

EXPERT INSIGHT | China Policy Initiative

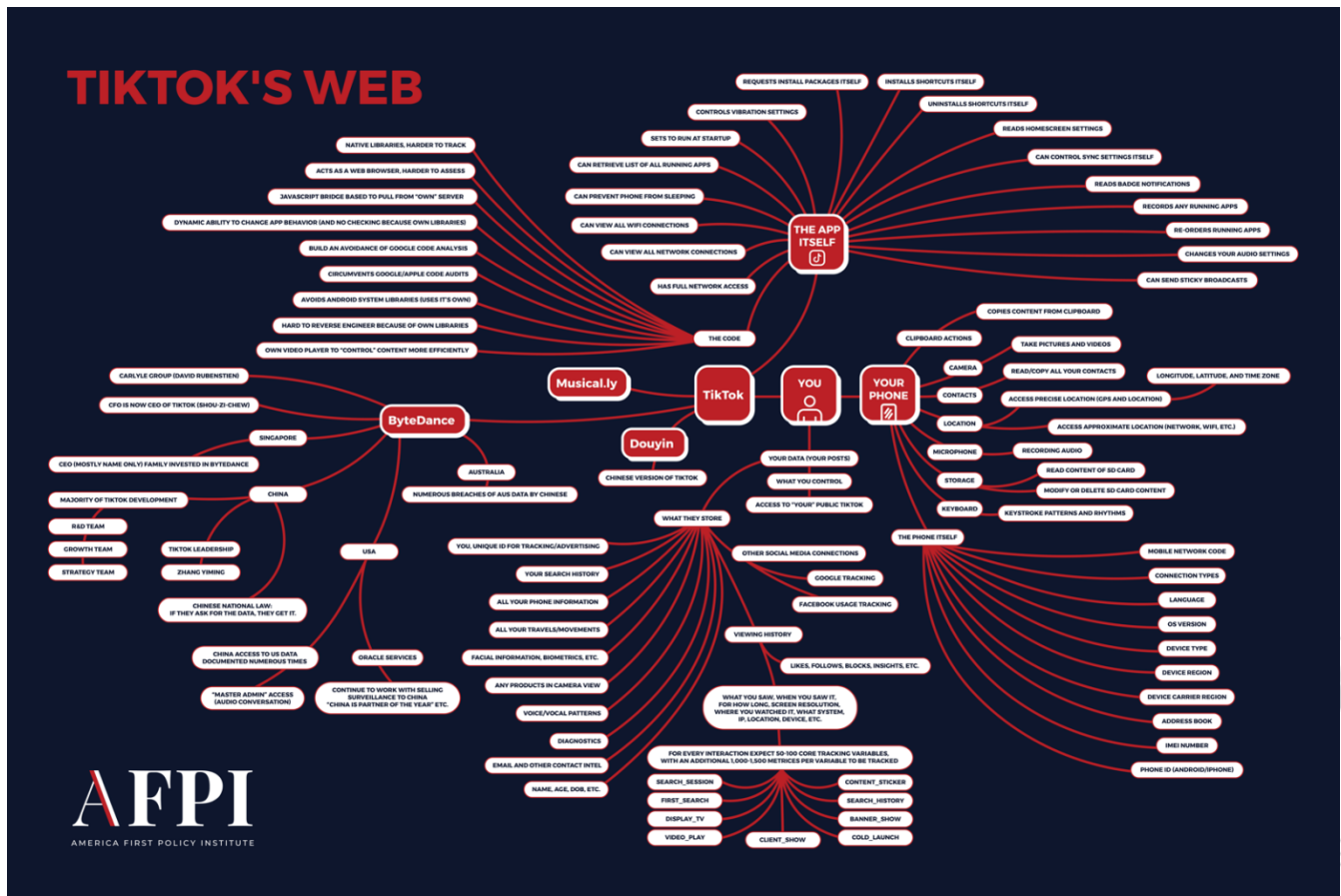
TIKTOK, TIME IS UP

Samantha Mims

Unlike Meta (formerly Facebook), Google, YouTube, and Twitter, TikTok stands in a league of its own—its CEO has never testified before Congress. That all changes on March 23, 2023 when Shou Zi Chew, CEO of TikTok, faces Congress for the first time.

Chew is set to testify before the House Energy and Commerce Committee, where he will attempt to save the embattled app’s future. If he fails to convince Congress otherwise, TikTok could be banned within the U.S. unless ByteDance, TikTok’s Beijing-based parent company, decides to sell TikTok to a non-Chinese entity.

A common source of concern regarding TikTok is about data, access control, and the app’s relationship with ByteDance and the Chinese government. As shown below, TikTok’s interconnectivity adds another level of complexity that makes tracking access control very difficult to understand.



How did we reach this point?

Under Chinese law, the Chinese Communist Party (CCP) could force the app to hand over American user data. This is just one of the many grave concerns lawmakers have voiced. Chew will likely argue that issues of data theft, algorithm manipulation, and minor safety have already been addressed internally. Additionally, he will argue that TikTok's 150 million users in the U.S. warrant the app too important to American society to face a ban.

Congress should remind Chew that an app's popularity is not an excuse to shirk responsibility for the national security risks it poses. ByteDance admitted that its employees have used TikTok to target journalists who have criticized them and refused to answer questions about whether they have also targeted U.S. government officials, activists and public figures. Below are several key questions Congress, and every American, should ask TikTok's embattled CEO along with supporting facts.

1. TikTok is a national security threat to the United States. What actions has TikTok taken to address this issue?

- TikTok is a national security threat.
 - ByteDance has admitted to using TikTok to intimidate American journalists.
 - The CCP could also use TikTok to propagate videos that support party-friendly politicians or exacerbate discord in American society.
- This is a non-partisan belief held by the current administration and former administrations as well. Several senior Biden Administration officials have already expressed significant concerns about this app:
 - “This is a tool that is ultimately within the control of the Chinese government and it, to me, it screams out with national security concerns.”
 - **Christopher Wray, Director of the FBI**
 - “It is “extraordinary” how adept the Chinese government is at collecting foreign data.”
 - **Avril Haines, Director of National Intelligence**
 - “I think this app [TikTok] is a real concern for the government.”
 - **William Burns, Director of the CIA**

2. What was your role prior to becoming the CEO of TikTok?

- In 2021, Shou Chew stepped down as the Chief Financial Officer (CFO) of ByteDance, TikTok's parent company, to focus on his role as the Chief Executive Officer (CEO) of TikTok.



Follow-up questions

a. **As the former CFO of the Chinese company Byte Dance, you would have knowledge of Chinese compliance laws such as the National Intelligence Law of 2017, the Data Security Law of 2020, and the Cryptology Law of 2020, correct?**

- These laws compel Chinese businesses and citizens, including academic institutions, research service providers, and investors, to support and facilitate the Chinese government's access to the collection, transmission, and storage of data.

b. **These laws permit access by the Chinese government to data under the pretense of national security, correct?**

- Laws such as the National Intelligence Law of 2017, the Data Security Law of 2020, and the Cryptology Law of 2020 compel Chinese companies to comply with the demands of the government in the name of “national security.”

c. **Has TikTok or ByteDance ever shared information or data with the Chinese government or an entity acting on behalf of the Chinese government?**

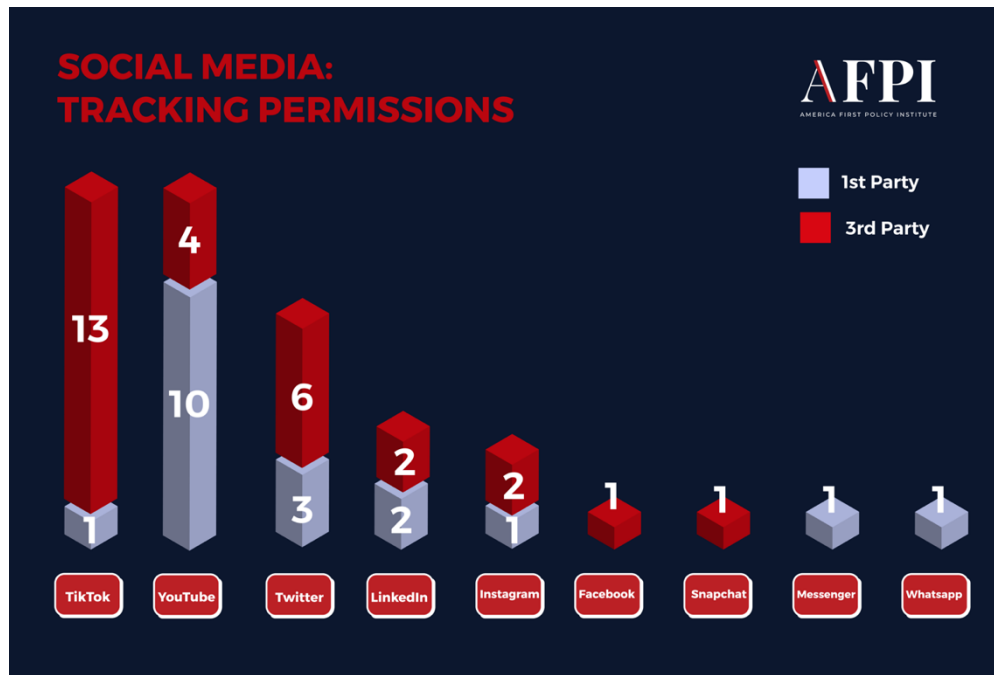
- It was disclosed in 2022 that ByteDance had shared information with Chinese regulators.

3. A TikTok spokesperson said TikTok “doesn’t operate any differently than other apps.” Do you agree with that statement?

- They operate very differently. It’s no secret that social media platforms collect information on users. It is not just where that information is stored but WHO has access to that data.
- This study points out that two apps, YouTube and TikTok, collect more information on users than others. But there is one other stark difference between TikTok and other popular social media apps. That difference is who is collecting the data.



- Look at the chart below:



- Most of the data collected by YouTube is from first-party trackers (internal), whereas 93% of TikTok’s contacts were with third parties (external), a VERY different pattern than other social media platforms.

Follow-up question

a. In your time as CFO of ByteDance or in your current role at TikTok, has the Chinese government, or any entity acting on its behalf, ever attempted to influence the operations of ByteDance or TikTok?

- In leaked documents detailing TikTok’s moderation guidelines, it was discovered that TikTok told its moderators to censor videos that mention Tiananmen Square, Tibetan independence, or the banned religious group Falun Gong.
- This was revealed following substantial suspicion about the suppression of posts regarding the Hong Kong protests.

4. In your opening statement, you said, “The bottom line is this: American data stored on American soil, by an American company, overseen by American personnel.” You were referring to TikTok – is that correct?

- Chew’s statement is in reference to what TikTok has been calling “Project Texas.”

- However, Chew noticeably leaves out any mention of data being accessed only from within the U.S.

5. Does TikTok provide foreign nations access to data from other nations?

- “We allow certain employees within our corporate group located in Brazil, Canada, China, Israel, Japan, Malaysia, Philippines, Singapore, South Korea, and the United States, remote access to TikTok European user data.”
 - **Elaine Fox, Head of Privacy in Europe for TikTok**
- Ms. Fox made this statement after ByteDance claimed it was not checking out data collected about users in the U.S. and Europe... when in fact it was.

TikTok is a danger that poses an imminent threat to our national security, our children, our communities, and our privacy.

TikTok, time is up.

