill.

Representative WEXTON. Then why are there five separate lobbying disclosures that were filed from Coca-Cola mentioning this bill as one of the things that you were lobbying during the 116th Congress?

Mr. LALLI. The lobbying disclosures required that we reported the communications that I just discussed regarding correcting reports that we were importing beverages or sugar from that region into the U.S. Those communications—my understanding is—I'm not an expert on these disclosures—but my understanding is we were required to report those. But they were not communications taking a position against that bill.

Representative WEXTON. So will you be supporting the legislation in the 117th Congress?

Mr. LALLI. I'm sorry, what's that?

Representative WEXTON. Will you be supporting the legislation in the 117th Congress?

Mr. LALLI. Well, again, there are a number of bills right now. We support generally legislation that advances human rights. And if I may get back to your point about forced labor, there are 28—estimated, according to the Department of Labor—over 28 million victims of forced labor around the world. It is an epidemic, a human rights scourge. It is a challenge every day to ensure that we have no forced labor in our vast supply chain. We do our best, and we continually improve our program.

There obviously are no guarantees because we can't be watching every operation every day. But I assure you that we are doing everything we can with respect to our onsite assessments and the other approaches we take, and most importantly our stakeholder engagement, to avoid any involvement with forced labor. And when we do find it, we eliminate it, or we eliminate the business relationship.

Representative WEXTON. All right. So looking forward to 2022, we know if you guys do stay on as sponsors of the Olympics, there's going to be a lot of—a lot of occasions where your logo is going to appear on various things—whether it be shirts, or promotional materials, things like that. Have you given any thought to how you're going to ensure that your logo doesn't appear on promotional materials that were sourced with forced labor?

Mr. LALLI. Absolutely. I'm glad you raised that issue. One of the critical components of our sponsorship, in addition to advancing this multi-stakeholder initiative to embed human rights in the full lifecycle of these Games, is to ensure that any products of ours that are used in the Olympics do not involve any forced labor in their sourcing. That's the same way we deal with our own products, as well as any products that are distributed at the Games. That is a key component of our due diligence program.

Representative WEXTON. Mr. Holyoke, how are you going to ensure that your—that your logo doesn't appear on these items that support forced labor?



Mr. HOLYOKE. Thank you, Congresswoman, for the question. Our partnership is for—is a nine-year partnership that spans multiple Games. It's not specific about Beijing. What we're actually planning to do is around supporting travel and accommodation needs for athletes and the sponsorship of the Olympic and Paralympic Refugee Team. We have no plans to have large-scale global marketing activities for the Beijing Games.

Representative WEXTON. Very good. And my final question for everybody on this panel is, how are you going to support athletes who protest the host nation's human rights abuses? How are you going to protect them from the IOC and the PRC, and everything like that? What are you going to do to support those people who speak out? Let's start with you, Mr. Mulvaney.

Mr. MULVANEY. Congresswoman, thank you for the question. You know, freedom of expression, it's a fundamental right. It's a right that P&G supports. We have conversations with the IOC about this right and other rights. And so we're extremely conscious that this is a big issue heading into the Games. And so all of us have a responsibility to engage the IOC to protect that athlete right. And it is a, I know, an issue that is in dispute between the U.S. Olympic Committee as well as the IOC. And what I can commit to you is that P&G will use its voice and its influence with the IOC to try to encourage clarity on this issue and respect for freedom of expression.

Representative WEXTON. Thank you. Mr. Rodgers.

Mr. RODGERS. Commissioner, thank you for the question. It's an important issue and one that we take seriously. We will continue to urge the IOC to adopt the position of the United States Olympic and Paralympic Committee on this issue.

Representative WEXTON. Ms. Fairchild.

Ms. FAIRCHILD. Thank you. I can say at Visa that we support and respect an individual's right to freely and peacefully express themselves, and we support our athletes in doing that.

Representative WEXTON. Mr. Holyoke.

Mr. HOLYOKE. Thank you for the question. I would echo the comments of my colleagues. We believe athletes are human beings first and foremost and have—should have the freedom to express their views, aligned with the Olympic Charter and the power of support.

Representative WEXTON. Mr. Lalli.

Mr. LALLI. We too respect the freedom of expression of the athletes, all athletes. We've made that clear both directly to the IOC and through the Centre. And I believe the USOPC has taken that same position.

Representative WEXTON. Well, I hope that you guys actually live up to what you said here today, because you guys control the purse strings, and that gives you a lot of power. So I hope that you will actually do what you've said and stand up for the values that you have professed to have here today. Thank you very much, Mr. Chairman. I'll yield back.

Co-chair MCGOVERN. Thank you very much. I don't know whether Senator Ossoff is still on the line, or whether he had to go vote. But if he's—Congressman Smith, do you have anything you would like to add?

Representative SMITH. Thank you very much, Mr. Chairman.

I would ask Mr. Lalli—he did not answer my original question—yes or no, would he be willing to say, move the Olympics to another country and another venue? And just yes or no on that. And secondly, the legislation that you and I—and you’re the prime sponsor, I’m the principal Republican cosponsor—H.R. 1155, the Uyghur Forced Labor Prevention Act—there is that presumption that anything coming out of Xinjiang was made with forced labor and therefore would be denied entry into the United States. Given that Mr. Lalli is so confident that their supply chain is completely clean and there’s no problem, they should be in support of this legislation. So I would ask him directly, and I ask all the witnesses if they would like to opine on this, but especially Mr. Lalli—will they now support the Uyghur Forced Labor Prevention Act, which has 89 cosponsors and, again, you and I—you’re the prime sponsor and I’m the principal cosponsor.

Mr. LALLI. Well, several points to make there. First, I can’t comment on all the details of the Uyghur Forced Labor Prevention Act. Again, we didn’t take a position against it; we support, generally, legislation that advances respect for human rights. Secondly, as I stated, we have tens of thousands of suppliers. And we are diligent in how we ensure respect for human rights throughout it and avoid forced labor. It is a challenge that we face every day. With respect to goods coming into the U.S., I made it clear, though, that we do not import beverages or sugar into the U.S. from Xinjiang. And we would generally support legislation that advances human rights broadly.

Representative SMITH. But, again, you do utilize the sugar that comes out of China—again, the fourth-largest producer—in other operations?

Mr. LALLI. Our local bottler utilizes that. Our bottlers service their local markets. And so the bottler there utilizes sugar produced or farmed there. We have conducted onsite assessments not only of the mill but of the farms to ensure that we are not—that there’s no forced labor involved in either. And so far, we’ve had no signs of forced labor in all these audits. But again, they continue—we continue to do reassessments as well as a number of these other mutually reinforcing approaches—be it a grievance mechanism so any workers in the world—not just our employees, but any workers in the world—can contact our company directly with problems or human rights abuses. And we would—then we’d be able to know what’s happening locally.

Representative SMITH. Not to cut you off—but knowing my time is probably very short—the Uyghur Forced Labor Prevention Act—I would hope all of you would support it as a way of saying “We’re not kidding” when it comes to importing forced labor goods. You have said very clearly that you think that you are very clean on this. You said that to Ms. Wexton, and I appreciate that. But will you support it now? And will others on this panel support it?

I mean, the message needs to be sent very clearly and unambiguously to China that they can’t hide this genocide. It is out in the open. And to know that some things are being made even in the concentration camps with Uyghur Muslims being coerced into making those goods, just makes it all the more compelling. So will you

support it? And again, you didn't answer the question yet. Will you support moving the Olympics to another city and country?

Mr. LALLI. On the second question, again, we support athletes. We don't have a position on—if they're going to be moved or delayed. We will follow these athletes wherever they compete. But we will also continue——

Representative SMITH. So if they got Pyongyang in North Korea, that's OK, too? I mean, seriously, your voice matters. Coca-Cola is a giant, as is Visa, as are the others that are participating in this hearing. We want your voice to be heard. And if you say, Hey, IOC, hey world, Coca-Cola thinks it's wrong, that will be listened to. So can't you say that?

Mr. LALLI. And, respectfully, we do make our voice heard every day, both through our own program but also through these initiatives—multi-stakeholder initiatives, that we engage these supporting bodies in a way, and we have seen progress in this space. There is much more to be——

Representative SMITH. Have you said that to the IOC or the American affiliate? "What are you doing awarding this to China?" Did you?

Mr. LALLI. We have engaged the IOC both directly and indirectly through these initiatives to make it clear about embedding human rights in these wherever the Games——

Representative SMITH. I know you've said that several times, about embedding human rights. But how about moving the venue ... with the Chinese Communist Party committing genocide?

Mr. LALLI. Well, this is where we feel the approach that works the best is the multi-stakeholder initiative through the Centre for Sport and Human Rights, because it brings together everybody——

Representative SMITH. I understand. But can't you say in this hearing—I mean, we're all waiting with bated breath for all of you to say: Move the Olympics. The Beijing genocide Olympics needs to be moved. Can't you say that?

Mr. LALLI. We don't make a decision on the host location, but we work on the human rights aspect. And there has been progress in this space. We will continue to do that and speak clearly on both human rights and the need to embed them into these mega sporting events. We were the company that—we're the initial sole funder—sole funder—of the Mega-Sporting Events Platform for Human Rights in 2015. We helped found that institution because we recognized the importance of this.

Representative SMITH. I understand all that. I do understand all that. But again, you know, as some of my previous colleagues said, and I said it as well, I think there's concern among corporate America that if you do, they will deny you access. That's how they retaliate. That's how they are able to get away literally with murder. I yield back my time. Thank you.

Co-chair MCGOVERN. Thank you. Did you want to finish your response? I didn't want to interrupt anybody.

Mr. LALLI. Thank you. I was just going to say, nothing changes—nothing changes our commitment to this, and nothing changes our requirements of our suppliers, bottlers, and our own operations.

Co-chair MCGOVERN. OK. And I think everybody has asked questions here. I don't see anyone else on the line. So let me close by

saying to all of you that I think we all appreciate you being here. And there was some tough questioning here, I think which is an indication of how strongly many of us feel. You notice that it was Democrats and Republicans. There's bipartisan concern here. And how genuinely horrified we are with what is unfolding in Xinjiang and, quite frankly, in a lot of other places.

And I know all of you are good people. And we appreciate the commitment to human rights. But I think what is particularly frustrating for us—and you heard this from the people who asked questions—is that you can sense the economic coercion that is at play here. That if you even say that the genocide against the Uyghurs is wrong, that there could be some sort of regulatory retaliation. And a lot of you have strong economic ties in China, with your business with China, I mean. And I get all of that.

I think what we're trying to say here is that things are unfolding in a way that it can't be business as usual. And it's concerning that it appears that oftentimes the Chinese government's interests are prevailing over values that are universal, and over morality. And so I would just close with this. I think in six-and-a-half months the Olympics in China begin. And our goal here, and I'll yield back—I see Mr. Merkley's back—but our goal here really is to try to find a way to persuade China to change its behavior. And so we have six-and-a-half months. And my hope is that you can help us in these six-and-a-half months.

And some people, you know, through a variety of actions—we went through a number of suggestions, I did, at the beginning, of things that can be done. But, again, we all believe very strongly that we're facing reality on the ground in China, that it is beyond the pale and is so horrific that we all have to raise our voices in some form or another. So I appreciate it. Now, let me yield back to Chairman Merkley for any closing remarks he has. But I appreciate everybody being here, and I appreciate you appearing before this Commission.

Chair MERKLEY. Thank you very much, Co-chair McGovern. And I've just now this moment gotten on, so I'll assume that all of our Senators and Representatives have asked their questions. I want to join in thanking you all for appearing. You chose to come and address this issue, which is a very significant one. And I do feel that perhaps there are elements of this conversation that will be fuel for thoughtful deliberation by many companies in terms of their relationship with the International Olympic Committee and the type of circumstances that they can advocate for.

The International Olympic Committee does seek your sponsorships. They understand that the way they behave can influence whether they raise money in this fashion. So you have enormous influence. And it deeply, profoundly disturbs me because the whole world responded in recognition of the historical wrong of Germany being able to use the 1936 Games to polish their international reputation while they were already deeply abusing citizens—Jewish citizens of Germany, and other groups within Germany. And that ability to polish that reputation gave a sense of empowerment to Hitler that may have accelerated the things that followed.

Certainly, we now are in a situation—there is not something to follow. It is happening at this very moment. So each of us has to

be challenged in our code of conduct for our own personal morality, certainly for the code of conduct for companies, on how we respond to this. And as I noted before I handed over the gavel to Congressman McGovern, you have many tools to apply in this situation. And you have many tools to apply if you consider re-sponsoring the Games in the future in this fashion as an Olympic partner at the top level of sponsorship.

And also, I want to note something that I'm not sure ever became clear. There are many ways to support the athletes that do not go through the IOC and do not go through this top-tier partnership. You can directly support the international or the United States Olympic Committee. You can directly support other national committees. So you have options for the future in this pursuit of support for the athletes if the International Olympic Committee does not listen to you all. Collectively, you have tremendous clout on how these Games will be conducted in the future.

So thank you again for sharing your perspectives at this moment. Not everyone who's asked to come testify chooses to come testify. So again, my appreciation for that. I think it's a pretty important discussion for human rights in the world, and corporate governance in the world. And thank you for being part of it. And certainly, the record will remain open for additional questions folks wish to file, and we will deliver those to you. The record will remain open until 5:00 p.m. on Friday for any commissioners who wish to submit additional material for the record or for members who wish to submit questions to all of you. Thank you, and with that we adjourn the meeting.

[Whereupon, at 12:20 p.m., the hearing was concluded.]



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## **A P P E N D I X**

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## PREPARED STATEMENTS

### PREPARED STATEMENT OF DAVID HOLYOKE OF AIRBNB

Chairman Merkley, Chairman McGovern, respected members of the Commission, thank you for the opportunity to testify before you today.

My name is David Holyoke. I have been at Airbnb since 2016, and I am currently the Head of Olympics and Paralympics Partnerships. In our fourteen years, Airbnb has helped guests experience the world in a more authentic, connected way. We began with two hosts who welcomed three guests to their apartment in San Francisco. Today, Airbnb has grown to 4 million Hosts who have welcomed 900 million guest arrivals in more than 220 countries and regions around the world.

At Airbnb, we believe travel can be transformational—it can break down barriers, help people get to know each other, and foster acceptance and understanding. To that end, there are three reasons why we decided to become an Olympic sponsor:

1. **We want to support connections at a global scale.** The Olympic Games have shown that sports can accomplish this goal, bringing the world together through an incredible and inspirational athletic competition.

2. **We want to economically empower athletes via our platform.** In the same way that Hosts are at the heart of the Airbnb experience, athletes are at the core of the Olympic and Paralympic Movement. That's why we are proud that our Olympics partnership is focused on empowering and connecting athletes from different cultures, races, religions, and creeds, all under the banner of sports.

3. **We are particularly proud of the opportunity to support the Refugee Olympic Team.** We see this as an extension of our broader efforts to provide long-term support to refugees.

### AIRBNB'S IOC SPONSORSHIP

As a sponsor of The Olympic Partners (TOP) Programme, established by the International Olympic Committee (IOC), we are committed to a unique partnership to support both the economic empowerment of individual athletes and the role that the Olympics and Paralympics have historically played as a global movement to foster people-to-people connections. This commitment spans nine years and encompasses five Olympic and Paralympic Games. And our partnership is designed to support athletes, not any particular city or Games.

Our athlete-centered approach is based on three pillars:

1. **Supporting and empowering athletes**, particularly via the creation of a specific category of Olympian and Paralympian Hosted Experiences to provide them with a platform to share their voices and earn extra income.

2. **Providing accommodation support to the Olympic Family.**

3. **Supporting the Refugee Olympic and Paralympic Teams.**

To date, we have committed millions to direct support for athletes, including through the creation of the Airbnb Athlete Grant, which supports up to 500 athletes a year with direct travel credits to help meet their accommodation needs when they travel to train or compete. We are proud that more than fifteen different Team USA sports teams are finding ways to connect with each other and continue their training while staying on Airbnb.

We have also established three athlete-focused initiatives unique to Airbnb:

1. **Olympian and Paralympian Experiences on Airbnb.** In 2020, Airbnb and the IOC launched the Olympian and Paralympian Experiences category<sup>1</sup>—one of the largest long-term athlete support programs the IOC has with a TOP Partner. These Experiences provide an opportunity for athletes to generate income while they share their passions and their sport with Guests directly on the Airbnb Experi-

<sup>1</sup> <https://www.airbnb.com/s/experiences/olympics-online>

ences platform. When the Tokyo Games were postponed last summer, Airbnb hosted the Olympic and Paralympic Online Experiences Festival in July of 2020, which featured over 200 athletes from around the world hosting Airbnb Experiences and spreading the Olympic and Paralympic spirit to fans around the world.<sup>2</sup>

**2. Accessible Stays for Paralympians.** Like many others with disabilities, Paralympic athletes have been disproportionately impacted by the pandemic. Airbnb will commit to investments that directly support Paralympians and Paralympic hopefuls with up to 8,000 stays that meet their specific travel needs. Paralympians also make up a large portion of the Hosts in our Olympic and Paralympic Experiences category, many of which compete for Team USA.

**3. Support to Refugee Olympic and Paralympic Teams.** Our partnership is also unique in its support of the Refugee Olympic and Paralympic Teams. Over the course of our partnership, we will help create economic opportunities for refugee Olympic and Paralympic athletes with ongoing Online Experiences and also provide funding to support their costs to train and participate in the Games.<sup>3</sup> Just this month, we launched a series of Online Experiences with refugee athlete Hosts that will allow them to share their incredible stories of overcoming adversity and the power of sport while earning meaningful income and raising awareness about the global refugee crisis. We have also developed a unique scholarship program that mirrors that of the IOC for the Refugee Olympic Team to create equity across the teams.

We are proud to do our small part through this athlete-focused partnership to support Olympic and Paralympic athletes as they strive to achieve their dreams and inspire the world.

#### AIRBNB'S COMMITMENT TO HUMAN RIGHTS AND FIGHTING DISCRIMINATION

We are a company based on connection and belonging. Every day, more than 4 million Hosts have the opportunity to share their homes and culture with guests around the world. To achieve this, we operate globally everywhere the U.S. Government allows us to operate—that includes more than 100,000 individual communities across more than 220 countries and regions around the world. We recognize that our global footprint means we have and will continue to face complex and challenging issues worldwide. That's why our core values and policies have long reflected our recognition of and respect for human rights, as informed by internationally recognized standards such as the Universal Declaration of Human Rights and the United Nations Guiding Principles on Business and Human Rights (UNGPs), and we have a range of policies and tools to support our community and act in accordance with our values everywhere we operate.

Everyone who uses Airbnb must agree to our Community Commitment, a global standard that requires all members of our community to affirmatively agree “to treat everyone in the Airbnb community—regardless of their race, religion, national origin, ethnicity, skin color, disability, sex, gender identity, sexual orientation, or age—with respect, and without judgment or bias.”<sup>4</sup> This Commitment applies to everyone who uses Airbnb around the world. On an ongoing basis, in markets throughout the world—including in all the countries where the Olympics are scheduled to take place over the course of our partnership—we have removed listings and people from the platform when we find they violate this Community Commitment. This is an important part of our work to address bias and discrimination on our platform, which are antithetical to our mission and values.

We are constantly working to improve, and we plan to build on our commitment to anti-discrimination and other important human rights issues by ensuring our policies and procedures continue to respect human rights.

Given the Commission's mandate, we know you may be particularly interested in Airbnb's work in China. Airbnb's community in China grew organically: Chinese travelers first used Airbnb as guests abroad and decided to host when they returned home—a pattern we have seen all over the world. Our current presence in the country reflects our purpose of enabling individual economic empowerment and bringing people together from communities and neighborhoods around the world to bridge cultures, including in China, which is home to roughly 20 percent of the world's population. Airbnb has a long track record of economically empowering individuals, and we're proud that hosting on Airbnb is an important source of income for our Hosts.

We're grateful for the opportunity to support global Olympic and Paralympic athletes, Team USA, and our Host and Guest community. Thank you for the chance

<sup>2</sup> <https://news.airbnb.com/airbnb-ioc-and-ipc-announce-summer-festival-of-online-experiences/>

<sup>3</sup> <https://news.airbnb.com/airbnb-athlete-travel-grant/>

<sup>4</sup> <https://blog.airbnb.com/the-airbnb-community-commitment/>

to testify before you today to share more about Airbnb's commitment to these athletes and the spirit of coming together in global athletic competition. I look forward to your questions.

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PREPARED STATEMENT OF PAUL LALLI OF THE COCA-COLA COMPANY

Chairman Merkley, Chairman McGovern, and distinguished members of the Congressional-Executive Commission on China: thank you for inviting me to speak to you about The Coca-Cola Company's human rights commitment and our proud history of supporting global sporting events. We as a company—and I personally—share your passion for human rights and have the greatest respect for this Commission's essential work.

My name is Paul Lalli. I am Global Vice President, Human Rights at The Coca-Cola Company. In that capacity, I oversee the company's human rights policies and due diligence programs across the world. I also lead our human rights transparency and stakeholder engagement efforts. Today I hope to shed light on The Coca-Cola Company's sponsorship of global sporting events, including the Olympics; lay out the principles that guide our human rights program; and explain the steps we have taken to live by our commitments in our day-to-day business and in our sponsorships.

OVERVIEW OF THE COCA-COLA COMPANY & SYSTEM

The Coca-Cola Company is a global business that operates locally in every community where we source, produce, and sell our products. While our value chain is vast—spanning 200 countries and territories across the globe—we are able to keep a local focus because of the strength of the Coca-Cola system, which comprises our company and more than 250 independent bottling partners worldwide.<sup>1</sup> As a company, we employ 80,300 people. Our system, including bottlers, employs over 700,000.<sup>2</sup> Our mission is to refresh the world and make a difference. The second part of that mission is as integral to our business as the first. Each of the countries in which we operate poses unique economic, cultural, and political challenges. We do our best wherever we operate to improve the lives of everyone we affect—workers, communities, and consumers.

THE COCA-COLA COMPANY'S SUPPORT FOR ATHLETES

Almost a century ago, The Coca-Cola Company sponsored the 1928 Olympic Games and partnered with the U.S. Olympic Committee for the first time. In every Olympic Games since then, we have proudly supported the International Olympic Committee (IOC) and Team USA; we have committed to continue doing so until at least 2032. The U.S. Olympic and Paralympic Committee (USOPC) always stresses: "No athlete achieves their dream alone."<sup>3</sup> The Coca-Cola Company is proud to play a part in making these dreams come true.

We are also a longstanding partner of other major sporting events, including the FIFA Men's & Women's World Cups, the UEFA Championships, the Special Olympics—of which we are the founding partner—and many others. We sponsor these events because we believe that sport is unique in its ability to bridge divides between people and showcase the best of the human spirit.

Across our sponsorships, our credo is simple: we follow the athletes. We do not select venues. We do not endorse cities, countries, or governments. We sponsor events and competitors. We ensure that the vast majority of our funding flows to the athletes. With the Olympics, for instance, 90 percent of our funding flows to 206 National Olympic Committees, their teams and athletes, and the IOC Refugee Olympic Team.<sup>4</sup> Team USA is the largest single beneficiary of this funding: since 2013, the IOC has distributed approximately \$1.1 billion of sponsorship and broadcast revenue to the USOPC to support U.S. athletes and sport (including forecasted revenue from Tokyo 2020).

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<sup>1</sup>The Coca-Cola Company, "Human Rights Report 2016–2017" at 5.

<sup>2</sup>The Coca-Cola Company, "2020 Business & Environmental, Social and Governance Report" at 12.

<sup>3</sup>Team USA, "Join the team behind the team," available at <https://www.teamusa.org>.

<sup>4</sup>International Olympic Committee, "How the IOC Finances a Better World through Sport."

## THE COCA-COLA COMPANY AND RESPECT FOR HUMAN RIGHTS

The Coca-Cola Company's commitment to human rights is sincere and embedded in our culture and strategy. It flows from the very top of our leadership throughout the organization. In the words of our CEO, James Quincey: "Respect for human rights is at the foundation of our business and ingrained in our culture, guiding our interactions with employees, bottling partners, suppliers, customers, consumers and the communities we serve."

Our touchstone is the United Nations Guiding Principles on Business and Human Rights, the global benchmark for corporate human rights responsibility. The Coca-Cola Company was among the first companies voluntarily to commit to the Guiding Principles, under which businesses are expected to do their best to identify and address human rights risks to individuals and communities across their value chain—from supplier to consumer. Realizing these ideals requires constant vigilance for continuous improvement. Two elements are critical in that effort: due diligence and collaboration. Both are pillars of our approach.

The Coca-Cola Company has worked tirelessly to embed respect for human rights across our system with a coherent and comprehensive framework of policies, due diligence, and remediation processes aligned with the Guiding Principles.<sup>5</sup> Our Human Rights Policy captures our overall commitment to human rights and applies to all our operations.<sup>6</sup> We expect the same of all of our suppliers and bottling partners. Our Supplier Guiding Principles<sup>7</sup> and our Principles for Sustainable Agriculture<sup>8</sup> are contractually binding on suppliers, with clear and strict human rights expectations. Our robust due diligence process, with a particular focus on forced and child labor, helps ensure that our high standards are being respected throughout our supply chain.

The cornerstone of our due diligence is an industry-leading onsite assessment program. To date, we have conducted more than 35,000 human rights assessments at supplier and bottler sites, including 2,279 in Covid-affected 2020. Assessments follow a detailed Coca-Cola protocol, including (i) confidential interviews with a representative sampling of employees and contract workers from different vulnerable groups; (ii) extensive document reviews to understand legal compliance, recruitment practices, and fair treatment of workers, among other issues; and (iii) hundreds of discrete and collectively comprehensive questions for management and workers on the full suite of sustainability issues.

When a supplier or bottler fails to uphold any aspect of our policies, we require them to implement corrective actions and undergo follow-up assessments until outstanding issues are resolved. We also provide training programs and ongoing guidance to assist suppliers and bottlers in improving their workplace practices. Our Workplace Rights Implementation Guide outlines how to meet the Supplier Guiding Principles,<sup>9</sup> and our Business Toolkit provides suppliers and bottlers with practical guidance on how to improve their sustainability performance.<sup>10</sup> We terminate relationships with any supplier or bottler who is unable or unwilling to allow an independent assessment or meet our human rights standards.

Beyond onsite assessments, we continuously strive for accurate and timely information about human rights issues across our value chain with a suite of mutually reinforcing approaches. These range from reliance on authoritative US Government and civil society reports to sophisticated data analytics, rigorous compliance investigations, and grievance mechanisms open to a broad array of stakeholders. Each of these measures helps triangulate and validate information from our onsite assessments.

We also give great weight to ongoing engagement with stakeholders and experts who can offer regional nuance and practical insight to advance our human rights journey. As an example, when mapping human rights risks across our value chain, we worked closely with Shift, a leading non-profit on the meaning and implications of the Guiding Principles. We then engaged with over 180 experts from around the world to understand their perspectives and concerns. Finally, we consulted broadly with more than 57 civil society groups to establish our human rights priorities.<sup>11</sup> Such engagement is part of a continuous dialogue that enables us to identify and address potential issues proactively and collaboratively.

<sup>5</sup>The Coca-Cola Company, "Human Rights Report 2016–2017" at 7.

<sup>6</sup>The Coca-Cola Company, "Human Rights Policy."

<sup>7</sup>The Coca-Cola Company, "Supplier Guiding Principles."

<sup>8</sup>The Coca-Cola Company, "Principles for Sustainable Agriculture."

<sup>9</sup>The Coca-Cola Company, "Workplace Rights Implementation Guide."

<sup>10</sup>The Coca-Cola Company, "Business Toolkit."

<sup>11</sup>The Coca-Cola Company, "Human Rights Report 2016–2017" at 19.

We are proud to count among our civil society partners some of the leading global advocates for human rights, including:

- Oxfam, with whom we engage primarily regarding human rights risks in the sugar sector, land rights, and environmental issues.<sup>12</sup>
- Institute for Human Rights and Business, with whom we have collaborated on various projects related to modern slavery and sport and human rights.<sup>13</sup>
- Interfaith Center on Corporate Responsibility, with whom we have worked on our human rights program for many years, including an onsite validation of our assessment method.<sup>14</sup>

These trusted stakeholder relationships, among many others, inform our program and constantly drive us to be better.

We extend that spirit of collaboration to peer businesses as well, particularly when facing systemic challenges that range far beyond our own value chain. Forced labor, for instance, is an endemic human rights issue that respects no borders; it is a serious risk in virtually every company's value chain. Unethical recruitment is a primary cause of this abuse. Collaborative action of the private sector is key to achieving the necessary scale and momentum to advance responsible recruitment practices. In 2016, we collaborated with four other companies to launch the Leadership Group for Responsible Recruitment, a business group working closely with international organizations, NGOs and trade unions to eliminate all worker fees in recruitment, both in law and practice, by 2026. The group is supported by the Institute for Human Rights and Business, the Interfaith Center on Corporate Responsibility, the International Organization for Migration, and Verité, a non-profit trusted by the State Department to advise on modern slavery around the globe.<sup>15</sup>

We also value transparency to ensure that stakeholders can hold us accountable for our human rights commitments, which is why we regularly release reports disclosing information about our performance and challenges. Chief among these is our annual Business & Environmental, Social and Governance Report, which demonstrates how critical making a difference is to our corporate mission by integrating our reporting on financial and sustainability performance. In our CEO's words: "Our environmental, social and governance (ESG) goals are embedded in how we operate as a business—they are part of our very foundation."<sup>16</sup> In addition, we published a detailed, standalone human rights report in 2017<sup>17</sup> and have also published 21 country reports detailing human rights investigations of our sugar supply chain.<sup>18</sup>

There remains much still to be done. But our commitment has not wavered. We will continue to strive to make a practical and meaningful difference in the lives of everyone we affect across our value chain.

#### THE CENTRE FOR SPORT AND HUMAN RIGHTS & OUR DRIVE FOR RESPECT IN SPORT

The Coca-Cola Company's commitment to human rights extends to our sponsorship of global sporting events. We have been at the forefront of the drive to deliver sustainable and socially responsible global sporting events and to tackle their inherent human rights risks. In the context of such events, the expectation—and challenge—for companies under the Guiding Principles is to exercise 'leverage', which is "a company's ability to influence the behavior of others."<sup>19</sup> As Shift has noted, leverage "gets to the heart of what companies can realistically be expected to do in practice" when trying to address human rights risks caused by businesses or states in their value chain.<sup>20</sup>

As a sponsor of global sporting events, our influence is limited. In the case of the Olympics, for instance, The Coca-Cola Company is one of 14 companies in The Olympic Partners program. Those 14 companies together provide less than a fifth of the IOC's funding. By contrast, broadcasters contribute almost 75 percent.<sup>21</sup> That governments are always intimately involved in bidding for and hosting any event only heightens the challenge. As Shift cautions, in such contexts "the role of the state as regulator—and sometimes as an arbiter of whether a company can do busi-

<sup>12</sup>*Id.* at 46.

<sup>13</sup>*Id.*

<sup>14</sup>*Id.* at 47.

<sup>15</sup>*Id.* at 27.

<sup>16</sup>The Coca-Cola Company, "2020 Business & Environmental, Social and Governance Report" at 3.

<sup>17</sup>The Coca-Cola Company, "Human Rights Report 2016–2017" at 27.

<sup>18</sup>The Coca-Cola Company, "Country Sugar Studies."

<sup>19</sup>Shift, "Using Leverage in Business Relationships to Reduce Human Rights Risks" at 11.

<sup>20</sup>*Id.*

<sup>21</sup>International Olympic Committee, "How the IOC Finances a Better World through Sport."

ness in that country—makes the exercise of leverage particularly challenging.”<sup>22</sup> Further limiting our leverage is the fact that we commit to multi-year partnership agreements to sponsor events long before the host city is selected.

We have fought to overcome these limitations and advance respect for human rights in sport through innovative collaboration. The Coca-Cola Company is a founding member of The Centre for Sport and Human Rights and the sole funder of its precursor, the Mega-Sporting Events Platform. The Centre unites an unprecedented coalition of sports bodies, governments, international civil society, sponsors and, critically, broadcasters “to advance a world of sport that fully respects and promotes human rights by generating awareness, building capacity and delivering impact.”<sup>23</sup>

The Centre’s focus is practical progress. To that end, it does what no individual actor could. It serves as a credible intermediary to raise sensitive questions with the full array of sports stakeholders. It can press governments without risking regulatory retribution. It can engage broadcasters without seeming as if it is passing the buck. And it can offer practical guidance to sports bodies and unite the voices of sponsors to drive meaningful reform, often from behind the scenes.

The Centre is young. But it has already achieved meaningful gains. It has helped FIFA integrate human rights into the bidding requirements for the World Cup. It has helped the Tokyo Organising Committee of the Olympic and Paralympic Games with sustainable sourcing, grievance mechanisms, diversity and inclusion, and public health. And, in partnership with the government, it has advanced labor rights in Qatar.

Much work remains to be done. The international world of sport is vast and complex, with many stakeholders and interests. But the Centre’s ability to galvanize a range of stakeholders provides a unique platform to drive meaningful progress in the ethical conduct of global sporting events. We remain more committed than ever to its success.

#### THE USA IS OUR HOME AND BEACON

As we strive for this progress, we will continue to follow the athletes. But the United States is our home and beacon. We will always follow U.S. law. And if our government decides not to send U.S. athletes to any sporting event for public policy reasons, we will treat that decision with respect. We will also continue to stand for human rights wherever we operate. As we do so, we will always seek to make a meaningful and practical difference on the ground.

#### PREPARED STATEMENT OF STEVE RODGERS OF INTEL CORPORATION

##### I. INTRODUCTION

Thank you for inviting Intel to testify at the hearing of the Congressional-Executive Commission on China. My name is Steve Rodgers, and I am the Executive Vice President and General Counsel of Intel Corporation. My role at Intel is to keep the company legal, ethical, and respected in every jurisdiction in which it does business. My day-to-day responsibilities at Intel include managing the company’s legal, government affairs, trade, ethics and legal compliance functions globally. Additionally, Intel China’s headquarters operation reports to me. Thank you for inviting Intel to testify at today’s hearing and thank you for the Congressional-Executive Commission’s continued leadership and guidance on important issues regarding China.

Intel is proud to be a Sponsor of the Olympic Games. Our sponsorship of the Olympics spans several Games, several cities, and supports the Games’ overarching mission to bring athletes together to compete peacefully and to participate in the symbolism of a diverse, inclusive, and global event. As an active participant in the Centre for Sport and Human Rights, we engage with other stakeholders, including other sponsors, sports bodies, governments, non-governmental organizations, and representatives of athletes and civil society, to address challenges, collaborate and share knowledge, as well as build capacity in Mega Sporting Events.

Intel has a longstanding commitment to corporate responsibility, which includes a commitment to respecting and promoting human rights, and to maintaining global processes to prevent and mitigate human rights violations in connection with our operations, our supply chain, our business relationships, and our products. The United Nations (UN) Universal Declaration of Human Rights and the UN Guiding Principles on Business and Human Rights are the foundation upon which we build our strong governance and management systems, and our approach is aligned with

<sup>22</sup> Shift, “Using Leverage in Business Relationships to Reduce Human Rights Risks” at 11.

<sup>23</sup> Centre for Sport and Human Rights, “About Us.”

the United States' National Action Plan (NAP) on Responsible Business Conduct. At Intel we pride ourselves on not just complying with the law, but on issues of human rights, being ahead of the law. For example, under our human rights principles we have forgone hundreds of millions of dollars in sales globally that would have been legal but did not meet our internal standards.

Intel has led in the creation of several cross-industry initiatives to help address global human rights issues for over a decade. We are active in the business and human rights community, and we engage on human rights issues through memberships, partnerships, and participation in external organizations, as well as with leading human rights experts. Our engagement includes serving as a founding member of the Responsible Business Alliance (RBA) since its inception in 2004. The RBA is the world's largest industry coalition dedicated to corporate social responsibility in global supply chains and helps us hold Intel suppliers to the same high expectations and human rights standards that we have for ourselves. As a result of Intel's efforts with global suppliers to create a framework to detect, prevent, and mitigate risks of forced and bonded labor (such as fees charged to workers to obtain or keep employment), Intel suppliers have returned over \$23 million in fees to their workers in Intel's supply chain since 2014.

We have also been an active member of the Global Business Initiative (GBI) on Business and Human Rights for the past several years, which is comprised of multinational corporations with operations in diverse industries and regions that work to shape practices, inspire commitment, and build capability to implement respect for human rights in line with the UN Guiding Principles on Business and Human Rights. GBI's expertly led staff advances respect for human rights around the world. Intel's engagement with GBI includes regularly meeting representatives of other businesses, government, and civil society to provide insight and deep experience to address governance gaps and improving our processes to demonstrate our respect for and commitment to upholding human rights around the world.

We also collaborate with others to influence system-level, industry-wide improvements to promote human rights in a variety of different ways and seek to report transparently on our human rights approach and performance, including in our annual Corporate Responsibility Report.<sup>1</sup>

We respect and promote human rights and are deeply concerned when we learn about reports of human rights abuses in any jurisdiction in which we do business. We are aware of the determinations made by the U.S. Department of State regarding the Xinjiang region, and the U.S. government's ban on the importation of certain products sourced from the Xinjiang region. We do not source from the Xinjiang region. As a matter of global corporate concern in every jurisdiction in which we operate, as we detail more fully below, we have taken extensive steps to prevent and mitigate the risk of forced labor in connection with our global supply chain, operations, and products. We have also taken steps to prevent and mitigate the risk of our third-party business partners using Intel products to cause, contribute, or be directly linked to human rights abuses. Intel's sponsorship of the 2022 Winter Olympic Games in Beijing, China, in connection with The Olympic Partner Programme does not negate nor does it undermine our commitment to respect human rights or our activities to prevent the risk of human rights violations. We welcome the opportunity to discuss Intel's approach to human rights and the Olympic sponsorship with you and our fellow sponsors. We believe this kind of dialogue is important.

## II. INTEL'S UNWAVERING COMMITMENT TO HUMAN RIGHTS

We believe Intel's technology has an important role to play in making the world a better place. We also believe that information technology can and should improve the lives of people everywhere. Intel provides a range of technology and tools to our customers, and our customers use that technology as building blocks to develop countless beneficial solutions and applications across a range of industries, including robotics, health and medical, industrial and manufacturing, retail, and automotive. We also constantly look for and pursue opportunities to apply our technology to support the advancement of human rights. Customers all over the world use Intel technology. Intel technology sold to Chinese customers has many positive applications, including improving traffic flows in Beijing and decreasing the response time needed for emergency first responders in Hangzhou.

Consistent with our mission as a company to create world-changing technology that enriches the lives of every person on Earth, we remain committed to maintaining and improving systems and processes to avoid being linked to human rights violations related to our own operations, our supply chain, and our products.

<sup>1</sup> See Intel's "Corporate Responsibility Report."

## A. INTEL'S APPROACH TO RESPECTING HUMAN RIGHTS

Intel has established an integrated approach to managing human rights across our business which includes board-level oversight. A committee of the board oversees our human rights program, with day-to-day responsibility assigned to senior management. In addition to board-level oversight and senior-level management review, we have a longstanding cross-functional Human Rights Steering Committee. Further, there are multiple teams across our organization that coordinate and are responsible for conducting due diligence as well as implementing policies and procedures to address salient human rights risks.

Both the public-facing Intel Code of Conduct and Intel Global Human Rights Principles<sup>2</sup>—which apply to all Intel employees, contingent workers, and Intel subsidiaries—formalize our commitment to respecting human rights and embody common principles laid out in external guidelines, including the UN Guiding Principles, the UN Global Compact, the Universal Declaration of Human Rights, core International Labour Organization Conventions, the Organization for Economic Co-operation and Development (OECD) Guidelines for Multinational Enterprises, and the U.S. Department of State's Guidance on Implementing the UN Guiding Principles for Transactions Linked to Foreign Government End-Users for Products or Services with Surveillance Capabilities ("Dual-Use Guidance"). Intel's annual public Statement on Combating Modern Slavery<sup>3</sup> provides detail about the steps we take to reduce the possibility of complicity in human rights violations related to slavery and human trafficking around the world. Furthermore, details about our approach to navigating specific human rights issues related to our operations, supply chain, and products are published in our Corporate Responsibility Report.

## B. INTEL'S HUMAN RIGHTS DILIGENCE ASSESSMENTS

Intel performs human rights due diligence assessments consistent with the UN Guiding Principles. In 2016, we engaged a third party to conduct a human rights impact assessment to review our processes and assess our human rights risks. The human rights impact assessment confirmed that Intel was addressing its most critical human rights risks and reaffirmed our need to assess potential risks associated with emerging technologies.

Building upon the results of the 2016 Human Rights Impact Assessment, in 2018, we conducted an additional internal Artificial Intelligence and Autonomous Driving Human Rights Impact Assessment, which included an assessment of potential risks related to product misuse, algorithmic bias, algorithmic transparency, privacy infringement, limits on freedom of expression, and health and safety.

Between late 2020 and early 2021, we conducted another updated Human Rights Impact Assessment to ensure that we continue to address the most prominent human rights risks around the globe,<sup>4</sup> including those following the U.S. government's determination of human rights concerns regarding Xinjiang and subsequent requirement on US companies to assess their supply chains sourcing from that region.

## III. INTEL'S FOCUS ON HUMAN RIGHTS IN ITS SUPPLY CHAIN

## A. INTEL'S SUPPLY CHAIN STRATEGY

For over a decade, Intel has maintained an extensive Supply Chain Responsibility program. Through Intel's Supply Chain Responsibility program, over 2,200 risk assessments have been conducted globally and over 1,300 audits have been performed to validate conformance to the Intel and the RBA Code of Conduct. We have worked with suppliers to remediate and close over 3,400 findings and are committed to continuing our work to advance and evolve our programs and invest resources to further improve our global supply chain. In 2019, Intel was awarded the Advancing Supply Chain Responsibility Award by Reuters Events.<sup>5</sup>

Specific to the human rights issues encountered with conditions of forced and bonded labor, since 2014, our ongoing assessments and efforts to reach deeper into the supply chain have positively impacted more than 45,500 workers in our extended supply chain. Positive impacts have included the return of over \$23 million in fees to 20,000 workers by our suppliers since 2014. The fees returned could

<sup>2</sup> See Intel's "Code of Conduct."

<sup>3</sup> See Intel's "Statement on Combating Modern Slavery."

<sup>4</sup> See Intel's Human Rights Impact Assessment from our "Corporate Social Responsibility Report."

<sup>5</sup> See *Reuters Events*: Intel's "ground-breaking work on human rights in the supply chain particularly in tackling and abolishing recruitment fees."



equate to approximately three to five months of base pay, depending on location and situation.

We have hosted training for our suppliers and their labor agents at dozens of sites around the world, including in Singapore, Malaysia and Taiwan. We've also engaged extensively with suppliers in Korea and Japan to ensure that policies and processes were put in place to prevent instances of conditions of forced labor.

Our work to combat forced and bonded labor has earned Intel between the number one and four positions on KnowTheChain's ICT benchmark list of 49 public information and communications technology firms in the three times they have performed the evaluation since 2016. This globally well-respected resource for companies and investors to understand and address forced labor risks within global supply chains confirms that our work on this issue around the globe is having a meaningful impact in driving change and addressing this critical human rights issue.

In 2020, we set a new, ambitious goal for the decade ahead, as part of our 2030 RISE Corporate Responsibility strategy. We will scale our supplier responsibility programs to ensure respect for human rights across 100% of our Tier 1 contracted suppliers and higher risk Tier 2 suppliers, which will further our work and drive ever greater collaboration across global stakeholders to continue to assess and remedy human rights issues in supply chains.

#### B. SOURCING IN CHINA

Intel developed a robust supplier capacity building program in 2012 and has engaged with suppliers globally to help increase their understanding of our expectations relative to human rights and other critical corporate social responsibility (CSR) topics. We led multi-stakeholder summits focused on CSR in Shanghai for several years, with strong engagement from our suppliers, to improve supplier maturity level and provide resources to help them increase their conformance to the RBA and Intel Code of Conduct, which include extensive human rights elements.

We source goods and services in China and work with many Chinese partners. Over the past year, multiple governments have imposed restrictions on products sourced from the Xinjiang region of China. Our investors and customers have inquired whether Intel purchases goods or services from the region and, after conducting due diligence, we have confirmed that Intel does not use any labor or source goods or services from the Xinjiang region.

Further, as required by the U.S. government determinations regarding Xinjiang, we have placed a policy in our systems which prohibits business units from adding new suppliers from the region to our database. We also systematically review our global supplier base for emerging risks and have policies and processes in place so that if we become aware of human rights concerns, we take immediate actions to address them with our suppliers and business partners, including quickly halting suppliers from additional transactions in order to conduct appropriate due diligence.

We regularly communicate expectations and policy updates to suppliers through several channels and have been addressing and engaging on the issue of forced labor since 2014. In March 2020, as required by the U.S. government determinations regarding the region, we communicated proactively with specific suppliers in China to request data about and set expectations regarding the use of labor from Xinjiang. We also communicated high level expectations to all active global Intel suppliers in December 2020.

#### IV. INTEL'S COMMITMENT TO PRODUCT RESPONSIBILITY

Most of Intel's products are general-purpose computing products that can be incorporated into systems and applications that are sold to end users by distributors, system manufacturers, and others, and not directly by Intel. As the range of products and services we offer broadens and changes, and as new technologies emerge and advance, we evaluate potential concerns about how technology products may be used to infringe on human rights. These challenges can range from concerns around product development and deployment, such as privacy and safety concerns, to product misuse, such as potential limits on freedom of expression. Intel has developed a number of programs and initiatives to address these concerns and to proactively address these challenges.

Intel's purpose is to create world changing technology that enriches the lives of every person. Consistent with that purpose, which is aligned with our Global Human Rights Principles and our Code of Conduct, we do not support or tolerate our products being used to violate human rights anywhere in the world. To that end, Intel strengthened its Global Human Rights Principles, which has resulted in some positive movement regarding the development of certain of our customers' compliance programs.

Under Intel's Global Human Rights Principles, when one or more of our customers are identified by the U.S. government (e.g., U.S. Department of Commerce or U.S. Department of State) as having caused, contributed, or been linked to human rights abuses, such as being placed on the U.S. Entity List for facilitating human rights abuses, we take action to restrict or suspend business with that party until and unless we have gained high confidence that Intel's products are not being used to violate human rights. Our high confidence standard is applied globally and is designed to prevent and minimize the risk of a third-party business partner using Intel products to cause, contribute, or be directly linked to human rights abuses, consistent with expectations set forth in the UN Guiding Principles as well as the Dual-Use Guidance.

In 2020, we enhanced Intel's due diligence measures and review processes to assist in implementing the high confidence standard as well as complying with the U.S. Entity List restrictions placed on certain Intel customers.

Where the U.S. government has identified an Intel customer as having caused, contributed, or been linked to human rights abuses, we make a determination whether doing business with the customer is legal, ethical, in line with Intel's Global Human Rights Principles and Intel's Code of Conduct, and how it may impact Intel's reputation. To determine whether high confidence can be achieved, we evaluate several factors, including the foreseeable end use of the Intel products at issue, the customer's compliance infrastructure as well as its willingness and ability to prevent and mitigate human rights abuses involving Intel products, the end users to the extent known, and where the Intel products may be used if known. We then collaborate with our customers to align on how they can mitigate the risk of Intel products being used to violate human rights in a manner that is consistent with Intel's Global Human Rights Principles.

Since implementing the high confidence standard, Intel has restricted or terminated the sale of Intel products in certain circumstances. We have positively influenced the maturation of certain of our customers' internal compliance programs to strengthen controls designed to mitigate the risk of Intel products being used to cause, contribute, or be directly linked to human rights abuses. Furthermore, we continue to work with our customers to evaluate whether and under what circumstances, if any, high confidence under Intel's Global Human Rights Principles can be achieved.

## V. INTEL'S SPONSORSHIP OF THE OLYMPIC GAMES

In 2017, Intel became a sponsor of the Olympic Movement, starting with the 2018 Winter Games in PyeongChang and running through the Paris Summer Games in 2024. Our sponsorship stems from our unwavering support for the athletes who compete in the Games, including athletes from the United States and around the world. We believe bringing those athletes together to compete, to have fellowship, and to participate in the symbolism of a diverse, inclusive, and global event helps break down barriers and serves as a beacon for human achievement.

We are mindful, of course, of potential human rights concerns that may exist in host countries and in connection with preparing for Mega Sporting Events. We do not believe our sponsorship degrades our global commitment to human rights. Our sponsorship is not an endorsement of any specific host country or its government, nor an acceptance or approval of domestic activities that may take place within that country.

We actively engage with the International Olympic Committee (IOC) regarding issues connected to the Games themselves. We also are strong supporters of the Centre for Sport and Human Rights (CSHR). Its team includes global leaders in business and human rights. The CSHR's mission is to engage on issues related to human rights and sports, including Mega Sporting Events, and it has engaged with the IOC and openly commented on the 2022 Olympic Games. It also has commented publicly on the Recommendations for an IOC Human Rights Strategy produced by independent experts, including a former UN High Commissioner for Human Rights. Like many stakeholders, we are in favor of the Recommendations, which were published in December 2020, and very much encourage the IOC to implement them.

## VI. CONCLUSION

At Intel, our commitment to ethical conduct<sup>6</sup> and respecting and advancing human rights globally remains clear. We have a longstanding commitment to corporate responsibility, which includes respecting and promoting human rights and maintaining and improving systems and processes to avoid human rights violations related to our own operations, supply chain, business relationships and products globally. For over a decade, we have directly engaged with our suppliers to ensure compliance with our corporate responsibility expectations and build capacity to address risks of forced and bonded labor, and other human rights issues. Furthermore, Intel does not support or tolerate our products being connected to human rights violations—whether upstream in the creation of raw materials used in our products or downstream in connection with the use of our products.

Over the years, we have emphasized this commitment by making continuously improving internal controls and processes to avoid complicity in human rights violations related to our own operations, our supply chain, our business relationships and our products. We have implemented steps that enable us to take corrective action in accordance with Intel's Global Human Rights Principles.

Our commitment to human rights and the steps we have taken and continue to take to promote human rights is not undermined by our sponsorship of the Olympic Games. Moreover, Intel's sponsorship of the Olympic Games is neither an endorsement of any specific host country nor an acceptance or approval of every activity that may take place within any specific host country.

Thank you for the invitation to testify concerning Intel's commitment to the Olympic Games as a movement and to Intel's longstanding commitment to protecting human rights.

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 PREPARED STATEMENT OF SEAN MULVANEY OF PROCTER & GAMBLE

Chairman Merkley and Co-chairman McGovern, my name is Sean Mulvaney, and I am a Senior Director for Government Relations & Public Policy at Procter & Gamble ("P&G"). Thank you for the opportunity to appear today to discuss P&G's commitment to respecting and prioritizing human rights, including in our longstanding support of Olympic athletes and their families. I look forward to our discussion and to continuing to work with you and your colleagues on these and other important issues.

P&G was founded in 1837 in Cincinnati, Ohio, as a small business producing soap and candles. Since that time, we have grown into a global company with household brands recognized around the world—but we are still headquartered in Cincinnati, and we still maintain the same business model. In particular, even as we have expanded into new markets, we have continued to focus on providing consumers with quality products that make every day better. This approach has allowed us to be one of the most competitive American companies on a global scale, and our brands are now available in more than 180 countries.

Today, in the United States alone, P&G operates 25 manufacturing facilities and employs approximately 26,000 people. While our U.S.-based facilities primarily make products for American and Canadian consumers, P&G's domestic operations also support the company's overseas business. Indeed, one in five U.S.-based jobs at P&G—and two in five Ohio-based jobs—support our global operations.

Wherever we operate, respecting human rights is fundamental to how we manage our business. Our approach to human rights is embedded in our foundational Purpose, Values, and Principles, which have guided our operations for more than 180 years and which include a commitment to operate responsibly, ethically, and with integrity. Consistent with these values, we have committed to supporting internationally recognized principles for safeguarding human rights throughout our own operations, and we extend our human rights commitments to our global supply chain.

Our commitment to respecting and prioritizing human rights also extends to our longstanding support for the Olympic movement. As part of a commitment that will span more than two decades—beginning with our sponsorship of Team USA at the 2010 Vancouver Games and continuing through our sponsorship of the 2028 Los Angeles Games—P&G has supported Olympic athletes and their families. We recognize that respecting human rights is foundational to the Olympic movement and to realizing the ambition of uniting the world through sport.

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<sup>6</sup>In 2021, Intel was acknowledged as a World's Most Ethical Company for the 10th consecutive year. See Honorees 2021—Ethisphere® Institute—Good. Smart. Business. Profit.® (worldsmostethicalcompanies.com). Last accessed July 21, 2021.

That's why, as a sponsor, we have supported various efforts aimed at strengthening the International Olympic Committee's ("IOC") approach to human rights, including its efforts to implement the UN Guiding Principles on Human Rights ("UN Guiding Principles") into its operations and oversight of the Olympic Games.

P&G'S LONGSTANDING COMMITMENT TO SUPPORTING ATHLETES  
AND THE OLYMPIC MOVEMENT

For over a decade, P&G has supported the Olympic movement, American athletes, and their families through our sponsorship of the IOC and the Olympic Games. As an Olympic sponsor, P&G is and has always been focused on the athlete experience and on the families who support Olympic athletes and hopefuls around the world. P&G has also worked through our sponsorship to continue to drive progress with the IOC on the topic of human rights, including actively working with the IOC to advance the integration of the UN Guiding Principles across its operations and into host-city contracts.

P&G's support for the Olympic movement began with our sponsorship of Team USA in the 2010 Winter Games in Vancouver with our Thank You Mom campaign, which recognizes the support moms provide to their children on their journey to achieve their Olympic dreams. This sponsorship continues today with our participation, along with several other American companies, in the IOC's Olympic Partner ("TOP") Programme, and we are committed to sustaining and building on that essential support through the 2028 Los Angeles Games. This commitment extends over several past and future Games—including London, Sochi, Rio, PyeongChang, Tokyo, Beijing, Paris, Milan, and Los Angeles—irrespective of the host city in which the Games occur.

Our focus from the very start of our Olympics sponsorship has been on supporting Olympic athletes who work their entire lives to compete on the world stage—along with their moms and families who support them during their journey—before, during, and after the Games. To date, we have supported more than 400 global athletes, including more than 100 American athletes, with sponsorships and programs that provide valuable economic support.

This support for the broader Olympic movement is particularly evident in our support for Olympic athletes here in the United States. Unlike many other National Organizing Committees, the U.S. Olympic & Paralympic Committee ("USOPC") is a privately funded, non-profit corporation that receives no direct funding from the U.S. federal government. The USOPC is therefore especially reliant on private funding to support the U.S. Olympic team.

Indeed, the USOPC reports that 33 percent of the funding for Team USA comes from TOP sponsorships. Private funding, like that received through the TOP program, allows the USOPC to fund high-performance programs for athletes, athlete foundational programs, world-class athlete training facilities, fundraising and commercial activities, Team USA Marketing and Promotion, and Olympic and Paralympic competition support such as travel and lodging. Simply put, it is the support from corporate sponsors like P&G that enables Team USA's Olympic and Paralympic athletes—for whom training is a full-time job—to compete and win at the highest level.

Nonetheless, P&G's commitment to the Olympic movement is not limited to financial support to the IOC. P&G also makes the Games possible by providing other key means of support to the IOC and other Olympic partners. In particular, P&G provides:

- Professional expertise, such as consulting on marketing, digital media capability, human rights, equality and inclusion, and environmental sustainability, to support the advancement of the Olympic movement;
- Direct support, via athlete sponsorship, for the training and development of Olympic athletes and hopefuls around the world;
- Marketing campaigns that shine a spotlight on the athletes and their families to bring awareness to the athletes and inspire support in their home countries, especially in the United States;
- Activations to enhance the Olympic experience for spectators; and
- Essential services such as dental clinics, salon services, and laundry services for athletes participating in the Games.

One of P&G's central, athlete-focused initiatives during the Games is supporting athletes and their families at the "P&G Family Home," a "home away from home" in host cities. The Family Home gives P&G-sponsored athletes—including all U.S. athletes—and their families a place to convene, relax, rest, eat, and engage with other athletes and families.

P&G also committed to sponsor the “Pride House” at the Tokyo Olympics, which was planned as a safe and supportive space for LGBTQIA+ athletes, their families, and fans. This effort was conceived during the 2014 Winter Games in Sochi, before which there were concerns about violence toward LGBTQIA+ athletes. P&G worked with the IOC and other key stakeholders to ensure athlete safety at those Games. This is just one example of how P&G has prioritized athletes and human rights, regardless of where the Games are hosted.

We have also partnered with the IOC and others to support women and girls in sports.

We’ve focused one area of our support on the accurate portrayal of female athletes in advertising, free of stereotyping or objectification, because we know that the images in advertising embed memories, shift norms, and can change bias. We have also provided expertise and technical support to the IOC for its recently launched strategic guidelines in the area of portrayal, and we will continue to champion the accurate portrayal of female athletes—while raising their voices and highlighting the causes they champion—on and off the field. In the Tokyo Olympics, 16 of 18 P&G-sponsored athletes are women, and five of our brands are launching campaigns celebrating a diverse group of women Olympians.

Separate from our sponsorship through the TOP program, P&G and the IOC also jointly established the Athletes for Good Fund to further the Olympic mission of supporting athletes and putting them at the heart of the Olympic movement. The Athletes for Good Fund provides grants to causes that Olympic and Paralympic athletes and hopefuls are supporting in their communities. The Athletes for Good Fund supported 52 grant awards to these causes—representing one for every week leading up to the 2021 Opening Ceremonies in Tokyo.

#### P&G WORKS TO PROMOTE HUMAN RIGHTS PROTECTIONS AT THE OLYMPICS

These efforts to support diverse athletes, their families, and their causes are just some of the ways P&G puts our Purpose, Values, and Principles into practice. More broadly, P&G is committed to respecting human rights in all our work, including our support of athletes, athletic competition, and sponsorship of the Olympics. That’s why, when we became a sponsor of the TOP program, we ensured that our sponsorship contract required the IOC to maintain policies concerning compliance with applicable laws and respect for human rights. We have also supported the IOC’s efforts to implement the UN Guiding Principles into its operations and oversight of the Olympic Games.

Further, in 2018, we became a founding member of the Centre for Sport and Human Rights (“the Centre”), an alliance of organizations including non-governmental organizations, sports governing bodies, and private companies that work together to protect and promote human rights in the athletic world. As members of the Centre’s Advisory Board, P&G and other Centre members and Olympic sponsors have requested information from the IOC about the upcoming Olympic Games. Specific to the Beijing 2022 Games, the Centre has engaged with the IOC regarding supply chain considerations, free speech protections, and protections against displacement of local communities.

We have also, both directly and via the Centre, urged the IOC to implement the “Recommendations for an IOC Human Rights Strategy” authored by human rights experts Rachel Davis, founder of the SHIFT non-profit center for business and human rights practice, and Prince Zeid Ra’ad Al Hussein, former UN High Commissioner for Human Rights and chair of the IOC’s Human Rights Advisory Committee. These recommendations call for the IOC to:

- Articulate its human rights responsibilities by amending the Olympic Charter to explicitly address human rights and incorporating human rights into the IOC’s key governing documents;
- Embed respect for human rights within the IOC, including by building its human rights expertise and capability;
- Identify and address human rights risks, including by strengthening due diligence;
- Track and communicate progress on human rights issues to stakeholders; and
- Strengthen the “remedy ecosystem” in sports by using its leverage to improve grievance mechanisms.

Both individually and together with other TOP sponsors, we have consistently engaged with the IOC to offer support as the IOC implements these recommendations. And we are encouraged to see that the IOC has taken initial steps towards implementation. Nonetheless, we are continuing to urge the IOC to build its human rights expertise and capability and to implement standards and practices to identify,

mitigate, and address human rights impacts that may occur across its global operations.

#### P&G'S COMMITMENT TO PROTECTING HUMAN RIGHTS

Our commitment to respecting and prioritizing human rights is also fundamental to how we manage our business. In particular, we support the U.N. Guiding Principles, a commitment which we extend to our global supply chain through our Responsible Sourcing Guidelines for External Business Partners and Supplier Citizenship Program.

Under the UN Guiding Principles, companies have a responsibility to act with due diligence to avoid infringing on the rights of others and to address any potential adverse impacts caused or contributed to by our work. We act on this responsibility. We regularly review our adherence to our human rights commitments through rigorous self-assessments. And we take every report of a potential human rights violation seriously.

To that end, we have set up a 24/7 help line to enable confidential reporting of any human rights concerns, and we encourage anyone aware of potential human rights concerns related to our business—whether employees, business partners, non-governmental organizations, or other stakeholders—to share information that will enable us to investigate. We are committed to reviewing all reports with trained teams who can ensure impartial and fact-based investigations.

Beyond adopting our own policies and procedures to protect human rights, we have extended our human rights commitments to our global supply chain by adopting our Responsible Sourcing Expectations for External Business Partners. These expectations explain the global standards to be followed in business activities on behalf of P&G and, among other things, include prohibitions on the use of forced or child labor; prohibition of discrimination based on factors including race, gender, religion, and other protected characteristics; prohibition of coercion, harassment, or punishment of workers; and respect for employee and consumer privacy. We also encourage our external business partners, including the IOC, to set similar expectations with their own suppliers.

To ensure compliance with our Responsible Sourcing Expectations, we reserve the right to conduct audits of our suppliers or supply chains. Our audits assess partners' labor standards, health and safety practices, and environmental and business practices, among other things. And we target our audits in particular to high-risk industries and geographies. If issues arise, we assess the problem and use our resources and expertise to come to a better solution or business practice—or exit our relationship as necessary.

All this said, we acknowledge that achieving respect for human rights around the world can be an enormous challenge. We can make meaningful contributions in our shared objectives only through consistent collaboration and engagement with others. That's why we seek consultation from important external stakeholders, including critics and recognized human rights thought leaders, and we strive to work cooperatively with governments, civil society organizations, and industry and business associations to promote human rights.

#### CONCLUSION

Chairman Merkley and Co-chairman McGovern, thank you again for the invitation to testify this morning. P&G values our partnership with you and this Commission, and we look forward to working with you to recognize and protect human rights while supporting the Olympic mission.

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#### PREPARED STATEMENT OF ANDREA FAIRCHILD OF VISA INC.

Good morning Chairman Merkley, Co-chairman McGovern, and members of the Commission. Thank you for the opportunity to appear before you today to discuss Visa and the Olympic and Paralympic Winter Games Beijing 2022.

My name is Andrea Fairchild, and I am the Senior Vice President of Global Sponsorship Strategy, where I am responsible for leading Visa's global sponsorship portfolio.

Visa Inc. ("Visa") is proud to be a longstanding supporter of the Olympic and Paralympic Games and the athletes who dedicate their lives training to compete at the highest levels of their sport. We view the Games as one of the most important global movements that bring people together to promote peace, friendship, and mutual understanding. We also welcome the opportunity to discuss our efforts related

to human rights, including serving as a founding member of the Centre for Sport and Human Rights.

One of the wonderful things about the Games is that every two years America comes together to take pride in our country and our incredible athletes, whose dedication, talent, and sheer will embody universal hopes and dreams. After such a difficult year and a half for so many across our country, the Olympic and Paralympic Games will surely deliver a sense of hope, optimism, and renewed faith in the future that lies ahead of us.

For more than six decades, Visa has been a trusted engine of commerce. As a global payments technology company, we enable fast, secure, and reliable digital payments across more than 200 countries and territories. Our mission is to connect the world to enable individuals, businesses, and economies to thrive.

We have earned a reputation as one of the most trusted brands globally and have been named as one of the world's most ethical, responsible and sustainable companies.<sup>1</sup> Visa publishes an annual Environmental, Social and Governance (ESG) report,<sup>2</sup> which provides an update on progress against our commitments to corporate responsibility, sustainability, and ethical leadership against Visa's most important ESG goals. The report is publicly available, and it summarizes and assesses our efforts to be an industry leader in environmental, social, and governance excellence.

At Visa, we recognize our responsibility to respect, advance, and maintain global human rights across our company and operations, and in connection with our global sponsorship programs.

Our approach to respecting human rights in our company is guided by international frameworks, including the United Nations Guiding Principles on Business and Human Rights.

In 2020, we completed our triennial Human Rights Impact Assessment—a global review of salient human rights risks resulting from our business operations and activities—conducted in accordance with the United Nations Guiding Principles on Business and Human Rights, which we fully support.

We are a founding supporter and Advisory Council member of the Centre for Sport and Human Rights, which is dedicated to advancing a vision of a world of sport that fully respects and promotes human rights through knowledge sharing, capacity building, and stronger accountability among stakeholders involved in the sports ecosystem.

We are also committed to addressing sustainable development challenges—as guided by the United Nations Sustainable Development Goals (SDGs)—in helping to create inclusive economies and a thriving planet. As shared in our public ESG report, through business activities, partnerships and initiatives, Visa is contributing to many of the SDGs, including those around promoting inclusive and sustainable economic growth, empowering women and girls, and taking urgent sustainability action.

As we strive to create a more inclusive and equitable world, we remain focused on our longstanding efforts to uplift economies everywhere through our support for micro and small businesses, particularly women-owned businesses; expanding financial access; and promoting sustainability in our operations and commerce more broadly.

As part of this work, we are proud that we met our goal—ahead of time—of helping 500 million unbanked and underserved people have first-time access to financial services as part of the World Bank's Universal Financial Access by 2020 goal.

Financial literacy has been a priority at Visa for more than 20 years. In the United States, our award-winning Practical Money Skills program strives to link consumers, educators, financial institutions, and governments to the tools and resources they need, helping people of all ages develop their money management skills. Visa believes that great financial knowledge can empower people to better manage their money and improve their quality of life. Our success in the United States has helped drive our financial literacy efforts around the world.

In China, Visa has conducted financial literacy programs for the past decade. As of December 2020, we have helped more than 10 million rural residents live and work better through our financial literacy initiatives.

Visa is also partnering with the China Women's Development Foundation to ensure that the Beijing 2022 Games help advance rural revitalization and leave a strong legacy of economic development in the region. This initiative includes providing comprehensive business skills training to help an estimated 5,000 women-led small businesses in connection with the Games.

<sup>1</sup>Morning Consult, Most Trusted Brands 2021; Ethisphere, 2021 World's Most Ethical Companies

<sup>2</sup>"Visa 2020 Environmental, Social and Governance Report"

Visa's mission has never been more important than over the last year and a half as the world has collectively faced a public health crisis of unprecedented magnitude. Since the onset of the pandemic, our focus has been to provide stability amid such a difficult and uncertain time. For example:

- Visa pledged to help 50 million small businesses globally get back to business by 2023. We are doing this by introducing a range of locally designed programs and solutions that include building online businesses, increasing the acceptance of digital payments, and incentivizing neighborhood support. We are well on our way to achieving this goal, having reached 16 million small businesses at the end of June.
- Through the U.S. Treasury Department's Debit Card program, Visa helped to deliver economic stimulus payments to millions of American families. We also partnered with governments in the Dominican Republic, France, Guatemala, Italy, and Spain to deliver economic relief payments to struggling families during the pandemic.
- The Visa Foundation announced a 5-year, \$200 million commitment to support small businesses, particularly those owned by women or serving historically underserved communities which have been disproportionately impacted by the pandemic.
- The Visa Foundation allocated \$10 million to provide urgent humanitarian relief to local communities in North America and globally.
- The Visa Foundation granted \$4.5 million to the COVAX Advance Market Commitment and \$500,000 to Civic Nation to promote greater access and adoption of vaccines.

Visa's mission to uplift individuals, businesses and economies everywhere also underpins our approach to sponsorships. For more than 35 years, our partnership with the International Olympic Committee (IOC) has been rooted in a shared commitment to make a positive, transformational impact on the world, and in supporting the athletes. We are aligned with the Games' vision to build a better, more unified world through sport. We believe strongly in the Games' core values of excellence, friendship, and respect and in the vision of the Paralympic Movement to make an inclusive world through sport.

Visa is a founding member of The Olympic Partner (TOP) program, a global sponsorship program which was founded by the IOC in 1985 with the goal of establishing long-term partnerships that would directly benefit athletes, who are at the heart of the Olympic Movement. Visa also became the first global partner of the International Paralympic Committee (IPC) in 2003.

The TOP Program is the highest level of Olympic and Paralympic sponsorship, through which a select group of global partners support the Summer, Winter, and Youth Olympic Games and Paralympic Games as part of a long-term, multi-Games partnership. Funding from these sponsorships goes directly to support all 206 National Olympic Committees (NOCs), dozens of International Sports Federations (IFs), and every Organizing Committee of the Olympic and Paralympic Games. In addition, sponsors develop global marketing campaigns that promote Olympic and Paralympic values, encourage participation in sport and build support for athletes and teams.

Sponsorship activation enhances the Olympic Games experience for spectators and provides people around the world with opportunities to experience the Olympic ideals. Sponsorship support also contributes to the success of the educational, environmental, cultural, and youth-oriented initiatives of the Olympic Movement, including the IOC Young Leaders development program, career mentoring programs, job opportunities, and financial literacy programs. TOP partners support athletes 365 days a year, not just the 17 days of the Games, including by supporting athletes with career and economic empowerment opportunities, as well as mental health and well-being programs.

I would like to address the issues that bring us here today.

It is important to make clear that sponsors like Visa have no say in the countries selected by the IOC to host the Games. It has been that way for the entirety of our 35-year partnership and remains that way today.

Indeed, the foundation of our sponsorship has always been supporting the incredible Olympic and Paralympic athletes and hopefuls in their journeys to achieve their dreams. And, as long as governments allow athletes to participate in the Games, we will be there to support the athletes.

Without the contributions of the Olympic Partners, the world's best athletes simply would not have the opportunity to compete at the Games. In fact, 90 percent of all IOC revenues are redistributed to support athletes and sports organizations



globally, including the 206 National Olympic Committees and International Sports Federations.

This support is even more critical for Team USA athletes, as the United States Olympic and Paralympic Committee (USOPC) relies solely on private funding to deliver on their mission of empowering American athletes to achieve sustained competitive excellence and well-being.

We have been told by the IOC, IPC, USOPC, and countless athletes that our unwavering support over the last eighteen months has been particularly important to athletes who have faced immeasurable challenges and uncertainty caused by the pandemic.

In addition to our sponsorship of the Olympic Movement, Visa created its own athlete support program, called Team Visa, more than two decades ago, which has become a blueprint for other private sector-sponsored athlete initiatives. Focused on supporting athletes before, during, and after the Olympic and Paralympic Games, we are proud that more than 500 Olympic and Paralympic athletes have joined the Team Visa roster to date.

Athletes from around the world are selected based on athletic achievements, as well as their character, personal journeys, and embodiment of Visa's values.

Olympians and Paralympians representing the United States have generally had the largest representation on Team Visa. And, more than half of Team Visa athletes have been women.

Many Team Visa athletes have had to overcome significant challenges to rise to the highest levels of competition. They have shared stories about not having the financial resources to cover their basic needs—let alone have proper equipment to train with. They have overcome childhood diseases and potentially career-ending injuries. Others have recounted how personal and emotional hardship—like a lack of family support—nearly ended their careers before they started.

We also have athletes that have had to flee their countries due to conflict and violence. During the 2016 Rio Games, for example, Team Visa proudly included 10 refugee athletes, who beat great odds to reach the top of their respective sports and were an inspiring addition to the Team Visa family.

Overcoming these challenges to pursue a career in sports has not been easy. The Olympic Games have been a bright spot for many athletes and allowed them to achieve their lifelong dreams. The world has watched as these athletes have accomplished the unimaginable—win medals for their countries for the first time in history, break world records, leave lasting legacies in their sports, and inspire future generations to follow in their footsteps.

Amazingly, these challenges and victories don't even tell the complete story of our Team Visa athletes. While training, many of our athletes are also pursuing academic degrees, running non-profit organizations to give back to the communities where they grew up, and raising families.

They also proudly represent a multitude of life experiences and beliefs. Their perseverance, dedication, and character are truly admirable.

The Team Visa roster for Tokyo 2020 is comprised of 102 athletes from 54 countries and 28 sports—it is our largest, most diverse, and inclusive roster in our history. Team Visa includes Olympians and Paralympians representing the United States in soccer, gymnastics, surfing, beach volleyball, mountain biking, para cycling, and wheelchair basketball.

We look forward to naming our Team Visa athletes for the 2022 Winter Games later this year.

Visa's financial contributions support Team Visa athletes on and off the field. On the field, financial support helps to fund equipment, training, and travel costs, and competition fees, among other expenses. Off the field, Visa provides athletes with a range of tools and resources to help athletes reach their highest potential in sport and in life. Our efforts include supporting athletes to:

- Gain access to financial literacy education and resources.
- Build their brand through exposure and integration into global and regional Visa advertising campaigns.
- Access our network of clients and partners. For example, a Team Visa athlete recently joined a panel at Visa's "She's Next" event focused on female-owned small businesses, while two other Team Visa athletes shared insights on mental and physical health and resilience, as part of a 'well-being webinar' hosted by one of Visa's major global financial institution clients.
- Build a sense of community through our Team Visa Summit, which brings athletes together from different countries and backgrounds.

As Olympic and Paralympic athletes transition to the next chapter of their lives, our support continues by giving them the opportunity to participate in a two-year

business rotational program at Visa to explore a professional career beyond sports. We are also currently working in partnership with the IOC to extend the financial literacy program available to Team Visa athletes to all Olympic and Paralympic athletes.

Visa's drive to help build a better world through sport is reflected in our long-standing Olympic sponsorship, and our broader commitment to connect the world to enable individuals, businesses, and economies to thrive.

We know that when we empower someone—whether a local shop owner who is accessing much-needed funds to build their business or an athlete competing for the first time in the Olympic Games—we can bring about positive change to uplift everyone, everywhere.

Chairman Merkley, Co-chairman McGovern, members of the Commission, and fellow Olympic Partners, thank you again for the opportunity to represent Visa today. I am happy to address any questions you have.

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PREPARED STATEMENT OF HON. JEFF MERKLEY

Good morning. Welcome to today's hearing of the Congressional-Executive Commission on China entitled "Corporate Sponsorship of the 2022 Beijing Olympics."

As the world watches the Olympics currently unfolding in Japan, this Commission remains deeply disturbed that in less than seven months another Olympic Games is scheduled to begin in the shadow of some of the world's most egregious human rights abuses. The Olympic Games exist to uplift the human spirit. Yet unless something dramatically changes, in a few months' time the Games will be held in a country that continues to mercilessly crush the human spirit, in Xinjiang, in Hong Kong, and in Tibet; among human rights activists and civil society; and anywhere where defenders of freedom stand up to the Chinese government's bullying.

This hearing will explore how Olympic corporate sponsors can leverage their influence to insist on concrete human rights improvements in China and how they will manage the reputational and material cost of being associated with an Olympic Games held in the midst of genocide. It follows up on recommendations made at a May 18 hearing we held jointly with the Tom Lantos Human Rights Commission titled "China, Genocide and the Olympics." That hearing demonstrated just how deep the bicameral and bipartisan congressional concern is on this issue. I am especially grateful to Representatives McGovern and Smith for their partnership and leadership.

For this hearing, we have invited the U.S.-based companies who sponsor the Olympics through The Olympic Partner Programme (TOP) of the International Olympic Committee. We are pleased that all five companies whose TOP sponsorships run through the 2022 Beijing Olympics have agreed to testify. These companies are some of the most well-known and respected brands in the world. This hearing is not meant to attack or embarrass individual U.S. companies but rather to explore how key Olympic movement stakeholders, corporate stakeholders, can use their influence to ensure that the Olympics lives up to its values.

Holding the 2022 Winter Olympics in China and allowing its authoritarian government to reap the rewards in prestige and propaganda of hosting this globally beloved event does not uphold the Olympic spirit. There is a parallel. That parallel is Berlin in 1936, when Hitler used the Olympics to put a real shine on his country at the same time he was already engaged in horrific acts against his own citizens, and worse was to come. But in this situation it's worse than Berlin in 1936 because the genocide is already underway.

As my co-chairman said in our last hearing, this is not the time for business as usual. We want to hear how TOP sponsors can help us deny the Chinese government its propaganda coup; support inspirational athletes without channeling the money through an IOC that has demonstrated little regard for internationally recognized human rights; influence the IOC to improve its policies so that the Olympics are never again awarded to a country engaged in genocide and gross violations of human rights; and embrace Olympic ideals of diversity and inclusion without supporting Olympic organizing committees that plan opening and closing ceremonies that will cynically display religious and ethnic minorities that in reality are being subjected to the cruelest forms of mass internment, slavery, forced sterilization, religious repression, and destruction of cultural practices.

## PREPARED STATEMENT OF HON. JAMES P. MCGOVERN

Thank you, Mr. Chairman, for convening this timely hearing entitled “Corporate Sponsorship of the 2022 Beijing Olympics.”

We hold this hearing as the Summer Games are ongoing in Tokyo. We wish the athletes the best of luck. But the Tokyo Olympics are being held under a cloud. In Japan there is strong domestic opposition to Games being held during the COVID crisis. No fans can attend. Some athletes, including Americans Sha’Carri Richardson and Becca Meyers, were denied the ability to compete due to arcane or obsolete rules.

This cloud is so heavy that Toyota, perhaps the best-known Japanese company in the world, pulled its Olympic TV ads to stop its brand image from being tarnished. Its CEO joined executives from Panasonic, NTT, NEC, and Fujitsu in choosing not to attend the opening ceremonies in their host country.

In less than seven months, the Winter Olympics are scheduled to take place in China. Unless things change quickly, the Beijing Games will be held under a cloud as well—a different cloud—of genocide, crimes against humanity, gross violations of human rights, and denial of religious freedom. The Congressional-Executive Commission on China has documented these abuses. Our work helped lay the foundation for a legislative response.

In the last three years, we have passed major human rights legislation on the Uyghurs, Tibet, and Hong Kong. My CECC colleagues and I are working to pass our Uyghur Forced Labor Prevention Act.

Both the Trump and Biden Administrations have taken action to respond to Chinese abuses, including a ban on certain imports from Xinjiang made with forced labor and sanctions against complicit Chinese officials. Congress and the executive branch are doing our part. Now we ask you, as American companies, to do your part.

Congress and the executive branch are acting because, when it comes to the Chinese government committing atrocities, we do not accept business as usual. Today we ask whether you will treat the Beijing Olympics as business as usual.

As U.S.-based Olympic sponsors, your companies represent America on the world stage. We ask whether you are willing to stand up for universal values and use your leverage against genocide and crimes against humanity.

Last week, Senators Merkley and Rubio, and Congressman Smith and I, asked the International Olympic Committee to postpone the Beijing Olympics and relocate them if China does not change its behavior. If we can delay an Olympics for a year for a pandemic—that’s what we did in Tokyo—we can delay it for a year for genocide. We received the IOC’s response. They said they would do nothing, not even acknowledge the atrocities in China.

Today we ask you, as American companies, if you will stand with human rights principles to take action against the abuses in China. Or will you side with the IOC and do nothing.

We hope you agree that your company’s reputational risk—noting that each of your testimonies cited your company’s human rights values—is not worth the association with an Olympics held in the midst of genocide. If Toyota can do it, why can’t you?

What is particularly galling about the IOC’s response is its cold indifference to genocide. This is not a policy disagreement, this is not a trade dispute, this is not about politics, this is not even a question about a particular system of government. This is about genocide.

We all appreciate all that your companies contribute to our country and our economy, providing jobs and all that you produce. But we are here because we are genuinely horrified by what is happening. We hope you are, too. The question is what you are going to do about it.

## PREPARED STATEMENT OF HON. CHRIS SMITH

Today’s hearing is the second in a series which began with a hearing I chaired joined by Co-chair McGovern and Chairman Merkley on May 18, 2021, entitled “China, Genocide and the Olympics.”

While that hearing featured testimony from civil society human rights experts, today’s hearing will focus on the corporate sponsors of the Beijing Olympics—in effect those who underwrite and help legitimize the “Genocide Olympics.”

For let’s be very clear what we are talking about here, and why multiple hearings and concrete action on this topic are called for—first and foremost we not only see genocide and concentration camps directed against Uyghurs and Kazakhs in the Xinjiang Uyghur Autonomous Region in particular, but also the ongoing eradication

of the culture of Tibet, the harvesting of organs of Falun Gong practitioners, the destruction of Christian churches, and the dismantling of freedom in Hong Kong.

And yet for many American corporations, it is business as usual when it comes to China, notwithstanding the Communist government's repeated unwillingness to abide by its obligations and written agreements, including, in the case of Hong Kong, a bilateral treaty with the government of the United Kingdom.

And while I appreciate that several corporations have sent their representatives to testify at this hearing, I cannot but shake my head in dismay when I read the preening about compliance with Environmental, Social and Governance (ESG) principles and the virtue signaling about their support for Olympic athletes.

For example, we have a submission from Visa's Andrea Fairchild which touts ESG compliance, yet not once mentions Xinjiang or the underlying violations of human rights which have prompted this series of hearings. Nor is she the only one. In fact, unless I overlooked something, the only submission that even mentions Xinjiang, and makes an attempt to deal directly with at least some of the underlying issues, appears to be the submission of Intel's Steve Rodgers.

To help clarify the issue before our witnesses begin speaking, what we are talking about are State crimes up to and including genocide—a determination made by two Secretaries of State in succeeding administrations, one Republican, one Democratic. And if it helps crystalize the issue further, unlike 1936 and the Berlin Olympics where Hitler sought to showcase the superiority of Nazism, much as the Chinese Communist Party is seeking to use the Olympics as a platform to tout its alternative vision of global governance—the world in 2022 cannot claim that the extent of the PRC's genocide remains unknown.

In light of this, my colleagues and I—Senators Merkley and Rubio, Lantos Commission Co-chair Jim McGovern—wrote to the International Olympic Committee's President Thomas Bach last week, stating unequivocally that “No Olympics should be held in a country whose government is committing genocide and crimes against humanity.”

Nor should this be any surprise, as in October 2018, Senator Rubio and I had also written IOC President Bach, asking the IOC “to review and ultimately reassign the location of the 2022 Winter Olympics given credible reporting of the mass arbitrary internment of one million or more Uyghurs or other Muslim ethnic minorities in China's Xinjiang Uyghur Autonomous Region (XUAR) and other ongoing human rights abuses by the Chinese government.”

Did any of you convey opposition to the IOC regarding Beijing as host of the 2022 Winter Games, and if so, can you provide the Commission with that documentation?

In the early 1990s, when China was seeking to host the 2000 Olympic Games, I met the father of the Democracy Wall Movement Wei Jingsheng in Beijing who had been released from prison to help the CCP persuade the IOC to select Beijing for the 2000 Games. After the PRC was denied the Games, he was promptly re-arrested and tortured, before eventually being released and allowed to come to the United States in 1997.

Wei Jingsheng testified in 1998 before my human rights subcommittee and said that the bullies in the Chinese Laogai and prisons beat and torture prisoners of conscience more when U.S. officials kowtow and appease—and less when we are resolute and serious and penalize barbaric behavior.

The PRC was eventually awarded the Olympics in 2008—over the rigorous protests of me and many others—so immediately prior to the beginning of the Games, Congressman Frank Wolf and I traveled to Beijing to raise the issue of human rights and highlight the fact that the CCP was arresting dissidents in and around Beijing to prevent contact with journalists.

It is these issues which our corporate witnesses need to squarely address today, and how they can reconcile their ostensible commitment to human rights with subsidizing an Olympics held in a country which is actively committing human rights abuses up to and including genocide. Moral posturing notwithstanding, they need to squarely address why we should not conclude that their motive is the short-term pursuit of profit, and not the loftier aspirations their submissions are cloaked in.

Granted, these corporations are not as directly complicit in China's abuses as, say, Thermo Fisher Scientific, whose DNA sequencers were used to collect the biometric data of Uyghurs. Further to that point, in 2006, I held a hearing where representatives of Google, Cisco, Yahoo! and Microsoft testified as to their role in assisting the repression in China.

The year before, Yahoo! had shared information with China's secret police which led to the arrest and imprisonment of cyber dissident Shi Tao. Yahoo! also handed over data regarding one of its users, Li Zhi, who had criticized corrupt local Chinese Communist Party officials in online discussion, for which he was sentenced to eight years in prison.

While your complicity might not be so direct, your corporate involvement in the Olympic Games nonetheless does further the interests of the government of China, which will utilize the Olympics as a platform to showcase its governance model, all while signaling that crimes up to and including genocide should not interfere with business as usual.

I also want to address a claim that we often hear when the issue of an Olympic boycott is broached—what about the athletes who have sacrificed so hard to make it to the Olympics? Yes, their willingness to sacrifice is admirable, exemplified by their commitment to rigorous training regimens and time spent away from family and friends. But sometimes greater sacrifice is called for, from each of us, athletes too.

I think of Ted Williams, the last baseball player to hit .400. He sacrificed about six years during the prime of his career to serve his country in both World War II and the Korean War. He flew a jet fighter, a Navy F9F Panther, in 39 combat missions in Korea. On one of those missions, his plane was hit and badly damaged, forcing him to crash land.

Finally, I want to close by mentioning where this genocidal mania against the Uyghurs and other Central Asian Muslim minorities like the Kazakhs originates—at the very top. In 2014, Xi Jinping, labeling all Uyghurs who dissented as terrorists, told his officials to “wipe them out completely. Destroy root and branch ... show no mercy.”

This has led not only to massive internment in concentration camps in Xinjiang, but also to the tracking down of Uyghur dissidents from around the globe and seeking to have them extradited or renditioned back to China, often from Muslim countries such as Egypt and even Turkey, which in the past had provided refuge.

One particularly egregious example of this came to my attention yesterday—a 34-year-old Uyghur activist named Yidiyesi Aishan, who had landed in Morocco from a flight originating in Istanbul, was arrested by Moroccan authorities, apparently at the request of Chinese government officials. I understand Yidiyesi is in imminent danger of being repatriated to the People’s Republic of China. I intend to reach out to the Moroccan foreign ministry to ask that they withhold any removal proceedings, given the danger that Yidiyesi faces in the PRC. Perhaps my colleagues would like to join me.

One reason I mention this individual is that I would like our witnesses to keep in mind that at the end of the day, in this case as in so many others, it is a person, with a name, who is being oppressed. The fanfare of the Olympics cannot drown that out.

With that, I look forward to your testimony.

## SUBMISSIONS FOR THE RECORD

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 UYGHURS AND TIBETANS LOCKED OUT OF AIRBNB IN CHINA'S  
 LATEST CRACKDOWN ON ETHNIC MINORITIES

[From The Telegraph, July 27, 2021]

(By Sophia Yan)

Accommodation listings on Airbnb in China at times explicitly ban ethnic minority groups such as Uyghurs and Tibetans, a move that rights groups say runs counter to the company's non-discrimination policy of "inclusion and respect."

Some properties also exclude renters from politically sensitive places including Hong Kong and Macau, where China has been working to snuff out opposition, and Taiwan, a democratically governed island with its own leader, currency, and military that Beijing deems a runaway province.

"This apartment is not able to receive Uyghur visitors due to restrictions by the local police," reads one listing for a place in Sanya, a resort town on an island in southern China.

Another listing for the city of Chongqing says that it's not able to "receive foreigners, visitors from Hong Kong, Macau, Taiwan, Xinjiang and Tibet."

Ethnic minorities from Tibet and Xinjiang, where most Uyghurs in China reside, "should contact us in advance," writes another Airbnb host for a place in the coastal city of Qinhuangdao.

These details are peppered within descriptions from hosts that list other basic house rules and information about the properties, such as "no pets," "no smoking," "free toiletries," and "hair dryer available."

The Chinese government has ramped up a crackdown against ethnic minority groups, including Uyghurs and Tibetans, and has also exerted pressure in Hong Kong and Macau, as well as over Taiwan.

Human rights violations in Xinjiang—where more than one million Uyghurs are estimated to have been detained in 're-education' camps—have been so severe that the UK, US, EU and Canada announced coordinated sanctions against Chinese officials in March.

As such, rights groups have been calling for companies to rethink their footprint in China.

Firms like Airbnb, a corporate sponsor of the 2022 Winter Olympics, to be held in China next February, have come under additional pressure to pull their support for the Games.

On Tuesday, the US Congressional-Executive Commission on China will hear testimony from American firms sponsoring the Olympics including Airbnb, Coca-Cola, Intel, Visa and Procter & Gamble, a major consumer goods company that makes everything from Tide laundry detergent to Crest toothpaste.

"The fact Airbnb is still deciding to go ahead and sponsor the Olympics should make users question whether Airbnb's values of inclusion and diversity truly are universal or only apply in regions where that's popular socially, where it's considered trendy to be inclusive," said Pema Doma, campaigns manager at Students for a Free Tibet, an advocacy group.

Airbnb is "contributing to furthering the repression," said Zumretay Arkin, program manager at the World Uyghur Congress. "It would be unacceptable in the US, or any other country, if for example Airbnb banned black people from booking their listings."

"Uyghurs are already very limited in their freedom of movement; many of them don't have passports," she said, adding that "discriminatory listings" create yet another hurdle.

Airbnb said in a comment to the Telegraph: "Everyone who uses Airbnb must agree to our Community Commitment and we apply these standards around the world, including in China."

"Language in listing descriptions that discriminates against members of different minority groups is an unacceptable violation of our Community Commitment and we take action to address it."

"We regularly scan for discriminatory language in China, and where we encounter hosts who are unwilling to remove the language or abide by our Non-Discrimination Policy, we have and will remove their listings or accounts."

For Uyghurs, travelling domestically can mean getting approval from the police and constant monitoring while on the go, while travelling internationally has before

been enough to land a person in a detention camp, based on former detainees' testimonies as told to the Telegraph.

There's a "tendency from companies like Airbnb to say 'we're just following local laws,' but what happens when those local laws directly discriminate and violate the rights of certain ethnic groups or people, like Tibetans and Uyghurs?" said Ms Doma.

"There is clear responsibility for domestic and foreign firms under the UN's guiding principles on business and human rights to ensure their business practices don't create or contribute to human rights violations, like discrimination on the basis of ethnicity, and if and when they find it, they are expected to provide some kind of remedy," said Sophie Richardson, China director at Human Rights Watch.

Airbnb first entered the China market in 2015, and has encountered a number of challenges since as detailed in documents filed by the firm before listing publicly in New York last year.

One issue was how Airbnb would balance the Chinese government's data-sharing requirements with consumer privacy concerns, which eventually led to one executive resigning, according to a report by the Wall Street Journal.

Airbnb has previously noted before going public that it would be difficult to be profitable in China.

The company website details a nondiscrimination policy saying it's "committed to building a world where people from every background feel welcome and respected, no matter how far they have traveled from home."

The policy also says that the company recognises "some jurisdictions permit, or require distinctions among individuals based on factors such as national origin, gender, marital status or sexual orientation, and it does not require hosts to violate local laws or take actions that may subject them to legal liability."

#### QUESTIONS AND ANSWERS FOR THE RECORD

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#### QUESTIONS FOR DAVID HOLYOKE OF AIRBNB FROM SENATOR LANKFORD

*Question.* As a large corporation that conducts business and has locations in countries throughout the world, you have a unique opportunity to ensure that human rights, particularly the right of all people to have a faith, live that faith, change their faith, or have no faith, is respected by and within your workplace. What policies does your company have in place to ensure that religious freedom is protected for your employees?

*Answer.* Airbnb is committed to ensuring that our place of work is free of all forms of harassment and discrimination. This is embodied in our Code of Ethics as well as our Global Harassment, Bullying, Discrimination, and Retaliation Prevention Policy, which prohibits discrimination, harassment, or unwelcome conduct based on religion. Airbnb also provides reasonable accommodations to candidates and employees with religion-based work limitations. Finally, our Beijing office features a multi-faith prayer room open to all employees to use to practice their faiths.

*Question.* Further, as corporate sponsors of the Olympic Games in Beijing, you have a unique responsibility and honor to leverage your sponsorship to uphold and promote human rights, religious liberty, and human dignity. All of your written and oral statements expressed your company's commitment to human rights. Given the rampant human rights violations and the deterioration of freedom in China, how does being an International Olympic Committee (IOC) TOP Sponsor of the 2022 Beijing Olympic Games fit with Airbnb's commitment to human rights?

Does Airbnb intend to make a public statement condemning the genocide and crimes against humanity happening in China?

Does Airbnb intend to provide a platform to individuals whose unalienable rights have been denied by the Chinese Communist Party? If so, how?

What are the minimum human rights standards for athletes, workers, and spectators that Airbnb requires in order to participate in or sponsor an event?

Once you were aware Beijing would be hosting 2022, did Airbnb consider removing its sponsorship as a participant in the IOC's TOP Programme?

*Answer.* As a sponsor of The Olympic Partners (TOP) Programme, we are committed to a unique partnership to support both the economic empowerment of individual athletes and the role that the Olympics and Paralympics have historically played as a global movement to foster people-to-people connections. Our partnership, including any traditional global marketing campaigns, is designed to support athletes, not any particular city or Games. Our approach is based on three pillars:

1. **Supporting and empowering athletes**, particularly via the creation of a specific category of Olympic and Paralympian Hosted Experiences to provide them with a platform to share their voices and earn extra income.

2. **Providing accommodation support to the Olympic Family.**

3. **Supporting the Refugee Olympic and Paralympic Teams.**

To date, we have committed millions of dollars to direct support for athletes, including through the creation of the Airbnb Athlete Grant, which supports up to 500 athletes a year with direct travel credits to help meet their accommodation needs when they travel to train or compete. We are proud that more than fifteen different Team USA sports teams are finding ways to connect with each other and continue their training while staying with Airbnb.

We are proud to do our small part through this partnership to support Olympic and Paralympic athletes as they strive to achieve their dreams and inspire the world.

*Question.* Does Airbnb's CEO intend to attend the Games?

*Answer.* Given the unique nature of our partnership, we will have a limited staff presence on the ground in Beijing, just as we had in Tokyo. We will continue to monitor the situation, including COVID-19 related travel restrictions, to inform our staff presence at the Games.

*Question.* The IOC has claimed that it cannot be held accountable for the domestic policies of the host countries and that it has a policy of noninterference. While I understand the desire to remain neutral on global political issues, I would argue that Beijing's nefarious actions in recent years—from the erosion of Hong Kong's autonomy to genocide in Xinjiang—fall outside the scope of domestic policy concerns. As an IOC TOP sponsor, has Airbnb asked the IOC to use the findings from the March 2020 Recommendations Report to vet host countries?

Has Airbnb asked the IOC to consider another host for 2022?

*Answer.* Prior to becoming a sponsor, we discussed a variety of issues with the IOC, including human rights. We maintain an open dialogue with the IOC on these issues, and we continue to encourage the IOC to raise difficult issues directly with host governments and engage with relevant stakeholders. This includes the importance of integrating human rights into the Games. We have also urged the IOC to be more transparent about the host site selection process.

*Question.* Does Airbnb take human rights into account before deciding whether to sponsor an event in a certain country or whether to expand or establish offices or facilities in a certain country?

*Answer.* As a company, our values, and principles have long reflected our recognition of and respect for human rights, and we are committed to enforcing our non-discrimination policies and our Community Commitment around the world. Prior to becoming a sponsor, we discussed a variety of issues with the IOC, including human rights. We maintain an open dialogue with the IOC on these issues.

Before launching an operating company in China, we evaluated human rights impacts with an outside expert and established some foundational principles and safeguards for operating in China, like we do in other parts of the world. We have continued to consult with human rights experts, and we have staff with human rights expertise.

*Question.* As a sponsor, what factors informed your decision to participate in the IOC's TOP Programme rather than providing direct support to U.S. athletes through the United States Olympic and Paralympic Committee?

*Answer.* We partnered with the IOC because we want to empower the Olympic athletes who make the Games great and embody the best of the Olympic spirit around the world. Our partnership with the IOC spans nine years and encompasses five Olympic and Paralympic Games. It is organized around programs that provide dedicated support to individual athletes on an ongoing basis, including through the U.S. Olympic and Paralympic Committee. Additionally, a key element of the partnership includes developing programs to provide longer-term support for refugee athletes and the Refugee Olympic Team. And we are proud that nearly 100 U.S. Olympians and Paralympians have benefited from Airbnb's Athlete Travel Grant and more than fifteen Team USA sports teams are finding ways to connect with each other and continue their training while staying with Airbnb.

*Question.* For the 2008 Beijing Olympics, Chinese residents were displaced to construct the Olympic venues, while the CCP detained human rights demonstrators, censored the internet, restricted media access, and limited speech. Although corporate sponsors do not have a direct role in the selection of a host country, their tremendous financial sway can be leveraged to influence the final outcome. Has Airbnb raised concerns directly with officials in the Chinese Communist Party to ex-



press expectations for human rights leading up to, during, and after the Olympic Games?

What pressure has Airbnb applied to the IOC to date to influence the selection of host sites for future Games?

How does Airbnb intend to leverage its position in future site selection processes?

How does Airbnb intend to apply this same approach to other international sporting events?

*Answer.* In general, we do not comment on our private conversations with governments. Our operations in China are guided by several principles, including transparency with our community and being thoughtful about safeguards in our product and operations. We have also been clear about our non-discrimination policy in China. Everyone who uses Airbnb must agree to our Community Commitment, and we have applied these standards around the world, including in China.

Prior to and since becoming a sponsor, we discussed and continue to encourage the IOC to raise difficult issues directly with host governments and engage with relevant stakeholders. This includes the importance of integrating human rights into the Games. We have also urged the IOC to be more transparent about the host site selection process.

*Question.* You have already been asked about the uniforms of the IOC staff, which were contracted by a Chinese company that uses Xinjiang-sourced cotton and manufactures its products at a factory in Xinjiang. To the larger issue of forced labor in China, what procedures does Airbnb have in place to ensure that its representatives do not receive or use any product made with forced labor in China?

What procedures are in place to make sure Airbnb is not manufacturing, selling, or trading products made using forced labor?

What procedures does Airbnb have in place to ensure that none of the products or services you provide during the Olympics are used directly or indirectly to further the systemic human rights violations in China?

*Answer.* Our business is different from many companies with more traditional supply chains operating in China. We do not manufacture products in China or elsewhere. Stays in China have accounted for approximately 1 percent of revenue for the last few years. While China has been a very minimal part of our financial success, our current presence in the country reflects our purpose of enabling individual economic empowerment and bringing people together from communities and neighborhoods around the world to bridge cultures. In this context, we believe that travel can be a transformative and powerful experience—it can break down barriers, help people get to know one another, and foster acceptance and belonging, including in China, which is home to roughly 20 percent of the world's population. Airbnb has a long track record of economically empowering individuals, and we're proud that hosting on Airbnb is an important source of income for our Hosts.

*Question.* Specifically, how will Airbnb ensure that no person is excluded from receiving or purchasing your goods or services based on ethnicity or religion?

*Answer.* Everyone who uses Airbnb must agree to our Community Commitment, and they are expected to understand and comply with local laws and regulations, as applicable. We have applied these standards around the world, including in China. When we encounter Hosts who are unwilling or who fail to abide by our Non-Discrimination Policy, we have and will remove their listings. We are constantly working to review and improve our policies and procedures.

*Question.* How will Airbnb ensure that none of the equipment it is using at the Olympics will be used for surveillance purposes by the CCP for further human rights abuses?

*Answer.* Airbnb will have a limited staff presence on the ground in Beijing. We do not anticipate use of any equipment that could be used for surveillance purposes.

*Question.* During the hearing, many of my colleagues have brought up domestic issues where Airbnb has been vocal. While these issues may impact Airbnb directly, as it is a company based in the United States, it is puzzling why Airbnb chooses to remain silent on the genocide and crimes against humanity in China yet engages in politically controversial discussions in the United States. Please explain more fully why Airbnb engages on domestic matters in the United States but, despite being a company that sells its product around the world, does not engage on other important international human rights issues and abuses.

*Answer.* As a global company operating in more than 220 countries and regions around the world, we strive to combat discrimination anywhere that it exists on our platform. Everyone who uses Airbnb must agree to our Community Commitment, a global standard that requires all members of our community to affirmatively agree “to treat everyone in the Airbnb community—regardless of their race, religion, national origin, ethnicity, skin color, disability, sex, gender identity, sexual orientation,

or age—with respect, and without judgment or bias.” This Commitment reflects our principles and applies to everyone who uses Airbnb around the world, including in the U.S., China, and all the countries where the Olympics are scheduled to take place over the course of our partnership. On an ongoing basis we have removed listings and people from the platform when we find they violate this Community Commitment. This is an important part of our work to address bias and discrimination on our platform, which are antithetical to our mission and values.

We also work with a range of international organizations to ensure that we are promoting belonging and fighting bias and discrimination. For example, we are proud to support the UN Standards of Conduct for Business on Tackling Discrimination against LGBTQ People. Our core values and policies reflect our recognition of and respect for human rights, as informed by internationally recognized standards such as the Universal Declaration of Human Rights and the United Nations Guiding Principles on Business and Human Rights (UNGPs). We plan to build on this commitment by ensuring that our policies and procedures continue to respect human rights.

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QUESTIONS FOR DAVID HOLYOKE OF AIRBNB FROM REPRESENTATIVE CHRIS SMITH

In your written testimony, you stated:

Everyone who uses Airbnb must agree to our Community Commitment, a global standard that requires all members of our community to affirmatively agree “to treat everyone in the Airbnb community—regardless of their race, religion, national origin, ethnicity, skin color, disability, sex, gender identity, sexual orientation, or age—with respect, and without judgment or bias.” This Commitment applies to everyone who uses Airbnb around the world. On an ongoing basis, in markets throughout the world—including in all the countries where the Olympics are scheduled to take place over the course of our partnership—we have removed listings and people from the platform when we find that they violate this Community Commitment. This is an important part of our work to address bias and discrimination on our platform, which are antithetical to our mission and values.

Yet there are credible reports, including a July 20 article published by The Telegraph, that Uyghurs and Tibetans still face significant discrimination on Airbnb’s platform. For example, one such listing cited in the article said: “Another listing for the city of Chongqing says that it’s not able to ‘receive foreigners, visitors from Hong Kong, Macau, Taiwan, Xinjiang, and Tibet.’”

*Question.* Can you address the accuracy of The Telegraph’s reporting that racial, ethnic, and religious discrimination is still widespread on Airbnb’s China platform?

*Answer.* We strive to combat discrimination anywhere that it exists on our platform. Everyone who uses Airbnb must agree to our Community Commitment, and they are expected to understand and comply with local laws and regulations, as applicable. We have applied these standards around the world, including in China. Listings that discriminate against racial, ethnic, or religious minorities have no place on our site, and we work hard to identify and remove them.

More broadly, when we encounter Hosts who are unwilling or who fail to abide by our Non-discrimination Policy, we have and will remove their listings. We are constantly working to review and improve our policies and procedures.

*Question.* Given your non-discrimination policy, what would you advise an Airbnb Host that didn’t want to discriminate against a Uyghur or other minority solely on the basis of race, ethnicity, or religion?

*Answer.* Please see the response to your previous question. Our Community Commitment is a global standard that requires all members of our community to affirmatively agree “to treat everyone in the Airbnb community—regardless of their race, religion, national origin, ethnicity, skin color, disability, sex, gender identity, sexual orientation, or age—with respect, and without judgment or bias.” This Commitment applies to everyone who uses Airbnb around the world, including in China.

*Question.* Corporate statements to the effect that Airbnb supports athletes and not governments notwithstanding, would you agree that the willingness of Airbnb to remain a corporate sponsor of the Olympics allows the PRC to use the reputation and incredible good will that Airbnb and other sponsors have built up over decades to legitimize its genocidal acts and create a climate of indifference to their crimes? (Per The Telegraph, Zumretay Arkin, program manager at the World Uyghur Congress, stated that Airbnb is “contributing to furthering the repression,” and “It

would be unacceptable in the U.S., or any other country, if for example Airbnb banned black people from booking their listings.”)

*Answer.* As a sponsor of The Olympic Partners (TOP) Programme, we are committed to a unique partnership to support both the economic empowerment of individual athletes and the role that the Olympics and Paralympics have historically played as a global movement to foster people-to-people connections. Our partnership, including any traditional global marketing campaigns, is designed to support athletes, not any particular city or Games. Our approach is based on three pillars:

1. **Supporting and empowering athletes**, particularly via the creation of a specific category of Olympian and Paralympian Hosted Experiences to provide them with a platform to share their voices and earn extra income.
2. **Providing accommodation support to the Olympic Family.**
3. **Supporting the Refugee Olympic and Paralympic Teams.**

To date, we have committed millions of dollars to direct support for athletes, including through the creation of the Airbnb Athlete Grant, which supports up to 500 athletes a year with direct travel credits to help meet their accommodation needs when they travel to train or compete. We are proud that more than fifteen different Team USA sports teams are finding ways to connect with each other and continue their training while staying with Airbnb.

We are proud to do our small part through this partnership to support Olympic and Paralympic athletes as they strive to achieve their dreams and inspire the world.

*Question.* Does Airbnb have a plan to mitigate the potential for its sponsorship of the 2021 Beijing Olympics to help enable or normalize the PRC’s genocide against the Uyghurs?

*Answer.* Prior to becoming an Olympic sponsor, we discussed a variety of issues with the IOC, including the importance of values such as human rights, and we continue to discuss these issues. We encourage the IOC to raise difficult issues with host governments and to engage with relevant stakeholders.

As a TOP Partner, Airbnb’s partnership, including any traditional global marketing campaigns, is designed to support athletes, not any particular city or Games. Airbnb has no formal agreement regarding the Beijing 2022 Olympic and Paralympic Games, nor with any of the host city governments of the Games.

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QUESTIONS FOR PAUL LALLI OF THE COCA-COLA COMPANY  
FROM REPRESENTATIVE CHRIS SMITH

*Question.* You stated in your testimony that you are proud that you have sponsored every Olympics since 1928. In retrospect, would you say that Coca-Cola is proud of its sponsorship of the 1936 Berlin Olympics? Can you provide us with a complete description of your advertising campaigns for the 1936 Berlin Olympics?

*Answer.* The 1936 Olympic Games were sponsored by The Coca-Cola Company’s local German operations. This was a highly localized Games and there is no record of promotion outside of Germany.

*Question.* In your written testimony, you noted that “to date, we have conducted more than 35,000 human rights assessments at supplier and bottler sites, including 2,279 in 2020.” How many have you conducted in China since Beijing was selected as the host city in 2015? How many were in Xinjiang?

*Answer.* Since 2015, The Coca-Cola Company has conducted approximately 1,736 full third-party audits and 951 reassessment audits in China. The Company has also conducted 11 third-party audits in Xinjiang. The Company has limited operations in the province but has audited all bottler, supply chain, and packaging sites in line with its Supplier Guiding Principles program and protocols.

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QUESTIONS FOR PAUL LALLI OF THE COCA-COLA COMPANY  
FROM SENATOR JAMES LANKFORD

*Question.* As a large corporation that conducts business and has locations in countries throughout the world, you have a unique opportunity to ensure that human rights, particularly the right of all people to have a faith, live that faith, change their faith or have no faith is respected by and within your workplace. What policies does your company have in place to ensure that religious freedom is protected for your employees?

*Answer.* Respect for human rights is a fundamental value of The Coca-Cola Company and is embedded in our culture and strategy. The Company’s Human Rights

Policy expressly prohibits discrimination of any type within our own operation, including religious discrimination. This prohibition is applied to our supply chain through the Company's Supplier Guiding Principles and enforced through a global audit program.

*Question.* Further, as corporate sponsors of the Olympic Games in Beijing, you have a unique responsibility and honor to leverage your sponsorship to uphold and promote human rights, religious liberty, and human dignity. All of your written and oral statements expressed your company's commitment to human rights. Given the rampant human rights violations and the deterioration of freedom in China, how does being an International Olympic Committee (IOC) TOP Sponsor of the 2022 Beijing Olympic Games fit with Coca-Cola's commitment to human rights?

*Answer.* The Coca-Cola Company has been a sponsor of Olympic athletes for nearly a century. We take seriously our role in helping embed respect for human rights in the lifecycle of the Olympics and other mega-sporting events which we sponsor. As a sponsor, our influence is limited. We therefore seek to collaborate to drive meaningful change. We do so through direct engagement with sports bodies, other sponsors, and civil society, as well as through critical multi-stakeholder initiatives such as the Centre for Sport and Human Rights, of which we are a founding member and initial sole funder. We also do so by ensuring that our own participation as a sponsor is in line with our Human Rights Policy, including the sourcing of any products provided by the Company for such events.

*Question.* Does Coca-Cola intend to make a public statement condemning the genocide and crimes against humanity happening in China?

*Answer.* Respect for human rights is a fundamental value of The Coca-Cola Company and our commitment is embedded in our culture and strategy. Our policies clearly and publicly state our position against any type of human rights violation, regardless of where they may occur. In line with the United Nations Guiding Principles on Business and Human Rights, our human rights program focuses on ensuring that our own operations and those of our business partners avoid negative human rights impacts. We do this through a robust policy and training program, a vast global audit program, and constant stakeholder engagement focused again on our value chain.

*Question.* What are the minimum human rights standards for athletes, workers, and spectators that Coca-Cola requires in order to participate in or sponsor an event?

*Answer.* Our touchstone is the United Nations Guiding Principles on Business and Human Rights. The Coca-Cola Company was among the first companies voluntarily to commit to the Guiding Principles, under which businesses are expected to do their best to identify and address human rights risks to individuals and communities across their value chain—from supplier to consumer. Realizing these ideals requires constant vigilance for continuous improvement.

In the context of global sporting events, we strive to align our actions with the Guiding Principles through the Centre for Sport and Human Rights. The international world of sport is vast and complex, with many stakeholders, including governments, civil society, and the private sector. The Centre provides a unique multi-stakeholder platform to galvanize engagement and meaningful progress in the ethical conduct of global sporting events.

*Question.* Once you were aware that Beijing would be hosting 2022, did Coca-Cola consider removing its sponsorship as a participant in the IOC's TOP Programme?

*Answer.* The Coca-Cola Company has no impact or vote on site selections made by the IOC. Our sponsorship is contractually agreed until 2032.

*Question.* Does Coca-Cola's CEO intend to attend the Games?

*Answer.* We will continue to support athletes across the globe while Coca-Cola China will activate locally as the host market of the 2022 Winter Olympic and Paralympic Games.

*Question.* The IOC has claimed that it cannot be held accountable for the domestic policies of the host countries and that it has a policy of noninterference. While I understand the desire to remain neutral on global political issues, I would argue that Beijing's nefarious actions in recent years—from the erosion of Hong Kong's autonomy to genocide in Xinjiang—fall outside the scope of domestic policy concerns. As an IOC TOP sponsor, has Coca-Cola asked the IOC to use the findings from the March 2020 Recommendations Report to vet host countries?

*Answer.* The Coca-Cola Company has long been engaging the IOC and other sports bodies on the importance of embedding respect for human rights into the lifecycle of mega-sporting events, and we were pleased that the IOC implemented

many of the recommendations included in the 2020 report as part of its future host city selection process.

*Question.* Has Coca-Cola asked the IOC to consider another host for 2022?

*Answer.* The Coca-Cola Company has no impact or vote on site selections made by the IOC. As a sponsor, The Coca-Cola Company is not involved in the selection of the host country for Olympic events or in any decisions to relocate Games. We recognize the importance of the Games being run in a responsible manner and respecting the human rights of all involved regardless of where they are held. We remain active in multi-stakeholder efforts to embed respect for human rights in all facets of the event.

*Question.* Does Coca-Cola take human rights into account before deciding whether to sponsor an event in a certain country or whether to expand or establish offices or facilities in a certain country?

*Answer.* As a global company, we seek to provide our beverages in all markets where the U.S. Government authorizes American companies to do business. Respect for human rights is a fundamental value of The Coca-Cola Company and our commitment is embedded in our culture and strategy. Our touchstone is the United Nations Guiding Principles on Business and Human Rights, the global benchmark for corporate human rights responsibility. The Coca-Cola Company was among the first companies voluntarily to commit to the Guiding Principles, under which businesses are expected to do their best to identify and address human rights risks to individuals and communities across their value chain—from supplier to consumer.

The Coca-Cola Company embeds respect for human rights across our system with a coherent and comprehensive framework of policies, due diligence, and remediation processes aligned with the Guiding Principles. Our Human Rights Policy captures our overall commitment to human rights and applies to all our operations. We expect the same of all our suppliers and bottling partners. Our Supplier Guiding Principles and our Principles for Sustainable Agriculture are contractually binding on suppliers, with clear and strict human rights expectations.

*Question.* As a sponsor, what factors informed your decision to participate in the IOC's TOP Programme rather than providing direct support to U.S. athletes through the United States Olympic and Paralympic Committee?

*Answer.* The Coca-Cola Company has supported Olympic Games around the world for over 90 years. The vast majority of our sponsorship, 90 percent, goes directly to national Olympic committees—like Team USA—and the IOC Refugee Olympic Team. Our support for sport comes from a commitment to athletes and we ensure that most of our funding flows to the participants—and aspiring participants—themselves.

*Question.* For the 2008 Beijing Olympics, Chinese residents were displaced to construct the Olympic venues, while the CCP detained human rights demonstrators, censored the internet, restricted media access, and limited speech. Although corporate sponsors do not have a direct role in the selection of a host country, their tremendous financial sway can be leveraged to influence the final outcome. Has Coca-Cola raised concerns directly with officials in the Chinese Communist Party to express expectations for human rights leading up to, during, and after the Olympic Games?

*Answer.* The Coca-Cola Company's Human Rights Policy unequivocally states our unwavering commitment to respect for human rights in our own operations and throughout our value chain. We demonstrate this commitment by operating in line with our policy around the world and requiring our business partners to do the same. With respect to the Olympics and other mega-sporting events which it sponsors, the Company has made clear to sports bodies its expectations that such events respect human rights throughout their respective lifecycles. This expectation is made both through direct dialogue with key stakeholders and, most importantly, through active involvement with the multi-stakeholder initiatives such as the Centre for Sport and Human Rights.

*Question.* What pressure has Coca-Cola applied to the IOC to date to influence the selection of host sites for future Games?

*Answer.* With respect to the Olympics and other mega-sporting events which it sponsors, the Company has made clear to sports bodies its expectations that such events respect human rights throughout their respective lifecycles. This expectation is made both through direct dialogue with key stakeholders and, most importantly, through active involvement with the multi-stakeholder initiatives such as the Centre for Sport and Human Rights.

*Question.* How does Coca-Cola intend to leverage its position in future site selection processes?

*Answer.* With respect to the Olympics and other mega-sporting events which it sponsors, the Company has made clear to sports bodies its expectations that such events respect human rights throughout their respective lifecycles. This expectation is made both through direct dialogue with key stakeholders and, most importantly, through active involvement with the multi-stakeholder initiatives such as the Centre for Sport and Human Rights.

*Question.* How does Coca-Cola intend to apply this same approach to other international sporting events?

*Answer.* With respect to the Olympics and other mega-sporting events which it sponsors, the Company has made clear to sports bodies its expectations that such events respect human rights throughout their respective lifecycles. This expectation is made both through direct dialogue with key stakeholders and, most importantly, through active involvement with the multi-stakeholder initiatives such as the Centre for Sport and Human Rights.

*Question.* You have already been asked about the uniforms of the IOC staff, which were contracted by a Chinese company that uses Xinjiang-sourced cotton and manufactures its products at a factory in Xinjiang. To the larger issue of forced labor in China, what procedures does Coca-Cola have in place to ensure that its representatives do not receive or use any product made with forced labor in China?

*Answer.* We expect our global suppliers and system partners, wherever they operate, to embrace responsible workplace practices and uphold the principles of our Human Rights Policy, including an express prohibition on any form of forced labor. We communicate these expectations through our Supplier Guiding Principles (SGP). The SGP are aligned with our Human Rights Policy and are a part of all contractual agreements between The Coca-Cola Company and our direct and authorized suppliers. We expect our suppliers to develop and implement appropriate internal business processes in compliance with the SGP. We closely monitor the implementation of the SGP by direct, authorized suppliers and apply the equivalent audits to independent bottlers. The Company utilizes independent third parties to assess supplier and bottler compliance. Assessments include confidential interviews with employees and onsite contract workers. If a supplier or bottler fails to uphold any aspect of the audit requirements, including failing to abide by our express prohibition on any form of forced labor, the failure must be systemically corrected, and remediation conducted where applicable, to continue doing business with the Company.

The SGP program also includes regular training of suppliers and bottlers on the Company's human rights principles, with a focus on forced and child labor. The Company also triangulates information from audits through regular engagement with civil society stakeholders and government officials, to ensure that its program is continuously improving in its quest to detect and prevent human rights harm within the Company's value chain.

*Question.* What procedures are in place to make sure Coca-Cola is not manufacturing, selling, or trading products made using forced labor?

*Answer.* We expect our global suppliers and system partners, wherever they operate, to embrace responsible workplace practices and uphold the principles of our Human Rights Policy, including an express prohibition on any form of forced labor. We communicate these expectations through our Supplier Guiding Principles (SGP). The SGP are aligned with our Human Rights Policy and are a part of all contractual agreements between The Coca-Cola Company and our direct and authorized suppliers. We expect our suppliers to develop and implement appropriate internal business processes in compliance with the SGP. We closely monitor the implementation of the SGP by direct, authorized suppliers and apply the equivalent audits to independent bottlers. The Company utilizes independent third parties to assess supplier and bottler compliance. Assessments include confidential interviews with employees and onsite contract workers. If a supplier or bottler fails to uphold any aspect of the audit requirements, including failing to abide by our express prohibition on any form of forced labor, the failure must be systemically corrected, and remediation conducted where applicable, to continue doing business with the Company.

The SGP program also includes regular training of suppliers and bottlers on the Company's human rights principles, with a focus on forced and child labor. The Company also triangulates information from audits through regular engagement with civil society stakeholders and government officials, to ensure that its program is continuously improving in its quest to detect and prevent human rights harm within the Company's value chain.

*Question.* What procedures does Coca-Cola have in place to ensure that none of the products or services you provide during the Olympics are used directly or indirectly to further the systemic human rights violations in China?

*Answer.* We expect our global suppliers and system partners, wherever they operate, to embrace responsible workplace practices and uphold the principles of our Human Rights Policy, including an express prohibition on any form of forced labor. We communicate these expectations through our Supplier Guiding Principles (SGP). The SGP are aligned with our Human Rights Policy and are a part of all contractual agreements between The Coca-Cola Company and our direct and authorized suppliers. We expect our suppliers to develop and implement appropriate internal business processes in compliance with the SGP. We closely monitor the implementation of the SGP by direct, authorized suppliers and apply the equivalent audits to independent bottlers. The Company utilizes independent third parties to assess supplier and bottler compliance.

*Question.* Specifically, how will Coca-Cola ensure that no person is excluded from receiving or purchasing your goods or services based on ethnicity or religion?

*Answer.* The Coca-Cola Company is a global business that operates locally in every community where we source, produce, and sell our products. We are proud that The Coca-Cola Company's value chain spans to more than 200 countries and territories across the globe. That scale is possible because consumers the world over—of all backgrounds, beliefs, and income levels—can and do enjoy our array of drinks.

*Question.* How will Coca-Cola ensure that none of the equipment it is using at the Olympics will be used for surveillance purposes by the CCP for further human rights abuses?

*Answer.* The Coca-Cola Company markets, manufactures, and sells beverage concentrates, syrups and finished beverages (including sparkling soft drinks; water and sports drinks; juice, dairy, and plant-based drinks; and tea and coffee). We do not produce equipment that could be used for surveillance purposes.

*Question.* During the hearing, many of my colleagues have brought up domestic issues where Coca-Cola has been vocal. While these issues may impact Coca-Cola directly, as it is a company based in the United States, it is puzzling why Coca-Cola chooses to remain silent on the genocide and crimes against humanity in China yet engages in politically controversial discussions in the United States. Please explain more fully why Coca-Cola engages on domestic matters in the United States but, despite being a company that sells its product around the world, does not engage on other important international human rights issues and abuses.

*Answer.* As a business, we recognize that our role is important, but it is also inherently and appropriately limited. While Coca-Cola operates in 200+ countries and territories, we were founded and remain headquartered in the U.S. The Coca-Cola Company has been engaged in the public policy debates surrounding voting rights in the United States since 1965.

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QUESTIONS FOR STEVEN R. RODGERS OF INTEL  
FROM SENATOR LANKFORD

*Question.* As a large corporation that conducts business and has locations in countries throughout the world, you have a unique opportunity to ensure that human rights, particularly the right of all people to have a faith, live that faith, change their faith or have no faith is respected by and within your workplace. What policies does your company have in place to ensure that religious freedom is protected for your employees?

*Answer.* Intel respects, values, and welcomes diversity in its workforce. We strive to provide an environment where employees from diverse backgrounds—including religious backgrounds—are valued, respected, acknowledged, and rewarded so they can achieve their potential and fulfill their career aspirations. We encourage employee connection and engagement through our network of Intel Chartered Employee Resource Groups, which include a number of faith-based groups. These groups unite around a significant common affinity or element of their personal identity and are focused on internal and external activities that build an environment of inclusion.

This year, Intel was proud to be recognized as the most religiously inclusive workplace among the United States' 200 largest companies, according to the 2021 Corporate Religious Equity, Diversity and Inclusion (REDI) Index.<sup>1</sup> This award also earned Intel a Gold Medal and the highest award among the 2021 Global Business and Interfaith Peace Award Winners.

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<sup>1</sup> <https://religiousfreedomandbusiness.org/redi>

Further, Intel does not discriminate based on race, color, religion, religious creed, sex, national origin, ancestry, age, physical or mental disability, medical condition, genetic information, military and veteran status, marital status, pregnancy, gender, gender expression, gender identity, sexual orientation, or any other characteristic protected by local law, regulation, or ordinance. Specifically, Intel maintains an Equal Employment & Opportunity Guideline which sets forth Intel's commitment not to discriminate against employees or applicants on the basis of religion. Intel maintains the following additional policies and tools designed to ensure that religious freedom for Intel employees is protected and that individuals have mechanisms to report concerns or potential violations of law or company policy, including discrimination.

- Intel's Code of Conduct
- Intel's Global Human Rights Principles
- Intel's Anti-harassment Policy
- Intel's Non-retaliation Policy
- Intel's Integrity Line, which serves as an anonymous mechanism that individuals can use anywhere around the world to report any allegations of misconduct, including potential violations of law.

*Question.* Further, as corporate sponsors of the Olympic Games in Beijing, you have a unique responsibility and honor to leverage your sponsorship to uphold and promote human rights, religious liberty, and human dignity. All of your written and oral statements expressed your company's commitment to human rights. Given the rampant human rights violations and the deterioration of freedom in China, how does being an International Olympic Committee (IOC) TOP Sponsor of the 2022 Beijing Olympic Games fit with Intel's commitment to human rights?

*Answer.* Intel's sponsorship of the Olympics supports the Games' overarching mission to bring athletes together from every corner of the world to compete vigorously and peacefully, to experience fellowship, and to participate in the symbolic nature of a diverse, inclusive, and global event that celebrates excellence among us. Consistent with our mission to create world-changing technology that enriches the lives of every person on earth, our sponsorship of the Olympics provides Intel with the opportunity to develop technology that delivers unique experiences to the Olympic athletes and those who support them.

Intel respects and promotes human rights globally, has a longstanding record as a leader in human rights, and condemns all abuses of human rights anywhere they occur. Intel's Global Human Rights Principles were first adopted in 2009 and apply to all employees and contingent workers, employees of our subsidiaries, our products and services, and our business relationships, including our partners and supply chain. They embody common principles reflected in international frameworks such as the United Nations (UN) Global Compact, the Universal Declaration of Human Rights, the UN Guiding Principles on Business and Human Rights, core International Labour Organization Conventions, and the Organization for Economic Cooperation and Development Guidelines for Multinational Enterprises. We regularly assess human rights-related risks and potential impacts, review our policies and management processes, and seek input from stakeholders on our approach. We also support the advancement of human rights through our global efforts to help bridge the digital divide, expand education and technology access, promote social innovation, and improve conditions in our supply chain. We are committed to being a responsible member of the communities in which we live and work.

*Question.* Does Intel intend to make a public statement condemning the genocide and crimes against humanity happening in China?

*Answer.* Intel is aware of the U.S. State Department's determinations regarding the Xinjiang Region, and we are also aware of the U.S. Government's ban on the importation of certain products sourced from the Xinjiang region.

Intel's commitment to respecting human rights is set forth in Intel's Global Human Rights Principles, which are publicly available on Intel.com.<sup>2</sup> Intel does not condone human rights violations anywhere in the world, and we follow the rule of law and seek to operate ethically everywhere we do business. This includes taking steps to ensure that we work to prevent, detect, and mitigate the risk of Intel being complicit in human rights abuses globally.

*Question.* Does Intel intend to provide a platform to individuals whose unalienable rights have been denied by the Chinese Communist Party? If so, how?

<sup>2</sup> <https://www.intel.com/content/www/us/en/homepage.html>



*Answer.* Intel provides channels for any individual to report concerns of possible violations of law, the Intel Code of Conduct, or other company policies or procedures via Intel's anonymous reporting line, available publicly from Intel's website.<sup>3</sup>

*Question.* What are the minimum human rights standards for athletes, workers, and spectators that Intel requires in order to participate in or sponsor an event?

*Answer.* We hold ourselves, our suppliers and business partners to high ethical business standards, including to our Global Human Rights Principles, and we engage in cross-industry organizations and with external human rights experts to continuously improve our processes in order to mitigate the risk of human rights violations in our operations, supply chain, business partnerships, and products.

Our Global Human Rights Principles formalize Intel's commitment to respect human rights and embody common principles reflected in the United Nations (UN) Global Compact, the Universal Declaration of Human Rights, the UN Guiding Principles on Business and Human Rights, core International Labour Organization Conventions, the Organization for Economic Co-operation and Development Guidelines for Multinational Enterprises, and the laws of the countries in which we operate.

*Question.* Once you were aware that Beijing would be hosting 2022, did Intel consider removing its sponsorship as a participant in the IOC's TOP Programme?

*Answer.* Intel's sponsorship of the Olympics spans across multiple Games and cities, including PyeongChang, Tokyo, Beijing and Paris.

Our Olympic partnership is not an endorsement of any specific host country. We're supportive of the Games' mission to bring together athletes from all over the world to compete, peacefully, and of the symbolism of such a diverse, global event.

*Question.* Does Intel's CEO intend to attend the Games?

*Answer.* At this time, Intel's CEO plans to attend the opening ceremony of the Games, conditions permitting.

*Question.* The IOC has claimed that it cannot be held accountable for the domestic policies of the host countries and that it has a policy of noninterference. While I understand the desire to remain neutral on global political issues, I would argue that Beijing's nefarious actions in recent years—from the erosion of Hong Kong's autonomy to genocide in Xinjiang—fall outside the scope of domestic policy concerns. As an IOC TOP Sponsor, has Intel asked the IOC to use the findings from the March 2020 Recommendations Report to vet host countries?

*Answer.* Earlier this year, Intel's CEO met with the President of the IOC and raised the issue of human rights concerns and the 2022 Beijing Games directly, as well as the pressure created for Sponsors of the Olympic Games overall. More recently, Intel has reinforced the issue of human rights with the IOC in several follow-up conversations.

Additionally, Intel participates in the Centre for Sport and Human Rights (CSHR) as a way to collaborate across many stakeholders and engage on issues related to human rights and sports globally.

We will continue to engage with the IOC and other stakeholders on the topic of human rights.

*Question.* Has Intel asked the IOC to consider another host for 2022?

*Answer.* We respect the mission of the Games and the role of the IOC, and have spoken to the IOC concerning human rights. The IOC is better positioned to determine the status of the Games as it relates to host countries.

*Question.* Does Intel take human rights into account before deciding whether to sponsor an event in a certain country or whether to expand or establish offices or facilities in a certain country?

*Answer.* Intel respects and promotes human rights globally, condemns all abuses of human rights, and does not support or tolerate our products being used to violate human rights. Intel's Global Human Rights Principles first adopted in 2009 apply to all employees and contingent workers, employees of our subsidiaries, our products and services, and our business relationships, including our supply chain. We regularly assess human rights-related risks and potential impacts, review our policies and management processes, and seek input from stakeholders on our approach. We have established an integrated approach to managing human rights across our business which includes board-level oversight.

Intel conducts human rights due diligence globally consistent with the UN Guiding Principles on Business and Human Rights. As a company, we focus on our most salient human rights risks, some of which include forced labor in our supply chain and ensuring the responsible use of Intel's products. Multiple teams across our organization coordinate and are responsible for conducting due diligence and risk assess-

<sup>3</sup> <https://secure.ethicspoint.com/domain/media/en/gui/31244/index.html>

ments, remediating any findings, and implementing controls and procedures to prevent future issues. We hold ourselves, our suppliers and business partners to high ethical business standards, and we engage in cross-industry organizations and with external human rights experts to continuously improve our processes in order to mitigate the risk of human rights violations in our operations, supply chain, business partnerships, and products.

*Question.* As a sponsor, what factors informed your decision to participate in the IOC's TOP Programme rather than providing direct support to U.S. athletes through the United States Olympic and Paralympic Committee?

*Answer.* Intel's sponsorship of the Olympics supports the Games' overarching mission to bring athletes together to compete vigorously and peacefully, to experience fellowship, and to participate in the symbolic nature of a diverse, inclusive, and global event that celebrates excellence among us. Our sponsorship of the Olympic Games provides Intel with an opportunity to deliver unique experiences to the Olympic athletes and those who support them.

In addition to our support of the Games and athletes as a TOP Level Sponsor, Intel supports and sponsors athletes directly through our Athlete365 program,<sup>4</sup> by which we provide mentoring and professional development training to athletes worldwide.

*Question.* For the 2008 Beijing Olympics, Chinese residents were displaced to construct the Olympic venues, while the CCP detained human rights demonstrators, censored the internet, restricted media access, and limited speech. Although corporate sponsors do not have a direct role in the selection of a host country, their tremendous financial sway can be leveraged to influence the final outcome. Has Intel raised concerns directly with officials in the Chinese Communist Party to express expectations for human rights leading up to, during, and after the Olympic Games?

*Answer.* Intel respects and promotes human rights globally and does not condone human rights violations anywhere in the world. We conduct human rights due diligence consistent with the UN Guiding Principles on Business and Human Rights.

*Question.* What pressure has Intel applied to the IOC to date to influence the selection of host sites for future Games?

*Answer.* Intel respects the mission of the Games and the role of the IOC in the site selection process. Our sponsorship of the Games spans multiple years and multiple cities, and our sponsorship is not an endorsement of any specific host country.

Intel has spoken to the IOC concerning human rights. Earlier this year, Intel's CEO met with the IOC President and raised the issue of human rights concerns and the 2022 Beijing Games directly, as well as the pressure created for Sponsors of the Olympic Games overall. More recently, Intel has reinforced the issue of human rights with the IOC in several follow-up conversations.

We will continue to engage with the IOC on these issues.

*Question.* How does Intel intend to leverage its position in future site selection processes?

*Answer.* Intel's sponsorship of the Olympics supports the Games' mission to bring athletes together to compete, experience fellowship, and to participate in the symbolic nature of a global event that celebrates diversity and excellence among us. As mentioned in the previous response, we respect the role of the IOC in the site selection process, and our sponsorship of the Games is not an endorsement of any specific host country or of any of the activities that may occur in any specific host country.

Per our previous response, we will continue to engage with the IOC on issues related to human rights.

*Question.* How does Intel intend to apply this same approach to other international sporting events?

*Answer.* At this time, Intel does not sponsor other international sporting events at this scale. Should Intel sponsor another international sporting event, we would hold ourselves, our suppliers and business partners to high ethical business standards, including to our Global Human Rights Principles, and engage in cross-industry organizations and with external human rights experts to monitor and mitigate the risk of human rights violations in our operations, supply chain, business partnerships, and products.

*Question.* You have already been asked about the uniforms of the IOC staff, which were contracted by a Chinese company that uses Xinjiang-sourced cotton and manu-

<sup>4</sup> <https://olympics.com/athlete365/intel/#:text=Athlete365%20supports%20athletes%20on%20and%20they%20are%20on%20their%20journey>

factures its products at a factory in Xinjiang. To the larger issue of forced labor in China, what procedures does Intel have in place to ensure that its representatives do not receive or use any product made with forced labor in China?

*Answer.* Intel conducts human rights due diligence globally consistent with the UN Guiding Principles on Business and Human Rights. As a company, we focus on our most salient human rights risks, some of which include forced labor in our supply chain and ensuring the responsible use of Intel's products.

For over a decade, Intel has maintained an extensive global Supply Chain Responsibility program which includes many risk assessments and audits of suppliers globally to validate conformance to the Responsible Business Alliance (RBA) and Intel Code of Conduct. Through this effort, we have worked with suppliers to remediate and close forced labor findings. Intel developed a robust supplier capacity building program in 2012 and has engaged with suppliers globally to help increase their understanding of our expectations relative to human rights and other critical corporate social responsibility (CSR) topics. We led multi-stakeholder summits focused on CSR in Shanghai for several years, with strong engagement from our suppliers, to improve supplier maturity level and provide resources to help them increase their conformance to the RBA and Intel Code of Conduct, which include extensive human rights elements.

After conducting due diligence, we have confirmed that Intel does not use any labor or source goods or services from the Xinjiang region.

*Question.* What procedures are in place to make sure Intel is not manufacturing, selling, or trading products made using forced labor?

*Answer.* Over the past decade, we have directly engaged with our suppliers to ensure compliance with our corporate responsibility expectations and build capacity to address risks of forced and bonded labor and other human rights issues. Our 2030 goals significantly expand the number of suppliers covered by our engagement activities to deepen accountability for human rights throughout our global supply chain. As mentioned in the previous response, Intel has maintained an extensive global Supply Chain Responsibility program which includes many risk assessments and audits of suppliers to validate conformance to both the Intel and the RBA Code of Conduct, and we have worked with suppliers to remediate and close forced labor findings.

At Intel, we believe that collaboration is key to addressing broad, longstanding issues. Intel cofounded and serves on the working group of the multi-industry, multi-stakeholder Responsible Labor Initiative (RLI), which aims to protect and promote the rights of vulnerable workers globally.

*Question.* What procedures does Intel have in place to ensure that none of the products or services you provide during the Olympics are used directly or indirectly to further the systemic human rights violations in China?

*Answer.* Intel's focus is on developing technology that can improve people's lives, such as by supporting education, medicine, transportation, scientific research, commercial Internet services and more. Our sponsorship of the Olympic Games provides Intel with an opportunity to develop technologies to deliver unique experiences to the Olympic athletes and those who support them.

While we do not always know nor can we control what products our customers create or the applications end-users may develop, Intel does not support or tolerate our products being used to violate human rights. Where we become aware of a concern that Intel products are being used by a business partner in connection with abuses of human rights, we will restrict or cease business with the third party until and unless we have high confidence that Intel's products are not being used to violate human rights.

*Question.* Specifically, how will Intel ensure that no person is excluded from receiving or purchasing your goods or services based on ethnicity or religion?

*Answer.* Inclusion is a core Intel value. While we do not always know nor can we control what products our customers create or how they will be deployed, Intel does not support or tolerate our products being used to violate human rights. Where we become aware of a concern that Intel products are being used by a business partner in connection with abuses of human rights, we will restrict or cease business with the third party until and unless we have high confidence that Intel's products are not being used to violate human rights.

*Question.* How will Intel ensure that none of the equipment it is using at the Olympics will be used for surveillance purposes by the CCP for further human rights abuses?

*Answer.* The Olympics presents an opportunity for Intel to showcase and deploy our technologies for the benefit of athletes and spectators. None of the technologies

deployed at the Games track or enable identification of individuals. The technology that will be deployed at the Games includes:

- broadcasting technology (5G-based wireless cameras used in TV broadcasts; 8k broadcasting/streaming);
- a VR entertainment center;
- a digital education platform for schools;
- autonomous driving systems (mapping/sensing) for use on buses (these cameras can classify objects by categories but cannot identify individuals);
- AI that can analyze athlete performance and body motion based on images (without being able to identify individuals); and
- laptops provided to Team USA athletes.

While we do not always know nor can we control what products our customers create or the applications end-users may develop, where we become aware of a concern that Intel products are being used by a business partner in connection with abuses of human rights, including surveillance, we will restrict or cease business with the third party until and unless we have high confidence that Intel's products are not being used to violate human rights. This policy applies to all technology deployed at the Olympics.

*Question.* During the hearing, many of my colleagues have brought up domestic issues where Intel has been vocal. While these issues may impact Intel directly, as it is a company based in the United States, it is puzzling why Intel chooses to remain silent on the genocide and crimes against humanity in China, yet engages in politically controversial discussions in the United States. Please explain more fully why Intel engages on domestic matters in the United States but, despite being a company that sells its products around the world, does not engage on other important international human rights issues and abuses.

*Answer.* Intel engages on social issues in the United States because we are an American company, and half of our global workforce and more than half of our manufacturing and R&D is in the U.S.—far more than in any other country.

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QUESTIONS FOR SEAN MULVANEY OF PROCTER & GAMBLE  
FROM SENATOR LANKFORD

*Question.* As a large corporation that conducts business and has locations in countries throughout the world, you have a unique opportunity to ensure that human rights, particularly the right of all people to have a faith, live that faith, change their faith or have no faith is respected by and within your workplace. What policies does your company have in place to ensure that religious freedom is protected for your employees?

*Answer.* The Procter & Gamble Company (“P&G”) recognizes diversity as a source of strength and is committed to providing equal opportunities in employment. P&G’s Non-Discrimination Policy states that it does not discriminate on the basis of religion or other protected factors in recruiting, hiring, training, salary, and promotion. Likewise, we set the same non-discrimination expectations in our Responsible Sourcing Expectations for External Business Partners. We have an anonymous reporting system, including a helpline staffed 24/7 by an independent third party, that we encourage employees, partners, NGOs, and other stakeholders to use to report potential violations of these policies.

*Question.* Further, as corporate sponsors of the Olympic Games in Beijing, you have a unique responsibility and honor to leverage your sponsorship to uphold and promote human rights, religious liberty, and human dignity. All of your written and oral statements expressed your company’s commitment to human rights. Given the rampant human rights violations and the deterioration of freedom in China, how does being an International Olympic Committee (IOC) TOP Sponsor of the 2022 Beijing Olympic Games fit with Procter & Gamble’s commitment to human rights?

*Answer.* P&G believes in the promise and potential of the Olympic movement to unite the world through sport. That is why we initiated our long-term global IOC sponsorship in 2012, and it is that promise we stand behind as a sponsor. As part of a commitment that will span more than two decades—beginning with our sponsorship of Team USA at the 2010 Vancouver Games and continuing through the 2028 Los Angeles Games—P&G has supported Olympic athletes and their families. We recognize that respecting human rights is foundational to the Olympic movement and to realizing its ambition. As an Olympic sponsor, we have supported various efforts aimed at strengthening the IOC’s approach to human rights, including its efforts to implement the UN Guiding Principles on Business and Human Rights.

*Question.* Does Procter & Gamble intend to make a public statement condemning the genocide and crimes against humanity happening in China?

*Answer.* P&G supports human rights all around the world in our operations. We believe it is the role and responsibility of government to make these determinations.

*Question.* Does Procter & Gamble intend to provide a platform to individuals whose unalienable rights have been denied by the Chinese Communist Party? If so, how?

*Answer.* Respecting human rights is fundamental to P&G's business, and P&G believes that freedom of expression is an essential human right. As an Olympic sponsor and a founding member of the Centre for Sport and Human Rights, P&G has urged the IOC to provide protections on free press and expression rights in the IOC's work with all host city Olympic organization committees.

*Question.* What are the minimum human rights standards for athletes, workers, and spectators that Procter & Gamble requires in order to participate in or sponsor an event?

*Answer.* P&G expects our external business partners to maintain policies that respect internationally recognized human rights, ensure compliance with all applicable laws, and operate consistently with the UN Guiding Principles on Business and Human Rights.

*Question.* Once you were aware that Beijing would be hosting 2022, did Procter & Gamble consider removing its sponsorship as a participant in the IOC's TOP Programme?

*Answer.* P&G's longstanding support for the Olympics has always focused on supporting athletes and their families in the United States and around the world. We believe in the promise and potential of the global Olympic movement and that is why we initiated our multi-game, global IOC sponsorship in 2012. Our focus from the very start of our Olympics sponsorship has been to serve athletes and their families, who rely on this funding to compete—before, during, and after the Games.

As an Olympic sponsor, P&G has no role in choosing where the Olympic Games take place, nor are we able to force the IOC to make any particular decision or choice about its own operations. Nonetheless, our sponsorship contract requires the IOC to maintain policies concerning compliance with applicable laws and respect for human rights. In particular, both directly and in our work as a founding member of the Centre for Sport and Human Rights, we have urged the IOC to maintain human rights policies consistent with international standards, including by integrating the UN Guiding Principles on Business and Human Rights into the IOC's operations and host city contracts and adopting human rights policies, practices, and recommendations authored by internationally recognized human rights experts.

*Question.* Does Procter & Gamble's CEO intend to attend the Games?

*Answer.* P&G has not yet determined whether members of the company's senior leadership team will attend the 2022 Olympic Games.

*Question.* The IOC has claimed that it cannot be held accountable for the domestic policies of the host countries and that it has a policy of noninterference. While I understand the desire to remain neutral on global political issues, I would argue that Beijing's nefarious actions in recent years—from the erosion of Hong Kong's autonomy to genocide in Xinjiang—fall outside the scope of domestic policy concerns. As an IOC TOP Sponsor, has Procter & Gamble asked the IOC to use the findings from the March 2020 Recommendations Report to vet host countries?

*Answer.* Both directly and as a founding member of the Centre for Sport and Human Rights, P&G has urged the IOC to implement the March 2020 "Recommendations for an IOC Human Rights Strategy" authored by Rachel Davis and Prince Zeid Ra'ad Al Hussein. Specifically, these recommendations include:

- Articulating the IOC's human rights responsibilities, specifically by amending the Olympic Charter to explicitly address human rights and incorporating human rights into key IOC governing documents;
- Embedding respect for human rights within the IOC organization, including by building human rights expertise and capability within the IOC;
- Identifying and addressing human rights risks, including by strengthening due diligence;
- Tracking and communicating progress to stakeholders; and
- Strengthening the remedy ecosystem in sport.

*Question.* Has Procter & Gamble asked the IOC to consider another host for 2022?

*Answer.* As an Olympic sponsor, P&G has no role in choosing where the Olympic Games take place, nor are we able to force the IOC to make any particular decision or choice about its own operations.

*Question.* Does Procter & Gamble take human rights into account before deciding whether to sponsor an event in a certain country or whether to expand or establish offices or facilities in a certain country?

*Answer.* Yes. Respecting human rights is fundamental to our business at P&G. Addressing human rights issues is not optional or a “nice to have,” but a critical part of how we operate and manage our business. Our commitment to respecting and prioritizing human rights is central to our values as a company.

We have adopted policies to identify, mitigate, and address human rights impacts that may occur across our global operations. We assess direct suppliers on a number of parameters to identify high-risk suppliers. We use independent third-party auditors and an industry-standard methodology to conduct targeted supplier audits focused on labor standards, health and safety, and business practices. We encourage reporting of human rights concerns and take every report of a potential human rights violation seriously.

*Question.* As a sponsor, what factors informed your decision to participate in the IOC’s TOP Programme rather than providing direct support to U.S. athletes through the United States Olympic and Paralympic Committee?

*Answer.* Our decade-long support for the Olympics has always focused on supporting athletes and their families in the United States and around the world. We believe in the promise and potential of the global Olympic movement and that is why we initiated our multi-game, global IOC sponsorship in 2012. Our focus from the very start of our Olympics sponsorship has been to serve athletes and their families, who rely on this funding to compete—before, during, and after the Games. As an Olympic sponsor, we have provided sponsorships and programs that give valuable economic support to more than 400 global athletes, including more than 100 Team USA athletes and their families—wherever they compete.

*Question.* For the 2008 Beijing Olympics, Chinese residents were displaced to construct the Olympic venues, while the CCP detained human rights demonstrators, censored the internet, restricted media access, and limited speech. Although corporate sponsors do not have a direct role in the selection of a host country, their tremendous financial sway can be leveraged to influence the final outcome. Has Procter & Gamble raised concerns directly with officials in the Chinese Communist Party to express expectations for human rights leading up to, during, and after the Olympic Games?

*Answer.* As an Olympic sponsor, P&G has no role in choosing where the Olympic Games take place, nor can we force the IOC to make any particular decision or choice about its business operations. However, our sponsorship contract requires the IOC to maintain policies concerning compliance with applicable laws and respect for human rights. Both directly and in our work as a founding member of the Centre for Sport and Human Rights, we have urged the IOC to integrate the UN Guiding Principles on Business and Human Rights into its operations and host city contracts.

*Question.* What pressure has Procter & Gamble applied to the IOC to date to influence the selection of host sites for future Games? How does Procter & Gamble intend to leverage its position in future site selection processes?

*Answer.* As an Olympic sponsor, P&G has no role in choosing where the Olympic Games take place, nor can we force the IOC to make any particular decision or choice about its business operations. However, our sponsorship contract requires the IOC to maintain policies concerning compliance with applicable laws and respect for human rights. Both directly and in our work as a founding member of the Centre for Sport and Human Rights, we have urged the IOC to integrate the UN Guiding Principles on Business and Human Rights into its operations and host city contracts.

*Question.* How does Procter & Gamble intend to apply this same approach to other international sporting events?

*Answer.* As a member of the Centre for Sport and Human Rights’ Advisory Board and Mega-Sporting Event working group, P&G has worked with other private companies, non-governmental organizations, and sport governing bodies to increase awareness of human rights issues in the sporting world and to build capacity to address them.

*Question.* You have already been asked about the uniforms of the IOC staff, which were contracted by a Chinese company that uses Xinjiang-sourced cotton and manufactures its products at a factory in Xinjiang. To the larger issue of forced labor in China, what procedures does Procter & Gamble have in place to ensure that its representatives do not receive or use any product made with forced labor in China?

*Answer.* Respecting human rights is fundamental to our business at P&G. Addressing human rights issues is a critical part of how we operate and manage our

business. Our commitment to respecting and prioritizing human rights is central to our values as a company.

In particular, P&G's Responsible Sourcing Expectations for External Business Partners include prohibitions on the use of forced or child labor, as well as a prohibition of coercion, harassment, or punishment of workers. We have implemented protocols to help us identify violations of these expectations, including an open and anonymous reporting line, a self-assessment process, an investigations process, and targeted risk-based auditing of suppliers in industries with potential negative human rights impacts. We also encourage our partners to set similar expectations with their own suppliers.

*Question.* What procedures are in place to make sure Procter & Gamble is not manufacturing, selling, or trading products made using forced labor?

*Answer.* P&G is committed to respecting and prioritizing human rights in every area of the world in which we operate.

More broadly, we have adopted policies to identify, mitigate, and address human rights impacts that may occur across our global operations. We assess direct suppliers on a number of parameters to identify high-risk suppliers. We use independent third-party auditors and an industry-standard methodology to conduct targeted supplier audits focused on labor standards, health and safety, and business practices. We encourage reporting of human rights concerns and take every report of a potential human rights violation seriously.

*Question.* What procedures does Procter & Gamble have in place to ensure that none of the products or services you provide during the Olympics are used directly or indirectly to further the systemic human rights violations in China? Specifically, how will Procter & Gamble ensure that no person is excluded from receiving or purchasing your goods or services based on ethnicity or religion?

*Answer.* P&G is committed to respecting and prioritizing human rights in every area of the world in which we operate. P&G supports the human rights of all people and strives to ensure that all people, regardless of ethnicity or religion, have equal access to our products. P&G encourages anyone who is aware of a potential human rights concern related to our business to report those concerns, and we take every report of a potential human rights violation seriously.

*Question.* How will Procter & Gamble ensure that none of the equipment it is using at the Olympics will be used for surveillance purposes by the CCP for further human rights abuses?

*Answer.* P&G is committed to respecting and prioritizing human rights in every area of the world in which we operate. This includes respecting employee and consumer privacy.

We have adopted policies to identify, mitigate, and address human rights impacts that may occur across our global operations. We assess direct suppliers on a number of parameters to identify high-risk suppliers. We use independent third-party auditors and an industry-standard methodology to conduct targeted supplier audits focused on labor standards, health and safety, and business practices. We encourage reporting of human rights concerns and take every report of a potential human rights violation seriously.

*Question.* During the hearing, many of my colleagues have brought up domestic issues where Procter & Gamble has been vocal. While these issues may impact Procter & Gamble directly, as it is a company based in the United States, it is puzzling why Procter & Gamble chooses to remain silent on the genocide and crimes against humanity in China yet engages in politically controversial discussions in the United States. Please explain more fully why Procter & Gamble engages on domestic matters in the United States but, despite being a company that sells its products around the world, does not engage on other important international human rights issues and abuses.

*Answer.* P&G's efforts to promote human rights, equality, and inclusion are fundamental to our business worldwide. With 65 brands operating in 70 countries, and products available in 180 countries, our engagement may not look the same in every country. As an American company, we are and will continue to be actively engaged in our home country. In the context of the Olympics, we believe that we can best advance our human rights work by shining a light on the varied and diverse experiences of athletes and their families. This includes working as an active partner with the IOC and other TOP sponsors to support the human rights of athletes as they engage in sport and encouraging and supporting the IOC's efforts to integrate the UN Guiding Principles on Business and Human Rights into IOC operations and host city contracts.

QUESTIONS FOR ANDREA FAIRCHILD OF VISA INC.  
FROM SENATOR LANKFORD

*Question.* As a large corporation that conducts business and has locations in countries throughout the world, you have a unique opportunity to ensure that human rights, particularly the right of all people to have a faith, live that faith, change their faith or have no faith is respected by and within your workplace. What policies does your company have in place to ensure that religious freedom is protected for your employees?

*Answer.* At Visa, having a diverse and inclusive workplace—enhanced by the varied backgrounds and perspectives of our worldwide teams—is critical to having a competitive advantage in the global economy. We embrace a broad definition of diversity that includes religion, race, ethnicity, and gender. We are strongly committed to equal opportunity in all employment decisions and promote a culture where everyone is treated with dignity and respect.

Our approach to respecting human rights in our company is guided by international frameworks, including the Universal Declaration of Human Rights (UDHR) and the United Nations Guiding Principles on Business and Human Rights. Article 18 of the UDHR addresses religious freedom, providing that “[e]veryone has the right to freedom of thought, conscience and religion” and the right “includes freedom to change [a] religion or belief, and freedom, either alone or in community with others and in public or private, to manifest [a] religion or belief in teaching, practice, worship and observance.”

Finally, Visa prohibits any form of harassment or discrimination on the basis of religion, creed, race, color, sex, sexual orientation, gender identity or expression, age, marital status, national origin, ancestry, pregnancy, medical condition, veteran status, citizenship, physical or mental disability, and any other characteristic protected by law.

*Question.* Further, as corporate sponsors of the Olympic Games in Beijing, you have a unique responsibility and honor to leverage your sponsorship to uphold and promote human rights, religious liberty, and human dignity. All of your written and oral statements expressed your company’s commitment to human rights. Given the rampant human rights violations and the deterioration of freedom in China, how does being an International Olympic Committee (IOC) TOP Sponsor of the 2022 Beijing Olympic Games fit with Visa’s commitment to human rights?

Does Visa intend to make a public statement condemning the genocide and crimes against humanity happening in China?

Does Visa intend to provide a platform to individuals whose unalienable rights have been denied by the Chinese Communist Party? If so, how?

What are the minimum human rights standards for athletes, workers, and spectators that Visa requires in order to participate in or sponsor an event?

Once you were aware Beijing that would be hosting 2022, did Visa consider removing its sponsorship as a participant in the IOC’s TOP Programme?

Does Visa’s CEO intend to attend the Games?

*Answer.* For more than 35 years, our partnership with the Olympic Movement has been rooted in a shared commitment to make a positive, transformational impact on the world, and in supporting the athletes. The foundation of our worldwide sponsorship has always been supporting the incredible Olympic and Paralympic athletes and making sure they have the support and resources to compete. As long as governments allow athletes to compete in the Games, Visa will be there to support them.

Visa supports human rights and the rule of law in every market where we operate worldwide, and supports the UN Guiding Principles for Business and Human Rights. Visa conducts a corporate-level human rights impact assessment to identify salient human rights issues across our business. Our human rights strategy, informed by these assessments, focuses on our role as an employer, a purchaser, an e-payments enabler and a business partner and sponsor. The assessment is conducted on a triennial basis by an independent third party. The last assessment was conducted in 2020 and confirmed that Visa is focusing on addressing risks in the right areas.

Specifically with respect to sports, Visa is a founding supporter and Advisory Council member of the Centre for Sport and Human Rights, which is dedicated to advancing a vision of a world of sport that fully respects and promotes human rights through knowledge sharing, capacity building, and stronger accountability among stakeholders involved in the sports ecosystem.

Visa has not yet decided which company officials might attend the Beijing Games.

*Question.* The IOC has claimed that it cannot be held accountable for the domestic policies of the host countries and that it has a policy of noninterference. While I un-



derstand the desire to remain neutral on global political issues, I would argue that Beijing's nefarious actions in recent years—from the erosion of Hong Kong's autonomy to genocide in Xinjiang—fall outside the scope of domestic policy concerns. As an IOC TOP Sponsor, has Visa asked the IOC to use the findings from the March 2020 Recommendations Report to vet host countries?

Has Visa asked the IOC to consider another host for 2022?

Does Visa take human rights into account before deciding whether to sponsor an event in a certain country or whether to expand or establish offices or facilities in a certain country?

As a sponsor, what factors informed your decision to participate in the IOC's TOP Programme rather than providing direct support to U.S. athletes through the United States Olympic and Paralympic Committee?

*Answer.* Visa is a founding member of The Olympic Partner (TOP) program, a global sponsorship program that was created by the IOC in 1985 with the goal of establishing long-term partnerships to directly benefit athletes, who are at the heart of the Olympic Movement. Visa also became the first global partner of the International Paralympic Committee (IPC) in 2003.

The TOP Program is the highest level of Olympic and Paralympic sponsorship, through which partners support the athletes competing at the Summer, Winter, and Youth Olympic Games and Paralympic Games as part of a long-term, multi-Games partnership. Our sponsorship extends through 2032 and supports the Olympic Movement broadly, and it is far broader than any particular Games in a particular city. Visa does not sponsor individual Games. Furthermore, as a sponsor, Visa has no role in the site selection process of where the Olympics are held. This has been true for the entirety of our 35-year partnership with the IOC and is true today. That decision sits entirely with the IOC.

Funding from these sponsorships goes directly to support the 206 National Olympic Committees (NOCs), dozens of International Sports Federations (IFs), and every Organizing Committee of the Olympic and Paralympic Games. In addition, sponsors develop global marketing campaigns that promote Olympic and Paralympic values, encourage participation in sport and build support for athletes and teams.

As noted in Answer 2, Visa supports human rights and the rule of law in every market where we operate, as well as the UN Guiding Principles for Business and Human Rights. Visa conducts a corporate-level human rights impact assessment to identify salient human rights issues across our business. Our human rights strategy, informed by these assessments, focuses on our role as an employer, a purchaser, an e-payments enabler and a business partner and sponsor. The assessment is conducted on a triennial basis by an independent third party. The last assessment was conducted in 2020 and confirmed that Visa is focusing on addressing risks in the right areas.

Along with other TOP sponsors, Visa has had engagement with the IOC regarding human rights. We have encouraged the IOC to adopt the recommendations contained in its December 2020 report on Human Rights Strategy.

*Question.* For the 2008 Beijing Olympics, Chinese residents were displaced to construct the Olympic venues, while the CCP detained human rights demonstrators, censored the internet, restricted media access, and limited speech. Although corporate sponsors do not have a direct role in the selection of a host country, their tremendous financial sway can be leveraged to influence the final outcome. Has Visa raised concerns directly with officials in the Chinese Communist Party to express expectations for human rights leading up to, during, and after the Olympic Games?

What pressure has Visa applied to the IOC to date to influence the selection of host sites for future Games?

How does Visa intend to leverage its position in future site selection processes?

How does Visa intend to apply this same approach to other international sporting events?

*Answer.* We agree that TOP sponsors have an important role and voice in supporting policies that advance our values. For that reason, Visa has encouraged the IOC to adopt the recommendations contained in its December 2020 report on Human Rights Strategy, which require an intentional embedding of human rights into the culture and structure of the organization and more accountability and transparency on this issue.

Visa is a founding supporter and Advisory Council member of the Centre for Sport and Human Rights, which is dedicated to advancing a vision of a world of sport that fully respects and promotes human rights through knowledge sharing, capacity building, and stronger accountability among stakeholders involved in the sports ecosystem. We have encouraged the IOC to join the Centre and actively engage with relevant stakeholders on human rights issues, including sponsors, human rights

groups and government bodies. As noted above, our sponsorship supports the Olympic Movement broadly, and not any particular Games at a particular location.

*Question.* You have already been asked about the uniforms of the IOC staff, which were contracted by a Chinese company that uses Xinjiang-sourced cotton and manufactures its products at a factory in Xinjiang. To the larger issue of forced labor in China, what procedures does Visa have in place to ensure that its representatives do not receive or use any product made with forced labor in China?

What procedures are in place to make sure Visa is not manufacturing, selling, or trading products made using forced labor?

What procedures does Visa have in place to ensure that none of the products or services you provide during the Olympics are used directly or indirectly to further the systemic human rights violations in China?

Specifically, how will Visa ensure that no person is excluded from receiving or purchasing your goods or services based on ethnicity or religion?

How will Visa ensure that none of the equipment it is using at the Olympics will be used for surveillance purposes by the CCP for further human rights abuses?

*Answer.* Through our global Supplier Code of Conduct, we outline our expectations in areas including human rights, employment practices, environmental impact, supplier diversity, conflicts of interest and other areas of responsible business. Further, we expect our suppliers to champion these values in their own supply chains.

Visa does not have any facilities in the Xinjiang region.

*Question.* During the hearing, many of my colleagues have brought up domestic issues where Visa has been vocal. While these issues may impact Visa directly, as it is a company based in the United States, it is puzzling why Visa chooses to remain silent on the genocide and crimes against humanity in China yet engages in politically controversial discussions in the United States. Please explain more fully why Visa engages on domestic matters in the United States but, despite being a company that sells its products around the world, does not engage on other important international human rights issues and abuses.

*Answer.* Visa has earned a reputation as one of the most trusted brands globally and has been named as one of the world's most ethical, responsible, and sustainable companies.<sup>1</sup> In markets where we operate, Visa regularly engages with governments and stakeholders on a range of matters important to the company. Visa also publishes an annual Environmental, Social and Governance (ESG) report,<sup>2</sup> which provides an update on progress on our commitments to corporate responsibility, sustainability, and ethical leadership against Visa's most important ESG goals. The report is publicly available, and it summarizes and assesses our efforts to be an industry leader in environmental, social, and governance excellence.

At Visa, we recognize our responsibility to respect, advance, and maintain global human rights across our company and operations, and in connection with our global sponsorship programs. Our approach to respecting human rights in our company is guided by international frameworks, including the United Nations Guiding Principles on Business and Human Rights.

<sup>1</sup>Morning Consult, Most Trusted Brands 2021; Ethisphere, 2021 World's Most Ethical Companies.

<sup>2</sup>"Visa 2020 Environmental, Social and Governance Report."



**United States House of Representatives  
Congressional-Executive Commission on China**

**"Truth in Testimony" Disclosure Form**

*In accordance with Rule XI, clause 2(g) of the Rules of the House of Representatives, witnesses are asked to disclose the following information. Please complete this form and attach it to your written testimony and it may be made publicly available in electronic format.*

1. Date of Hearing:
2. Hearing Title:
3. Your Name:
4. Organization, organizations, or government entity you are representing:
5. Position title:
6. Are you an active registrant under the Foreign Agents Registration Act (FARA)?  
\_\_\_\_\_ Yes \_\_\_\_\_ No

**False Statement Certification:**

Knowingly providing material false information to this commission, or knowingly concealing material information from this commission, is a crime (18 U.S.C. 1001). This form may be made part of the hearing record.

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**Witness Signature**

**Date**

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### *Witness Biographies*

#### **David Holyoke, Head of Olympics and Paralympics Partnerships, Airbnb**

David Holyoke leads the strategic direction, execution and operation of the company's Experiences, Airbnb for Work, and the Olympics/Paralympics Partnership teams. Under his leadership, his teams power the growth and development of the Experiences platform to ensure that the best accommodations solutions are built for the professional community. He also oversees the team behind the IOC/IPC partnership to ensure that the company's economic empowerment goal extends to the athlete community. Prior to Airbnb, Mr. Holyoke established and built Travel Leaders Corporate into one of the nation's largest travel management companies. He began his career in sales at American Airlines, eventually leading international sales and marketing efforts at the airline's Boston, New York, and Miami hubs.

#### **Paul Lalli, Global Vice President for Human Rights, The Coca-Cola Company**

As Global Vice President for Human Rights, Paul Lalli sets company policy, leads engagement with civil society on human rights issues, and oversees the Company's global value chain due diligence program. He regularly engages with the Board of Directors on the company's human rights and supplier auditing programs. Lalli also serves as the Manufacturer Co-chair of the Consumer Goods Forum Human Rights Coalition—Working to End Forced Labour (HRC). Prior to joining The Coca-Cola Company, he served as GE's Global Counsel for Labor and Human Rights. He is a graduate of Emory University and the University of Pennsylvania Law School.

#### **Steven R. Rodgers, Executive Vice President and General Counsel, Intel Corporation**

Intel's legal, government, and China groups report to Rodgers. He also serves on Intel's senior executive team and reports to the chief executive officer. Before joining Intel, Rodgers was a litigation partner at Brown & Bain, P.A. After completing law school, he served as law clerk to Chief Judge David K. Winder of the U.S. District Court for the District of Utah. Rodgers received his bachelor's and law degrees from the University of Utah. During law school, Rodgers was elected editor-in-chief of the Utah Law Review. Rodgers is a member of the American Law Institute.

#### **Sean Mulvaney, Senior Director, Global Government Relations and Public Policy, The Procter & Gamble Company**

Before joining Procter & Gamble, Sean Mulvaney served as a member of the Board of Directors of the Export-Import Bank of the United States from June 2011 until July 2015. Prior to his service at the Export-Import Bank, Mr. Mulvaney served as director of the Economic Policy Program at the German Marshall Fund of the United States. During the Administration of President George W. Bush, he worked for the U.S. Agency for International Development as Assistant Administrator for Management. In addition to his service in the executive branch, Mr. Mulvaney has ten years of legislative experience on Capitol Hill, serving various members working on trade and other policy issues. He received a B.A.S. in Economics and French from Washington University in St. Louis in 1990 and a master's degree in International Management from Thunderbird, the American Graduate School of Global Management in 1997.

#### **Andrea Fairchild, Senior Vice President of Global Sponsorship Strategy, Visa Inc.**

Ms. Fairchild joined Visa in 2021 as the SVP, Global Sponsorship Strategy where she is responsible for leading Visa's global sponsorship portfolio and activity to deliver Visa's brand, product, and client objectives, in order to drive business and brand outcomes. Prior to joining Visa, she provided brand building services for elite athletes and for businesses that work with athletes, such as The Players' Tribune. Ms. Fairchild led the effort to grow the Kobe Inc. multi-media company aimed at using sports stories to inspire and educate young athletes across multiple platforms. She previously spent over five years with Gatorade and over ten years with Nike.

