



One Hundred Eighteenth Congress
Committee on Homeland Security
U.S. House of Representatives
Washington, DC 20515

January 17, 2024

The Honorable Christopher A. Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, N.W.
Washington, DC 20535

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
Washington, D.C. 20528

Dear Secretary Mayorkas and Director Wray:

We write to request information about the Department of Homeland Security (DHS) and the Federal Bureau of Investigation's (FBI) roles in the U.S. government's national security review of TikTok, a short-form video-sharing application owned by the Chinese firm ByteDance Ltd, headquartered in Beijing, China. TikTok has more than 150 million users in the United States. The FBI and other U.S. national security agencies have raised alarms about the potential that the People's Republic of China (PRC) could use TikTok for nefarious purposes.¹

TikTok presents significant security and data privacy concerns. On November 15, 2022, Director Wray, you acknowledged that the FBI has security concerns relating to the usage of TikTok in the United States.² You explained that the FBI's concerns about TikTok "include the possibility that the Chinese government could use it [TikTok] to control data collection on millions of users or control the recommendation algorithm, which could be used for influence operations."³ You also testified that the Chinese government could use TikTok to "control software on millions of devices," providing it the opportunity to "technically compromise" those personal devices.⁴ Despite expressing these concerns, it is unclear what actions DHS and the FBI have taken to address the PRC's potential access to data of American users of TikTok.

The concerns associated with the proliferation of TikTok are real and growing. DHS, the Transportation Security Administration, and the U.S. Department of Defense have banned the

¹ U.S. Dep't of Defense, *Leaders Say TikTok is Potential Cybersecurity Risk to U.S.* (April 6, 2023), <https://www.defense.gov/News/News-Stories/Article/Article/3354874/leaders-say-tiktok-is-potential-cybersecurity-risk-to-us/>

² *Worldwide Threats to the Homeland: Hearing before the H. Comm. on Homeland Sec.*, 117th Cong. (Nov. 15, 2022) (testimony of Christopher A. Wray, Dir., Fed. Bureau of Investigation).

³ *Id.*

⁴ *Id.*

use of TikTok on official mobile devices due to security concerns.⁵ Bans on the use of TikTok are not limited to the United States, as many other countries have imposed various levels of prohibitions as well, due to security and privacy concerns.⁶ Over half of the 50 U.S. States have banned TikTok from official government devices.⁷ We understand that the Committee on Foreign Investment in the United States (CFIUS), an interagency entity that examines foreign investments in the United States for national security implications, is continuing to conduct a review of TikTok.⁸ Both DHS and the FBI participate in the CFIUS.⁹ The CFIUS review was initiated by the Trump administration and carried forward by the Biden administration. While this review continues, it is also unclear how DHS and the FBI have contributed to this national security review.

We are concerned about TikTok's alignment with the interests of the PRC, as it broadcasts anti-American propaganda, suppresses critics of the Chinese Communist Party (CCP) who raise concerns regarding human rights abuses, and apparently allows for the glorification of foreign terrorists.¹⁰ For example, TikTok censored or banned users who have highlighted the CCP's genocide of Uyghurs and other ethnic groups.¹¹ More recently, millions of TikTok users, and others on social media, were exposed to videos praising and sympathizing with Osama Bin Laden and his post-September 11th letter twistedly justifying attacks against Americans.¹² These videos went viral and were re-uploaded on other social media platforms, such as X, reaching millions more people.¹³ While TikTok eventually took action to prohibit such content and released a statement that said "[c]ontent promoting this letter clearly violates our rules on supporting any form of terrorism," the delay raises concerns about TikTok's responsiveness.¹⁴

In light of these developments, a lack of details about DHS and the FBI's role in the CFIUS review of TikTok, and to better understand your Departments' overall efforts to address the PRC's espionage activities against the United States within the homeland, we ask that you arrange for a briefing to the Committee. Please provide this briefing as soon as possible but not later than 5:00 p.m. on January 31, 2024.

⁵ Mary Meisenzahl, *US government agencies are banning TikTok, the social media app teens are obsessed with, over cybersecurity fears — here's the full list*, BUSINESS INSIDER (Feb. 25, 2020); Neil Vigdor, *U.S. Military Branches Block Access to TikTok App Amid Pentagon Warning*, N.Y. TIMES (Jan. 4, 2020).

⁶ Kelvin Chan, *Here are the countries that have bans on TikTok*, AP NEWS (Apr. 4, 2023).

⁷ *Id.*

⁸ Sara Morrison, *Maybe Trump was right about TikTok*, VOX (Nov. 14, 2022); David Shepardson, *U.S. FBI director says TikTok poses national security concerns*, REUTERS (Nov. 15, 2022).

⁹ *Id.*

¹⁰ Ursula Perano, *TikTok executive says app used to censor content critical of China*, AXIOS (Nov. 7, 2020); Shiela Dang and David Shepardson, *TikTok to prohibit videos promoting bin Laden's 'Letter to America'*, REUTERS (Nov. 16, 2023); Daysia Tolentino, *TikTok removes hashtag for Osama bin Laden's 'Letter to America' after viral videos circulate*, NBC NEWS (Nov. 16, 2023).

¹¹ Ursula Perano, *TikTok executive says app used to censor content critical of China*, AXIOS (Nov. 7, 2020).

¹² Shiela Dang and David Shepardson, *TikTok to prohibit videos promoting bin Laden's 'Letter to America'*, REUTERS (Nov. 16, 2023).

¹³ *Id.*

¹⁴ *Id.*

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Please contact the Committee on Homeland Security Majority staff at (202) 226-8417 with any questions about this request.

Per Rule X of the U.S House of Representatives, the Committee on Homeland Security is the principal committee of jurisdiction for overall homeland security policy and has special oversight functions of “all Government activities relating to homeland security, including the interaction of all departments and agencies with the Department of Homeland Security.”

Thank you for your prompt attention to this important matter.

Sincerely,



MARK E. GREEN, M.D.
Chairman
Committee on Homeland Security



AUGUST PFLUGER
Chairman
Subcommittee on Counterterrorism,
Law Enforcement, and Intelligence

Encl.

cc: The Honorable Bennie Thompson, Ranking Member
Committee on Homeland Security

The Honorable Seth Magaziner, Ranking Member
Subcommittee on Counterterrorism, Law Enforcement, and Intelligence