

United States Senate

WASHINGTON, DC 20510

October 23, 2019

The Honorable Joseph Maguire
Acting Director of National Intelligence
Office of the Director of National Intelligence
Washington, DC 20511

Dear Acting Director Maguire:

We write to express our concerns about TikTok, a short-form video application, and the national security risks posed by its growing use in the United States.

TikTok is owned by Beijing-based technology company ByteDance, which operates several other content platforms in China. ByteDance regards its platforms as part of an artificial intelligence company powered by algorithms that “learn” each user’s interests and preferences through repeat interaction.

TikTok’s terms of service and privacy policies describe how it collects data from its users and their devices, including user content and communications, IP address, location-related data, device identifiers, cookies, metadata, and other sensitive personal information. While the company has stated that TikTok does not operate in China and stores U.S. user data in the U.S., ByteDance is still required to adhere to the laws of China.

Security experts have voiced concerns that China’s vague patchwork of intelligence, national security, and cybersecurity laws compel Chinese companies to support and cooperate with intelligence work controlled by the Chinese Communist Party. Without an independent judiciary to review requests made by the Chinese government for data or other actions, there is no legal mechanism for Chinese companies to appeal if they disagree with a request.

Questions have also been raised regarding the potential for censorship or manipulation of certain content. TikTok reportedly censors materials deemed politically sensitive to the Chinese Communist Party, including content related to the recent Hong Kong protests, as well as references to Tiananmen Square, Tibetan and Taiwanese independence, and the treatment of Uighurs. The platform is also a potential target of foreign influence campaigns like those carried out during the 2016 election on U.S.-based social media platforms.

The Administration has rightly taken initial steps to address other critical security risks posed by China. These steps include the addition of Huawei to the Entity List, as well as the recent Committee on Foreign Investment in the United States orders for certain Chinese firms to divest their stakes in U.S. companies over concerns about the security of sensitive personal data. However, further action is needed, particularly as China continues to shut out U.S.-based technology firms while promoting and expanding the global reach of its own companies.

With over 110 million downloads in the U.S. alone, TikTok is a potential counterintelligence threat we cannot ignore. Given these concerns, we ask that the Intelligence Community conduct an assessment of the national security risks posed by TikTok and other China-based content platforms operating in the U.S. and brief Congress on these findings. Thank you for your consideration regarding this important matter.

Sincerely,



Charles E. Schumer
United States Senator



Tom Cotton
United States Senator