

Congress of the United States

Washington, DC 20515

December 6, 2022

Governor Tony Evers
115 East State Capitol
Madison, WI 53707

Dear Governor Evers,

We write to urge you to ban TikTok from Wisconsin government devices and to lead by example and delete TikTok from your own devices. TikTok is nefarious Chinese Communist Party (CCP) spyware that surveils American citizens, promotes CCP propaganda, and allows the CCP to censor and control Americans' news and content. The United States Congress and multiple Biden Administration officials have raised concerns about TikTok on national security grounds and even called for a ban.¹ These concerns are not localized at the federal level—this affects the Wisconsin state government and Wisconsinites at large. As governor, you should prohibit this app from state government devices.

The CCP controls and directs TikTok. TikTok's corporate owner, ByteDance, is a Chinese company and is therefore bound by Chinese law to assist CCP intelligence agencies.² ByteDance's editor-in-chief, Zhang Fuping, is a CCP member and chairs the company's

¹ Marco Rubio & Mike Gallagher, "TikTok, time's up. The app should be banned in America," *Washington Post*, Nov. 10, 2022, <https://www.washingtonpost.com/opinions/2022/11/10/marco-rubio-ban-tiktok-america-china-mike-gallagher/>; Rachel Treisman, "The FBI alleges TikTok poses national security concerns," NPR, Nov. 17, 2022, <https://www.npr.org/2022/11/17/1137155540/fbi-tiktok-national-security-concerns-china>; Todd Shields, "TikTok should be banned in US, FCC Member Carr says," *Bloomberg*, Nov. 7, 2022, <https://www.bloomberg.com/news/articles/2022-11-07/fcc-member-brendan-carr-says-tiktok-should-be-banned-in-the-us>; Alex Barinka and Bloomberg, "South Dakota just banned TikTok from state-owned devices because of fears of a national security threat," *Fortune*, Nov. 30, 2022, <https://fortune.com/2022/11/30/south-dakota-banned-tiktok-state-owned-devices-security-concerns/>; Anders Hagstrom, "Dem Sen. Warner says 'Trump was right' about banning China's TikTok, warns parents against letting kids on app," *Fox News*, Nov. 20, 2022, <https://www.foxnews.com/politics/dem-sen-mark-warner-trump-was-right-banning-chinas-tiktok-warns-parents-letting-kids-app>; Tony Room and Drew Harwell, "TikTok raises national security concerns in Congress as Schumer, Cotton ask for federal review," *The Washington post*, Oct. 24, 2019, <https://www.washingtonpost.com/technology/2019/10/24/tiktok-raises-national-security-concerns-congress-schumer-cotton-ask-federal-review/>; Rebecca Beitsch, "Many Dems voted to limit TikTok. Now they're using it," *The Hill*, Aug. 1, 2022, <https://thehill.com/policy/national-security/3580388-more-democrats-are-using-tiktok-despite-the-warnings-from-colleagues/>.

² Reuters, "China passes tough new intelligence law," <https://www.reuters.com/article/us-china-security-lawmaking-idUSKBN1911FW>; See CNN "Huawei says it would never hand data to China's government. Experts say it wouldn't have a choice," <https://www.cnn.com/2019/03/05/huawei-would-have-to-give-data-to-china-government-if-asked-experts.html>; Murray Scot Tanner, "Beijing's New National Intelligence Law: From Defense to Offense," *Lawfare Blog*, July 20, 2017, <https://www.lawfareblog.com/beijings-new-national-intelligence-law-defense-offense>.

Communist Party Committee. In a September 2020 court filing, the Department of Justice described ByteDance’s founder and former CEO, Zhang Yiming, as a “mouthpiece for the CCP” and “committed to promoting the CCP’s agenda and messaging.”³ President Biden recognizes the threat posed by TikTok. In July 2020, he required all of his presidential campaign staff to delete TikTok from their work *and personal* phones.⁴

TikTok is a CCP surveillance tool. It tracks cell phone users’ data, including user location data, and users’ keystrokes, even when not even using the app.⁵ The CCP can thus collect sensitive intelligence on Wisconsin government employees and even blackmail or pressure them based on this information.⁶ Just last month, Forbes reported that ByteDance planned to use TikTok to track specific Americans’ locations for a non-advertising purpose.⁷

Even worse than its data collection, TikTok can use its black box algorithm to promote CCP propaganda and censor content.⁸ We have already seen TikTok censor references to the CCP’s genocide and reeducation camps in Xinjiang and the Tiananmen Square massacre and block the account of an American Muslim rights activist who criticized the CCP’s treatment of Uyghur Muslims before an outcry forced a reverse course.⁹ The concern with this algorithm is especially acute given the growing percentage of American adults who use TikTok as their news source.¹⁰ It is inappropriate for the CCP to curate Wisconsin government employees’ news feed.

It is not unprecedented for a state governor to ban TikTok on government devices. Last week, South Dakota Governor Kristi Noem issued an Executive Order banning TikTok from the South

³ NPR, “New DOJ Filing: TikTok’s Owner Is ‘A Mouthpiece’ Of Chinese Communist Party,” <https://www.npr.org/2020/09/26/917134452/new-doj-filing-tiktoks-owner-is-a-mouthpiece-of-chinese-communist-party>; <https://www.documentcloud.org/documents/7218230-DOJ-s-MEMORANDUM-in-OPPOSITION-to-TIKTOK.html>.

⁴ Sarah Muncha, “Biden campaign tells staff to delete TikTok from their phones,” CNN, July 28, 2020, <https://www.cnn.com/2020/07/28/politics/biden-campaign-tiktok/index.html>.

⁵ Paul Mozur, Ryan Mac, and Chang Che, “TikTok Browser Can Track Users’ Keystrokes, According to New Research,” *New York Times*, Aug. 21, 2022, <https://www.nytimes.com/2022/08/19/technology/tiktok-browser-tracking.html>.

⁶ Zach Dorfman, “U.S. officials say private Chinese firms have been enlisted to process stolen data for their country’s spy agencies,” *Foreign Policy*, Dec. 23, 2020, <https://foreignpolicy.com/2020/12/23/china-tech-giants-process-stolen-data-spy-agencies/>.

⁷ Emily Baker-White, “TikTok parent ByteDance planned to use TikTok to monitor the physical location of specific American citizens,” *Forbes*, Oct. 20, 2022, <https://www.forbes.com/sites/emilybaker-white/2022/10/20/tiktok-bytedance-surveillance-american-user-data/?sh=76a743026c2d>.

⁸ Ben Thompson, “The TikTok War,” *Stratichery*, July 14, 2020, <https://stratichery.com/2020/the-tiktok-war/>.

⁹ Ryan, Fritz, & Impiombato, “TikTok and WeChat,” <https://ad-aspi.s3.ap-southeast-2.amazonaws.com/2020-09/TikTok%20and%20WeChat.pdf?VersionId=7BNJWaoHImPVE.6KKcBP1JRD5fRnAVTZ>; Jon Porter, “TikTok unblocks US teen who slammed China for Uighur treatment,” *The Verge*, Nov. 28, 2019, <https://www.theverge.com/2019/11/28/20986867/tiktok-unblock-us-teen-china-criticism-muslim-minority-terrorist-imagery-moderation-guidelines>; Alex Hern, “Revealed: how TikTok censors videos that do not please Beijing,” *The Guardian*, Sep. 25, 2019, <https://www.theguardian.com/technology/2019/sep/25/revealed-how-tiktok-censors-videos-that-do-not-please-beijing>; Von Fridtjof Kuchemann, “Sternchen bei Wortern wie ‘Internierungslager’,” *Frankfurter Allgemeine*, Feb. 11, 2022, <https://www.faz.net/aktuell/feuilleton/medien/zensur-bei-tiktok-sternchen-bei-woertern-wie-internierungslager-17798752.html>.

¹⁰ Katernia Eva Matsa, “More Americans are getting news on TikTok, bucking trend on other social media sites,” Pew Research Center, Oct. 21, 2022, <https://www.pewresearch.org/fact-tank/2022/10/21/more-americans-are-getting-news-on-tiktok-bucking-the-trend-on-other-social-media-sites/>.

Dakota state government devices of government employees, agencies, and contractors.¹¹ We strongly urge you to follow Governor Noem's lead and examine your own legal authorities to ban TikTok from Wisconsin state government devices.

We further request that you lead by example and immediately delete your own TikTok accounts.¹² Wisconsinites expect their governor to be aware of the dangerous national security threats TikTok poses and to protect them from this avenue for CCP intelligence operations. Knowing the threats posed by CCP control of TikTok, it is irresponsible—at best—for a governor to ignore these risks and promote TikTok through his own use of the app.

If you do not intend to delete your TikTok account or to ban TikTok from government devices, please respond with an explanation of your decision.

Thank you for your prompt attention to this vital national security matter.

Sincerely,



Mike Gallagher
Member of Congress



Ron Johnson
U.S. Senator



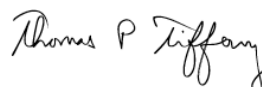
Scott Fitzgerald
Member of Congress



Glenn Grothman
Member of Congress



Bryan Steil
Member of Congress



Tom Tiffany
Member of Congress

¹¹ Governor Kristi Noem, Twitter post, November 29, 2022, 2:43 pm, <https://twitter.com/govkristinoem/status/1597677555313623040>.

¹² Tony4wi, TikTok, <https://www.tiktok.com/@tony4wi?lang=en>.