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# United States Senate

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February 2, 2023

Mr. Tim Cook  
Chief Executive Officer  
Apple Inc.

Mr. Sundar Pichai  
Chief Executive Officer  
Alphabet Inc. and Google LLC

Dear Mr. Cook and Mr. Pichai:

I write with grave concern about the presence of TikTok on the Apple App Store and Google Play Store. TikTok is now the third-most used social media app in the United States, with over 100 million monthly active users.<sup>1</sup> Today, roughly 36 percent of Americans over age 12 now use TikTok, including 61 percent of Americans ages 12 to 34.<sup>2</sup> On average, American TikTok users spend an average of 80 minutes per day on the app – more than Facebook and Instagram combined.<sup>3</sup>

Like most social media platforms, TikTok collects vast and sophisticated data from its users, including faceprints and voiceprints. Unlike most social media platforms, TikTok poses a unique concern because Chinese law obligates ByteDance, its Beijing-based parent company, to “support, assist, and cooperate with state intelligence work.” Beijing’s requirement raises the obvious risk that the Chinese Communist Party (CCP) could weaponize TikTok against the United States, specifically, by forcing ByteDance to surrender Americans’ sensitive data or manipulate the content Americans receive to advance China’s interests.<sup>4</sup>

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<sup>1</sup> Bobby Allyn, “Biden approves banning TikTok from federal government phones,” *NPR*, last updated December 30, 2022; Laura Forman, “TikTok Is Eating Up Rivals. Can It Keep Users Hooked?,” *Wall Street Journal*, May 13, 2022.

<sup>2</sup> Forman, “TikTok Is Eating Up Rivals.”

<sup>3</sup> Drew Harwell, “How TikTok ate the internet,” *Washington Post*, October 14, 2022.

<sup>4</sup> It is my understanding that Chinese state media has called online platforms “spiritual opium,” and that the CCP has placed strict time and content restrictions on these platforms for minors, recognizing their potentially adverse effect on child development. At the same time, TikTok has claimed a growing share of American teens’ waking hours, bombarding them with whatever its algorithm determines will maximize engagement. It comes as no surprise that, in a survey of pre-teens, the top career aspiration in China was to become an astronaut, while in the United States, it was to become a social media influencer.

These obvious risks render TikTok, in its current form, an unacceptable threat to the national security of the United States. No company subject to CCP dictates should have the power to accumulate such extensive data on the American people or curate content to nearly a third of our population. Given these risks, I urge you to remove TikTok from your respective app stores immediately.

TikTok's reach provides it enormous influence over how Americans consume and process information. According to a Pew survey in 2022, a third of TikTok's adult users report that they regularly access "news" from the app.<sup>5</sup> The notion that Americans could treat TikTok as a credible news source is especially troubling given past reports that it has limited content critical of the CCP, along with ByteDance's history of using TopBuzz, a now defunct news app, to disseminate pro-China propaganda to Americans.<sup>6</sup> Recent reporting by Forbes also describes how staff at TikTok and ByteDance "secretly hand-pick videos and supercharge their distribution, using a practice known internally as 'heating.'"<sup>7</sup> Given this context, we should accept the very real possibility that the CCP could compel TikTok, via ByteDance, to use its influence to advance Chinese government interests, for example, by tweaking its algorithm to present Americans content to undermine U.S. democratic institutions or muffle criticisms of CCP policy toward Hong Kong, Taiwan, or its Uighur population.

TikTok's prevalence in our country also allows it to amass extensive data on the American people, including device information, search and viewing history, message content, IP addresses, faceprints, and voiceprints.<sup>8</sup> In April 2022, independent security researchers discovered that TikTok also had the capacity to engage in "keylogging," allowing it to monitor Americans' keystrokes and inputs on third-party web browsers opened in the app, such as Apple's Safari and Google Chrome.<sup>9</sup>

These practices are consistent with TikTok's pattern of aggressive data collection. In 2019, TikTok paid \$5.7 million to settle a complaint from the Federal Trade Commission over allegations that the app (then operating as Musical.ly) had illegally collected personal information from children, in an apparent violation of the Children's Online Privacy Protection Act.<sup>10</sup> TikTok's aggressive data harvesting should come as no surprise given its origins in a

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<sup>5</sup> Katerina Eva Matsa, "More Americans are getting news on TikTok, bucking the trend on other social media sites," *Pew Research Center*, October 21, 2022.

<sup>6</sup> Alex Hern, "Revealed: how TikTok censors videos that do not please Beijing," *The Guardian*, September 25, 2019; Emily Baker-White, "TikTok Owner ByteDance Used A News App On Millions Of Phones To Push Pro-China Messages, Ex-Employees Say," *BuzzFeed News*, July 26, 2022.

<sup>7</sup> Emily Baker-White, "TikTok's Secret 'Heating' Button Can Make Anyone Go Viral," *Forbes*, January 20, 2023.

<sup>8</sup> Kate O'Flaherty, "All the ways TikTok tracks you and how to stop it," *WIRED*, October 23, 2021.

<sup>9</sup> Natasha Lomas, "TikTok's in-app browser could be keylogging, privacy analysis warns," *TechCrunch*, August 19, 2022.

<sup>10</sup> Federal Trade Commission, "Video Social Networking App Musical.ly Agrees to Settle FTC Allegations That it Violated Children's Privacy Law," February 27, 2019.

totalitarian state with no respect for privacy, civil rights, or due process, and where Orwellian surveillance and state propaganda are the norm.

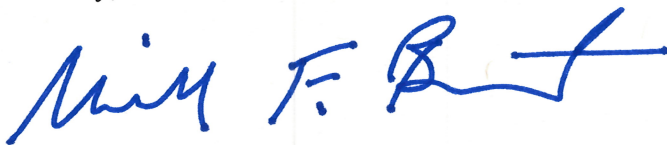
TikTok's vast influence and aggressive data collection pose a specific threat to U.S. national security because of its parent company's obligations under Chinese law. Article 7 of China's National Intelligence Law decrees that "any organization or citizen shall support, assist, and cooperate with state intelligence work."<sup>11</sup> Article 14 provides Chinese state security agencies the authority to demand cooperation from companies like ByteDance, while Articles 16 and 17 allow intelligence agents to access relevant materials and files and make use of its communications tools and facilities.<sup>12</sup>

Concern about TikTok's data sharing is not theoretical. In November 2022, TikTok confirmed that China-based employees could gain remote access to European user data.<sup>13</sup> Last year, BuzzFeed News revealed that China-based employees repeatedly accessed nonpublic information about U.S. users, contradicting sworn testimony from a TikTok executive to the U.S. Senate.<sup>14</sup> According to a member of TikTok's Trust and Safety department, cited by BuzzFeed, "Everything is seen in China."<sup>15</sup>

Last year, Congress recognized the unacceptable security risks from TikTok and banned it from all federal government devices. At least 27 state governments have also passed full or partial bans on the app.<sup>16</sup> Given these grave and growing concerns, I ask that you remove TikTok from your respective app stores immediately.

We appreciate your attention to this urgent matter.

Sincerely,



Michael F. Bennet

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<sup>11</sup> William Evanina, "Keynote Remarks," (speech, International Legal Technology Association, Arlington, VA, June 4, 2019).

<sup>12</sup> Murray Scot Tanner, "Beijing's New National Intelligence Law: From Defense to Offense," *Lawfare*, July 20, 2017.

<sup>13</sup> Dan Milmo, "TikTok tells European users its staff in China get access to their data," *The Guardian*, November 2, 2022.

<sup>14</sup> Emily Baker-White, "Leaked Audio from 80 Internal TikTok Meetings Shows That US User Data Has Been Repeatedly Accessed from China," *BuzzFeed News*, June 17, 2022.

<sup>15</sup> *Ibid.*

<sup>16</sup> Sawdah Bhaimiya, "Here's a full list of the US states that have introduced full or partial TikTok bans on government devices over mounting security concerns," *Business Insider*, January 15, 2023.