

ONE HUNDRED EIGHTEENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**  
COMMITTEE ON ENERGY AND COMMERCE  
2125 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6115

Majority (202) 225-3641  
Minority (202) 225-2927

April 13, 2023

Shou Zi Chew  
Chief Executive Officer  
TikTok, Inc.  
5800 Bristol Parkway  
Culver City, CA 90230

Dear Mr. Chew:

At the March 23, 2023, hearing, Committee Democrats raised serious concerns about TikTok's effects on user privacy, national security, and the health and safety of our children. We were hoping that you could allay some of our concerns at the hearing, but unfortunately many of our questions remain unanswered. To ensure that Congress has the information it needs to understand the scope of privacy abuses happening online, I am including the unanswered questions from the hearing in this letter and look forward to your responses.

Last month's hearing reinforced Americans' fears that social media platforms, including TikTok, have been collecting, using, sharing, and selling their data without meaningful limits. An overwhelming majority of consumers cite data privacy as a growing concern, and 40 percent of consumers do not trust that companies will use their data ethically.<sup>1</sup> TikTok embodies concerns that platforms are monetizing their users' data to drive revenue, with your company allowing advertisers to specifically target users—including teenagers—based on a wide variety of user characteristics, including their age, location, gender, household income, interests based on the types of videos they have watched, and behavior based on how they have interacted with recent content on TikTok.<sup>2</sup>

Across the industry, platforms have leveraged this highly unregulated market to aggregate troves of data on hundreds of millions of citizens, which can be used for targeted

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<sup>1</sup> *One-third of Businesses Acknowledge Using Consumer Data in Unethical Ways. Here's How They Can Rebuild Trust*, Insider (Sept. 27, 2021) (<https://www.businessinsider.com/sc/weak-data-practices-risk-consumer-trust-2021-9>); *Data Privacy is a Growing Concern for More Consumers*, TechRepublic (Aug. 17, 2021) (<https://www.techrepublic.com/article/data-privacy-is-a-growing-concern-for-more-consumers/>).

<sup>2</sup> See TikTok Business Help Center, *Ad Targeting* (<https://ads.tiktok.com/help/article/ad-targeting?redirected=2>) (accessed Apr. 12, 2023).

advertising or sold to third parties who exploit that data for their own commercial interests.<sup>3</sup> These industry-wide concerns are heightened when it comes to TikTok given your China-based parent company and its susceptibility to the Chinese Communist Party's influence.

To address many of these concerns, the Committee overwhelmingly passed the American Data Privacy and Protection Act in the 117<sup>th</sup> Congress on a bipartisan basis and continues its efforts to create a national data-privacy standard.<sup>4</sup> If enacted, this bill would stop companies from the gratuitous collection of American data, and give consumers the power to correct, delete, and export their private information.<sup>5</sup> Your testimony underscores the importance of curbing companies' excessive collection of user data for their corporate benefit.

Since Committee Democrats did not receive answers to these questions at the hearing, I request responses to the below questions by April 27, 2023.

#### Company Information

1. Please provide a forecast of TikTok's projected revenue for 2023.
2. How much of TikTok's projected revenue for 2023 do you project will be generated through targeted advertisements to U.S.-based users?

#### Content Moderation

3. Please provide an explanation of how your content moderation infrastructure reviews and takes down health misinformation.
4. In 2022, how many views from U.S. users did content violating your company's trust and safety guidelines receive before they were taken down?
5. How many posts has TikTok taken down that contained misinformation about abortion?
6. How, if at all, did TikTok respond to Global Witness's and New York University's Cybersecurity for Democracy initiative's report, titled *TikTok and Facebook Fail to Detect Election Disinformation While YouTube Succeeds*?<sup>6</sup>
7. Does TikTok maintain records of changes or modifications to its algorithms?

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<sup>3</sup> Duke Sanford Cyber Policy Program, *Data Brokers and Sensitive Data on U.S. Individuals* (2021).

<sup>4</sup> House Committee on Energy and Commerce, *American Data Privacy and Protection Act*, 117th Cong. (2022) (H. Rept. 117-669).

<sup>5</sup> *Id.*

<sup>6</sup> See *TikTok and Facebook Fail to Detect Election Misinformation in the US, While YouTube Succeeds*, Global Witness (Oct. 21, 2022) (<https://www.globalwitness.org/en/campaigns/digital-threats/tiktok-and-facebook-fail-detect-election-disinformation-us-while-youtube-succeeds/>).

Data Collection

8. Has TikTok, at any point, used precise Global Positioning System information from U.S. users for the following purposes:
  - a. To direct ads;
  - b. To make inferences about users; or
  - c. To make algorithmic inferences that it has sold or shared with third parties?
9. Will TikTok commit to ending the collection of data related to its users' health absent their affirmative consent?
10. Will TikTok commit to stop utilizing data related to its users' health from third parties for targeting advertisements or for any other purpose?
11. Will TikTok commit to not selling American user data to third parties, including subsidiaries or parent companies, in the future?

Minors

12. Of TikTok's projected revenue for 2023, how much do you anticipate being generated through personalized advertisements to minors aged 13-17?
13. Will TikTok commit to ending targeted marketing to users under the age of 18?
14. Will TikTok commit to fixing a loophole that allows underage users to delete their accounts and set up a new one with a false, older age with the same email address?
15. Will TikTok commit to developing methods for parents to monitor their child's use of the app that does not require them to download the app?
16. Will TikTok commit to creating an option that would allow parents to set their own screen limits for their kids?
17. Will TikTok commit to extending the same protections given to children in the UK, under its age-appropriate design code, to American children?

Project Texas

18. Please provide a breakdown of the \$1.5 billion of expenses TikTok has invested in Project Texas.
19. How many TikTok employees are designated specifically to work on Project Texas?

20. How is TikTok considering the future of Project Texas in the event of a sale or ownership changes? Are there elements of Project Texas that TikTok would change prior to any of these changes?
21. What type of American user data could be permissibly transferred out of the United States under Project Texas?
22. How is data anonymized as part of Project Texas and is data ever de-anonymized for any reason?
23. How does TikTok distinguish between data that would be shared outside the United States for interoperability purposes and data that will remain strictly in the United States?

#### Research

24. Will TikTok commit to expanding access to its Application Programming Interface so that researchers can investigate how your algorithm is pushing content to users on their For You pages, the hashtag page, or anywhere else on the platform?
25. Why does TikTok require that researchers who study your data give TikTok worldwide, free, non-exhaustive, and perpetual rights to their papers?

#### Spanish Language Disinformation

26. Does TikTok have a strategy for addressing Spanish-language content that violates its trust and safety guidelines?
27. When offensive English search terms or hashtags are blocked for violating community guidelines in English, is the Spanish translation of the term automatically blocked as well?
28. How many people at TikTok are working to address Spanish-language misinformation and disinformation specifically?
29. How does TikTok ensure that Spanish-speaking users are not being targeted by ads promoting harmful content?
30. Does TikTok give Spanish-language users warning when content is graphic or violent, or label state-owned media accounts so that viewers are not exposed to propaganda?

Mr. Shou Zi Chew

April 13, 2023

Page 5

Thank you for your prompt reply. Please reach out to Harry Samuels or Will McAuliffe with the Democratic Committee staff at (202) 225-2927 with any questions.

Sincerely,

A handwritten signature in blue ink that reads "Frank Pallone, Jr." in a cursive style.

Frank Pallone, Jr.  
Ranking Member

cc: The Honorable Cathy McMorris Rodgers  
Chair  
Committee on Energy and Commerce