

Committee on Energy and Commerce
Opening Statement as Prepared for Delivery
of
Ranking Member Frank Pallone, Jr.

Hearing on “TikTok: How Congress Can Safeguard American Data Privacy and Protect Children from Online Harms”

March 23, 2023

Big Tech has transformed the information superhighway into a superspreader of harmful content, invasive surveillance practices, and addictive and damaging design features. Data is Big Tech’s most valuable commodity. And by collecting far more user data than they need, Big Tech platforms can use, share, and sell information to generate billions of dollars in revenue. Today, the American people are powerless to stop this invasion of their privacy. We can't wait any longer to pass comprehensive, national privacy legislation that puts people back in control of their data.

We must hold Big Tech accountable for its actions, and transparency is critical to that accountability. In the past several Congresses, this Committee has heard from senior executives of other social media platforms about troubling and repeated instances where they’ve put profits over people.

Today we intend to bring more transparency to TikTok, which is controlled by its Beijing Communist-based parent company ByteDance. While TikTok videos provide a new, fun way for people to express their creativity and enjoy the videos of others, the platform also threatens the health, privacy, and security of the American people. And I am not convinced that the benefits outweigh the risks that it poses to Americans in its present form.

More than 130 million people in the United States use TikTok every month, including two-thirds of American teenagers.

TikTok collects and compiles vast troves of valuable personal information to create an addictive algorithm that is able to predict with uncanny accuracy which videos will keep users scrolling—even if the content is harmful, inaccurate, or feeds destructive behavior or extremist beliefs.

The combination of TikTok’s Beijing Communist-based ownership and its popularity exacerbates its dangers to our country and to our privacy. The Chinese Communist government can compel companies based in Beijing, like TikTok, to share data with the Communist government through existing Beijing law or coercion. National security experts are sounding the alarm, warning that the Chinese Communist government could require TikTok to compromise device security, maliciously access American user data, promote pro-Communist propaganda, and undermine American interests.

Disinformation campaigns could be launched by the Chinese Communist government through TikTok, which has already become rife with misinformation and disinformation, illegal activities, and hate speech. A recent report found that 20 percent of TikTok search results on prominent news topics contained misinformation.

Social media's profitability depends on growth and engagement—more eyes on their content for longer time leads to more advertising dollars and revenue generation. Addictive algorithms are fine-tuned to optimize growth and engagement without necessarily taking into account potential harms to users.

Children and teens are particularly vulnerable. Frequent online use of interactive media on digital devices is associated with increased levels of depression among middle and high school students. Research has found that TikTok's addictive algorithms recommend videos to teens that create and exacerbate feelings of emotional distress, including videos promoting suicide, self-harm, and eating disorders.

Public outrage and hollow apologies alone are not going to rein in Big Tech. Congress has to enact laws protecting the American public from such online harms.

We simply cannot wait any longer to pass the comprehensive privacy legislation I authored with then Ranking Member Rodgers last Congress that overwhelmingly advanced out of the Committee. It ensures that consumers—wherever they live in this country—will have meaningful control over their personal information. Our legislation establishes baseline data minimization requirements, ensuring that companies only collect, process, and transfer data necessary to provide a service. And it provides heightened privacy protections for children and teenagers.

It's time we make this legislation the law of the land. We must also examine the reforms needed to Section 230 of the Communications Decency Act. The liability shield for social media platforms has for too long been abused and led to a lack of accountability for social media platforms. I hope we can find a bipartisan path forward on that issue too, so we can stop the very real harms to our country and democracy under the current law.

I look forward to the discussion today as we continue bringing accountability to Big Tech.