



February 10, 2024

Robert M. Bakish  
President and Chief Executive Officer  
Paramount Global  
1515 Broadway  
New York, NY 10036

George Cheeks  
President and Chief Executive Officer  
CBS Entertainment Group  
524 W. 57th Street  
New York, NY 10019

Dear President Bakish and President Cheeks:

We write to urge CBS not to broadcast Super Bowl commercials from Temu. Congressional investigators believe Temu is illegally selling products made by forced labor in an area of China in which the Chinese Communist Party (CCP) is committing genocide. CBS should not elevate a company profiting from forced labor and genocide during America's biggest game.

Temu is an online retail platform that sells products from China-based sellers. Temu is owned by PDD Holdings, a company founded in China. PDD Holdings is credibly accused by members of Congress as being linked to the Chinese Communist Party.<sup>1</sup>

Temu is reportedly slated to run commercials on CBS during Super Bowl LVIII. According to the *Wall Street Journal*, Temu has purchased multiple ad units during this year's Super Bowl.<sup>2</sup> The average cost of a 30-second commercial during this year's Super Bowl is reportedly \$7 million.<sup>3</sup> Some reports indicate that Temu has spent \$15 million on Super Bowl commercials this year.

The United States House Select Committee on the CCP has revealed disturbing information about Temu's failure to comply with American laws prohibiting use of forced labor by Uyghurs. Temu admitted to the House Select Committee last year

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<sup>1</sup> <https://miller.house.gov/media/press-releases/miller-cbs-no-ccp-backed-ads-during-super-bowl-lviii>

<sup>2</sup> Patrick Coffee, *Chinese E-Commerce Giant Temu Will Return to the Super Bowl*, THE WALL STREET JOURNAL (Nov. 28, 2023), available at <https://www.wsj.com/articles/chinese-e-commerce-giant-temu-will-return-to-the-super-bowl-59acb7a6>.

<sup>3</sup> Santul Nerkar, *\$7 Million for 30 Seconds? To Advertisers, the Super Bowl Is Worth It*, N.Y. TIMES (Feb. 6, 2024), available at <https://www.nytimes.com/2024/02/06/business/super-bowl-commercials.html>.

DEPARTMENT OF JUSTICE

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that “it does not have a policy in place to prohibit the sale of goods from Xinjiang—the location of the CCP’s ongoing genocide against the Uyghurs—on its platform.”<sup>4</sup> Temu claimed that it is not subject to the Uyghur Forced Labor Prevention Act (“UFLPA”).<sup>5</sup> Temu “conducts no audits and reports no compliance system to affirmatively examine and ensure compliance with the UFLPA,” and it depends entirely on its China-based suppliers to voluntarily report violations of boilerplate terms and conditions.<sup>6</sup> Based on the evidence collected, the House Select Committee concluded that Temu’s poor compliance system “all but guarantees that shipments from Temu containing products made with forced labor are entering the United States on a regular basis, in violation of the UFLPA.”<sup>7</sup> This certainly opens Temu up for additional investigation for violation of other state and federal laws.

CBS and the NFL have rejected far less controversial Super Bowl commercials before. In 2019, CBS rejected a Super Bowl commercial by a veteran-owned apparel company in which a Benghazi survivor narrated, “Some people think you’re crazy for being loyal, defending the Constitution, standing for the flag. Then I guess I’m crazy.”<sup>8</sup> That same year, CBS rejected a Super Bowl commercial promoting the benefits of medical marijuana.<sup>9</sup> And ironically given the location of this year’s Super Bowl, the NFL rejected a 2003 Super Bowl commercial featuring montages of Las Vegas because it did not want to reference or mention sports betting.<sup>10</sup>

The Super Bowl has memorialized some of sports’ most patriotic moments. In January 1981, a massive yellow bow on the Louisiana Superdome celebrated the return of American hostages from Iran five days earlier. A decade later, Whitney Houston sang her iconic rendition of the Star-Spangled Banner just 10 days after Operation Desert Storm began. The New England Patriots won the first Super Bowl after 9/11. And every year, the Super Bowl broadcasts images of American servicemen and women watching the game from the front lines around the world.

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<sup>4</sup> House Select Committee on the Chinese Communist Party, *Fast Fashion and the Uyghur Genocide: Interim Findings*, June 22, 2023, 10, available at <https://selectcommitteeontheccp.house.gov/sites/evo-subsites/selectcommitteeontheccp.house.gov/files/evo-media-document/fast-fashion-and-the-uyghur-genocide-interim-findings.pdf>.

<sup>5</sup> *Id.* at 8.

<sup>6</sup> *Id.* at 2.

<sup>7</sup> *Id.*

<sup>8</sup> *Nine Line Super Bowl Ad Rejected*, Nine Line Apparel (Feb. 7, 2019), available at <https://www.nine-lineapparel.com/blogs/news/nine-line-superbowl-ad-rejected>.

<sup>9</sup> Mark Strassmann, *CBS rejects Super Bowl ad touting benefits of medical marijuana*, CBS NEWS (Jan. 22, 2019), available at <https://www.cbsnews.com/news/cbs-rejects-super-bowl-ad-touting-the-benefits-of-medical-marijuana/>.

<sup>10</sup> *No Vegas Ad on Super Bowl*, CBS News (Jan. 17, 2003), available at <https://www.cbsnews.com/news/no-vegas-ad-on-super-bowl/>.

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Given the virtual guarantee that Temu is selling products made with forced labor in China and its links to the CCP, CBS should not broadcast Temu's commercials during the Super Bowl. Americans deserve better.

Sincerely,



AUSTIN KNUDSEN  
ATTORNEY GENERAL OF MONTANA



TIM GRIFFIN  
ATTORNEY GENERAL OF ARKANSAS



RAÚL LABRADOR  
ATTORNEY GENERAL OF IDAHO



BRENNA BIRD  
ATTORNEY GENERAL OF IOWA



LYNN FITCH  
ATTORNEY GENERAL OF MISSISSIPPI



ALAN WILSON  
ATTORNEY GENERAL OF SOUTH CAROLINA