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Congress of the United States
House of Representatives

SELECT COMMITTEE ON THE CHINESE COMMUNIST PARTY
548 Cannon House Office Building
Washington, D.C. 20515
(202) 225-6002

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May 10, 2023

Mr. Show Zi Chew,
Chief Executive Officer, TikTok
5800 Bristol Pkwy
Culver City, CA 90230

Dear Mr. Chew,

The U.S. House Select Committee on Strategic Competition between the U.S. and the Chinese Communist Party writes to express deep concern and to seek additional information about recent reporting on TikTok’s ongoing censorship and tracking of sensitive topics. Just last week, TikTok suspended a TikTok account from the Acton Institute, which was sharing video clips from a documentary about Hong Kong newspaper owner Jimmy Lai, who was imprisoned for his support for Hong Kong’s democracy movement.¹ Recent reporting also revealed that TikTok was tracking individuals who interacted with gay content, and a third report published internal documents showing how TikTok’s parent company ByteDance tracks and censors “sensitive words”—in practice, topics disfavored by the Chinese Communist Party.² Each report raises serious concerns about the extent to which TikTok’s decisions continue to track the priorities of its owner, ByteDance, and, therefore, the Chinese Communist Party.

The Acton Institute’s TikTok account was set up two weeks ago to promote the release of an Acton Institute documentary about Jimmy Lai, a Hong Kong media mogul who was imprisoned because of his support for Hong Kong’s democracy movement, which the People’s Republic of China (PRC) repressed. All of the content that the Acton Institute shared on TikTok was about the documentary film. TikTok’s actions to censor the account began almost immediately. TikTok first censored a video that Acton shared which showed the Hong Kong

¹ Jimmy Quinn, *TikTok Suspends Libertarian Think Tank That Posted about Hong Kong and Jimmy Lai*, NATIONAL REVIEW (May 3, 2023) available at www.nationalreview.com/corner/tiktok-suspends-libertarian-think-tank-that-posted-about-hong-kong-and-jimmy-lai/.

² Georgia Wells & Byron Tau, *TikTok Tracked Users Who Watched Gay Content, Prompting Employee Complaints*, WALL STREET JOURNAL (May 5, 2023) available at www.wsj.com/articles/tiktok-tracked-users-who-watched-gay-content-prompting-employee-complaints-5966a5f5; Alexandra Levine, *The Words TikTok Parent ByteDance May Be Watching You Say*, FORBES (May 5, 2023) available at www.forbes.com/sites/alexandralevine/2023/05/05/tiktok-bytedance-sensitive-words-suppression-china/?sh=6dfa1fc69c9.

police attacking pro-democracy protestors. Acton continued to share video clips from the documentary. On May 2, with no prior warning or explanation, Acton's account was suspended. After a public outcry, TikTok restored the account but continued to censor some of the video clips from the film for violating TikTok's "community guidelines," but it provided no explanation about how or why the clips were in violation. As Acton and the media continued to shine a light on TikTok's censorship, TikTok eventually restored the videos.

All these actions reinforce the very serious concerns that Members of Congress—including many Select Committee Members—have repeatedly raised about the extent to which TikTok's decisions, including decisions about content moderation, are subject to the influence, control, or direction of the CCP and/or the PRC government. TikTok owner ByteDance's deep links to the CCP are well established.³ We therefore request additional information about TikTok's content moderation policies and practices.

Although TikTok denies that it moderates content on behalf or at the direction of the CCP or PRC government, TikTok has repeatedly made decisions that are directly aligned with the CCP's censorship priorities. For example, TikTok has secretly suppressed topics the PRC finds politically sensitive, including its genocide of Uyghur Muslims, the status of Tibet, and the 1989 massacre in Tiananmen Square. It has banned accounts whose posts disparage the "national honor," and research suggests that TikTok suppressed videos about midterms and voting last year.⁴ In a clear precursor to the censorship of Acton, TikTok even blocked an American teenage Muslim activist who criticized the CCP's treatment of Uyghur Muslims—only reinstating her account after a public outcry.⁵ These decisions raise very serious concerns about the extent to which TikTok is influenced, controlled, or directed by Beijing's priorities.

These latest examples of censorship and tracking reinforce the very serious concerns described above. TikTok's stock answer—that in some cases, it has reinstated content or halted a particular tracking technique—is inadequate because TikTok has never adequately explained how those censorship decisions were made in the first instance or given a complete and comprehensive explanation of how its community guidelines operate in practice. That means

³ See, e.g., Fergus Ryan et al., *TikTok and WeChat: Curating and Controlling Global Information Flows*, AUSTRALIAN STRATEGIC POLICY INSTITUTE (2020) available at ad-aspi.s3.ap-southeast-2.amazonaws.com/2020-09/TikTok%20and%20WeChat.pdf?VersionId=7BNJWaoHImPVE.6KKcBPIJRD5fRnAVTZ ("ASPI TikTok Report.")

⁴ Alex Hern, *Revealed: how TikTok censors videos that do not please Beijing*, THE GUARDIAN (Sep. 25, 2019) available at www.theguardian.com/technology/2019/sep/25/revealed-how-tiktok-censors-videos-that-do-not-please-beijing; Sam Biddle, Paulo Victor Ribeiro, & Tatiana Dias, *Invisible Censorship*, THE INTERCEPT (Mar. 16, 2020) available at www.theintercept.com/2020/03/16/tiktok-app-moderators-users-discrimination/; Fergus Ryan, Audrey Fritz & Daria Impiombato, *TikTok and WeChat*, AUSTRALIAN STRATEGIC POLICY INSTITUTE (Sep. 8, 2020) available at www.aspi.org.au/report/tiktok-wechat; Emily Baker-White, *TikTok may be suppressing videos about midterms and voting, new research suggests*, FORBES (Nov. 7, 2022) available at www.forbes.com/sites/emilybaker-white/2022/11/07/tiktok-suppressing-gotv-election-messages/?sh=70b51ceb4583.

⁵ Jon Porter, *TikTok unblocks US teen who slammed China for Uighur treatment*, THE VERGE (Nov. 28, 2019) available at www.theverge.com/2019/11/28/20986867/tiktok-unblock-us-teen-china-criticism-muslim-minority-terrorist-imagery-moderation-guidelines.

that, for every egregious decision that is reversed after a public outcry, there are likely many more such censorship decisions that fly under the radar and therefore aren't reversed.

What we do know is that TikTok's parent company ByteDance's founder promised to integrate "socialist core values" into ByteDance technology and that ByteDance's editor-in-chief, who is the Secretary of its CCP committee, vowed that the CCP committee would "take the lead" across all product and business lines.⁶

Foreign adversaries should not be allowed to censor Americans' speech directly or indirectly or to control the information space through which Americans access news. We therefore request that you provide the following information by May 24, 2023:

1. All documents and communications related to moderation decisions around Acton's account, including content censorship, account suspension and reinstatement;
2. All policies, guidelines, and communications that describe or discuss content moderation, including the enforcement of "community guidelines";
3. All documents and communications between ByteDance and TikTok regarding content moderation either in the U.S. or abroad;
4. All information about TikTok's "heating"⁷ of content on behalf of the CCP, PRC government, ByteDance, or any other PRC entity;
5. An explanation of whether TikTok believes that Jimmy Lai's detention comports with the rule of law or democratic principles and, if not, the implications of Mr. Lai's detention for press freedom; and
6. All documents and communications related to the process and methodology of putting TikTok users on lists or tracking them—including but not limited to the tracking of users who watched gay content as reported by the *Wall Street Journal*.

The House Select Committee on the Strategic Competition Between the United States and the Chinese Communist Party has broad authority to "investigate and submit policy recommendations on the status of the Chinese Communist Party's economic, technological, and security progress and its competition with the United States" under H. Res. 11.

⁶ ASPI TikTok Report at 19, Appendix 1; *see also* archived webpage at www.cac.gov.cn/2020-04/16/c_1588583174876135.htm regarding ByteDance Editor-in-Chief and Vice President relationship with CCP.

⁷ Emily Baker-White, *TikTok's secret heating button can make anyone go viral*, FORBES (Jan. 20, 2023) available at www.forbes.com/sites/emilybaker-white/2023/01/20/tiktoks-secret-heating-button-can-make-anyone-go-viral/?sh=54a2c49a6bfd.

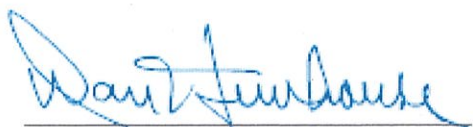
To make arrangements to deliver a response, please contact Select Committee staff at (202) 226-9678.

Thank you for your attention to this important matter and prompt reply.

Sincerely,



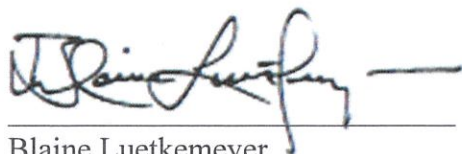
Mike Gallagher
Chairman



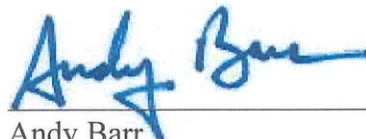
Dan Newhouse
Member of Congress



Rob Wittman
Member of Congress



Blaine Luetkemeyer
Member of Congress



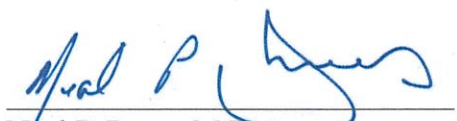
Andy Barr
Member of Congress



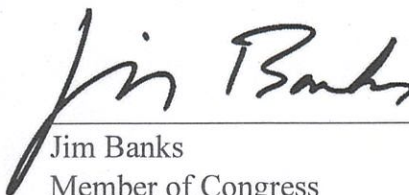
John Moolenaar
Member of Congress



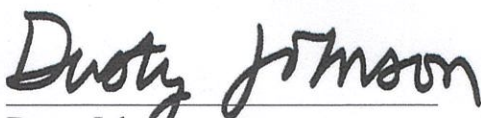
Darin LaHood
Member of Congress



Neal P. Dunn, M.D.
Member of Congress



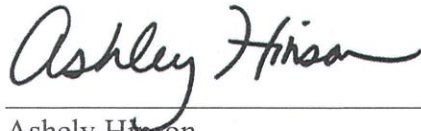
Jim Banks
Member of Congress



Dusty Johnson
Member of Congress



Michelle Steel
Member of Congress



Ashely Hinson
Member of Congress



Carlos Gimenez
Member of Congress