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Committee on Foreign Investment in the
United States,
U.S. Department of the Treasury

Federal Trade Commission

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Sen. Chuck Grassley, Ranking Member
Senate Committee on the Judiciary

Sen. Maria Cantwell, Chair
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Senate Committee on Banking, Housing,
and Urban Affairs

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Rep. Jim Jordan, Ranking Member
House Committee on the Judiciary

Rep. Carolyn Maloney, Chair
Rep. James Comer, Ranking Member
House Committee on Oversight and Reform

Oct. 28, 2022

Dear Lawmakers and Regulators,

We are writing to express our urgent concerns regarding recent reporting by [Forbes](#) alleging that ByteDance, the Chinese parent company of social media app Tiktok, was either tracking or planning to track the physical locations of specific U.S. citizens.

On October 20, 2022, [Forbes reported](#) on the existence of internal documents from the company that revealed a plan for the company's Beijing team to monitor the location of specific U.S. citizens by "accessing location data from some U.S. users' devices without their knowledge or consent." The documents specifically alleged that this location data was going to be used for the purpose of surveillance as opposed to ad targeting or any other purpose.

These targeted individuals were not current or former employees of the company, according to [Forbes](#), ruling out the possibility of any kind of internal workplace review or investigation.

Tiktok and ByteDance declined to answer questions about whether the company has targeted journalists, government officials, or activists.

If disturbing allegations in the [Forbes](#) report are substantiated, the implications of such blatant abuses of user data by a foreign company are immense.



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Unauthorized location monitoring is one of the most invasive and insidious data practices imaginable. From this information, it can be determined where we live, where we work, where we pray, what type of healthcare we seek, and much more.

While such surveillance is widespread, it is generally assumed that data surveillance companies have no interest in particular individuals; and reports that individuals might be able to use Big Data to make determinations about specific persons (for example, people who have sought abortion care) have sounded alarm bells.

However, the Forbes article suggests something even more nefarious: That a major platform is using its vast data surveillance mechanism with the intent to track individuals. This threatens a Big Brother-type surveillance that is antithetical to democratic values, may threaten individuals' personal security and violates the most basic societal expectations about personal privacy. That there are a few disturbing precedents for platforms tracking individuals exacerbates rather than diminishes the concern about the Forbes report.

We urge you to use the full extent of your investigatory authority to determine the veracity of these allegations and take immediate action against ByteDance and Tiktok if they are substantiated. Such a practice could put our privacy, physical safety, and national security at risk.

We hope that your investigations explore and publicly reveal:

- Exactly what individually targeted surveillance practices ByteDance and/or Tiktok have employed, considered employing or developed the capacity to undertake.
- For what purposes ByteDance and/or Tiktok undertook or considered undertaking such surveillance, if they in fact did so.
- Whether individually targeted surveillance information was made available to, or whether there was consideration of making it available to, third parties, including potentially the Chinese government, other foreign governments, or other corporations or organizations.
- Whether ByteDance and/or Tiktok sought commercial benefit or to develop a business line with the surveillance and sharing of information about specific individuals.
- If the allegations in the Forbes report are true, whether the terms that the Committee on Foreign Investment in the United States is now negotiating would adequately protect against such surveillance practices – including how or if it could stop a U.S.-based subsidiary from engaging in such practices.
- If the allegations in the Forbes report are true, whether the practices described are unfair and deceptive to consumers, in contravention of Federal Trade Commission Act and other statutory rules and protections.



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- If the allegations in the Forbes report are true, what impact this might have on children.
- If the allegations in the Forbes report are true, what potential threats this might pose to the privacy and physical safety of targeted individuals.
- If the allegations in the Forbes report are true, what potential threats this might pose to U.S. government officials, journalists, activists, foreign nationals, as well as broader considerations of national security, human rights advocacy and democratic functioning.

It is critical that you act with urgency to uncover the full extent of individually targeted surveillance practices, if any, and hold these companies accountable for any misconduct.

Thank you,

Robert Weissman
President, Public Citizen