

Congress of the United States
Washington, DC 20515

April 28, 2023

General Daniel Hokanson
Chief
National Guard Bureau
111 S George Mason Drive
Arlington VA 22204

Dear General Hokanson,

We write to express our concern over a recent TikTok advertisement featuring an Air National Guardsman expressing his support for, and use of, TikTok. In the advertisement, he immediately identifies himself as a member of the Air National Guard. As a result, the video appears to serve as a de facto National Guard endorsement of TikTok's platform. This is extremely concerning given the known threats TikTok poses to Americans—especially so as TikTok is now banned on all U.S. Government devices. It is therefore imperative that the National Guard Bureau (NGB) clarify its policies on official and unofficial use of TikTok to both Servicemembers and the American people.

Chinese intelligence and security services use TikTok to surveil, exploit, and manipulate the American people. TikTok's parent company, ByteDance, is a Chinese company and therefore must comply with Article 7 of China's 2017 National Intelligence Law, which states, "Any organization or citizen shall support, assist, and cooperate with the state intelligence work in accordance with the law."¹ This is especially concerning considering that China-based employees of ByteDance routinely access non-public U.S. user data, despite TikTok's official statements to the contrary.²

The National Guard plays an integral role in carrying out the National Defense Strategy, which correctly identifies China as our most consequential strategic competitor.³ Not only does TikTok play a leading role in manipulating American citizens' perceptions of China generally, but influence operations like this could directly undermine the National Guard's ability to mobilize in crisis or conflict. Additionally, TikTok's data collection could pose threats to the operational security of National Guard operations. Both TikTok and the Chinese Communist Party continue to actively undermine American interests, both in the Indo-Pacific and in the American homeland, that the National Guard is tasked to defend.

¹ *National Intelligence Law of the People's Republic*. Chinese National People's Congress Network. (June 27, 2017). https://cs.brown.edu/courses/csci1800/sources/2017_PRC_NationalIntelligenceLaw.pdf

² Baker-White, E. *Leaked Audio From 80 Internal TikTok Meetings Shows That US User Data Has Been Repeatedly Accessed From China*. BuzzFeed News. (June 17, 2022).

<https://www.buzzfeednews.com/article/emilybakerwhite/tiktok-tapes-us-user-data-china-bytedance-access>

³ Department of Defense, *National Defense Strategy 2022*. (October 27, 2022).

<https://media.defense.gov/2022/Oct/27/2003103845/-1/-1/2022-NATIONAL-DEFENSE-STRATEGY-NPR-MDR.PDF>

With these concerns in mind, we request answers to the following questions:

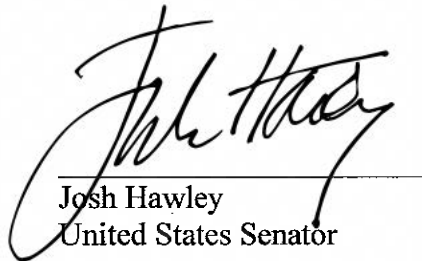
1. Has NGB prohibited use of TikTok on official government devices in accordance with federal law?
2. Has NGB provided guidance to National Guardsmen about the use of TikTok on personal devices? If so, please share this guidance. If not, please explain why NGB has not provided such guidance to National Guardsmen.
3. How does NGB mitigate the risk of operational security violations when data collection platforms like TikTok are utilized by Servicemembers in their personal capacity?
4. How can NGB better communicate benefits offered by the National Guard to current and prospective Guardsmen using platforms other than TikTok?

Please provide these answers in unclassified format no later than May 26, 2023. We appreciate your attention to this matter and look forward to your response.

Sincerely,



Elise M. Stefanik
Member of Congress



Josh Hawley
United States Senator

CC:
Chief of Staff of the Air Force
Director, Air National Guard