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September 9, 2021

The Honorable William J. Burns  
Director  
Central Intelligence Agency  
Washington, D.C. 20505

Dear Director Burns:

I write with regard to media reports indicating that the Central Intelligence Agency (CIA) is open to establishing a presence on TikTok, the Chinese Communist Party (CCP)-controlled social media app. The Intelligence Community has been clear that TikTok, and other Chinese-owned apps, pose significant security risks to Americans and their personal data. As such, I urge you to commit that the CIA will not join TikTok, or any other social media platform that poses a serious threat to U.S. national security as well as to Americans' user data and privacy.

It is the duty of the CIA, and broader Intelligence Community, to protect our nation and safeguard America's security interests. You are undoubtedly aware of the privacy risks associated with certain foreign apps, such as TikTok, which is owned by the Chinese company ByteDance. Significantly, as of April 2019, ByteDance had entered a cooperation agreement with a People's Republic of China's (PRC) security agency. In addition, August 2020 public reporting revealed that the CCP had more than 130 committee members in managerial positions at ByteDance's Beijing office.

We cannot pretend that TikTok and other Chinese-owned companies are not beholden to the CCP. Both China's Counterespionage Law and Cybersecurity Law grant PRC intelligence officials the right to enter privately-owned commercial facilities, examine private records, investigate and question personnel, and access or even seize communications equipment owned by companies or individuals. Under the broadly written 2017 National Intelligence Law, any organization or citizen is required to "support, assist and cooperate with the state intelligence work in accordance with the law." The law also permits Chinese intelligence authorities to "preferentially use or legally requisition the means of transport, communication tools, sites and buildings" of such organizations and individuals.

TikTok has millions of active users across the United States. As such, the CIA should be warning about the risks associated with TikTok, and other foreign apps developed in authoritarian surveillance states, not normalizing them. Instead of devoting precious national security resources toward a misguided agenda, the CIA should be focused on the most pressing challenges of our time, including threats from the CCP, Putin's Russia, the Iranian regime, and terrorist networks growing more dangerous due to the Biden Administration's handling of the Afghanistan withdrawal.

As such, I request that you explicitly reject the reported comments of the CIA's social media team and confirm that the agency will not be joining TikTok, or any other high-risk foreign app.

Sincerely

A handwritten signature in blue ink, appearing to read 'M. R.', is centered on the page.

Marco Rubio  
Vice Chairman