

Congress of the United States

Washington, DC 20515

April 11, 2024

The Honorable Miguel Cardona
Secretary
U.S. Department of Education
400 Maryland Ave, SW
Washington, DC 20202

Dear Secretary Cardona,

We write to you regarding Tutor.com, a prominent online tutoring service used in K-12 school districts throughout the country, and its relationship with Chinese-owned Primavera Capital Group.¹

Primavera Capital Group purchased Tutor.com in 2022 and the transaction was approved by regulators in 2023.² The tutoring platform has longstanding contracts with the Department of Defense to provide free services to United States military service members and their families. Tutor.com is also currently used by K-12 schools in at least 25 states.³

Tutor.com collects sensitive data on its users and tutors, including names, locations, IP addresses and recordings of the tutoring sessions. According to the National Intelligence Law of the People's Republic of China, any entity based in China is obligated to share information with Beijing if asked to do so. The law is applicable extraterritorially, meaning subsidiary companies operating outside of China are under the same obligation.⁴ This poses a significant national security threat.

Primavera Capital Group also has a well-documented relationship with ByteDance, the parent company of TikTok.⁵ As has been demonstrated by TikTok and ByteDance, Tutor.com being headquartered in the United States does not protect it from its owner's requirements or connections to the Chinese Communist Party.

This connection raises serious questions about data privacy, security protocols, and the potential exploitation of sensitive information. Given the proven national security threat posed by Chinese technology companies and their handling of user data, it is crucial that we thoroughly evaluate the implications of this partnership, particularly in the context of student privacy.

We request that you respond to the following questions no later than April 26, 2024:

1. What measures has the Department of Education taken to assess the potential national security risks associated with Tutor.com's relationship with Primavera Capital Group and ByteDance, particularly regarding data privacy and the protection of sensitive student information?

¹ <https://www.tutor.com/>

² <https://www.wsj.com/articles/princeton-review-and-tutor-com-are-now-owned-by-a-chinese-company-58e38>

³ <https://defendinged.org/investigations/list-of-states-and-school-districts-using-tutor-com/>


⁴ <https://www.chinalawtranslate.com/en/national-intelligence-law-of-the-p-r-c-2017/>

⁵ <https://www.forbes.com/sites/ywang/2018/10/25/chinas-bytedance-becomes-worlds-largest-internet-startup-after-mega-funding-round/?sh=70e9308a2171>


2. What assistance is the Department of Education providing state educational agencies in assessing security risks associated with using Tutor.com?
3. Has the Department engaged in direct communication with Tutor.com or Primavera to address these concerns and ensure compliance with U.S. cybersecurity standards and regulations and federal privacy laws?
4. Given its primary use cases, was the Department involved or consulted on Primavera's acquisition of Tutor.com? If so, did the Department raise any concerns?
5. What is the Department doing to consult with other federal agencies to ensure that student data is adequately protected from unauthorized access or exploitation?

Thank you for your attention to this important matter.

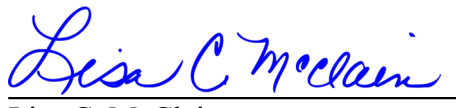
Sincerely,



Tim Walberg
Member of Congress



Elise M. Stefanik
Member of Congress



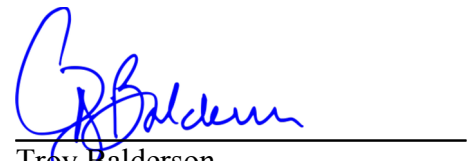
Lisa C. McClain
Member of Congress



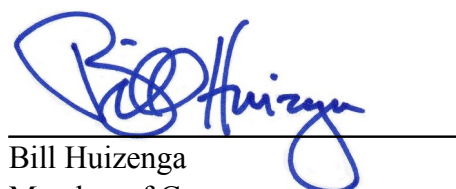
Dan Crenshaw
Member of Congress




Brett Guthrie
Member of Congress



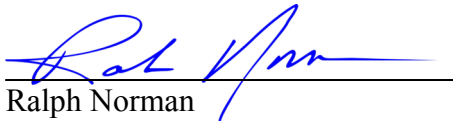
Troy Balderson
Member of Congress




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