

**1. During the period of time it was available on the public internet, how many times was the Microsoft Celeb database accessed by individuals located within the People’s Republic of China?**

The MS Celeb database was retired in 2019. Microsoft does not retain data indicating the location of individuals who accessed the site prior to that point.

**2. How much money has Microsoft invested in artificial intelligence development in the People’s Republic of China?**

Microsoft incorporates artificial intelligence (AI) into nearly all our products and services. We account for AI-related expenditures at the business unit level, not by geographic region. Microsoft does conduct certain AI work in China, subject to careful controls that go beyond what U.S. export controls and other applicable laws and regulations require. Microsoft Research Asia (MSRA), for example, does not engage in collaborative research with researchers or students who are attending or employed by Chinese military institutes, and such students and researchers are ineligible for internships, fellowships, or academic research grants. Likewise, MSRA does not partner with any academic in China who is employed by a university on the Bureau of Industry and Security’s Entity List or Unverified List. It also does not undertake any such collaborations in China involving sensitive AI use cases like facial recognition or synthetic media.

In general, Microsoft believes that U.S. national security interests are best advanced by U.S. technology leadership on the global stage. Our work in China serves this goal by providing Microsoft access to world-class talent and enabling us to stay at the heart of the global tech ecosystem. The research we do at MSRA is made public and freely available globally, advancing the state of the art in computer science. At the same time, we are clear-eyed about the risks of working in China and vigilant about protecting U.S. national security.

Ensuring U.S. technology leadership also requires accelerating domestic innovation. Microsoft is proud to be at the forefront of U.S. AI innovation. We invest substantial sums annually both in AI development and in building the secure, state-of-the-art data centers required to run frontier models. We are also strong supporters of the National AI Research Resource (NAIRR), which will ensure that government researchers and academics have access to the compute power necessary to conduct cutting-edge research.

**3. How many China-based Microsoft employees are members of the Chinese Communist Party?**

Microsoft does not ask employees in China or elsewhere to provide information about affiliations with political parties.

- 4. To the extent you are aware, has the personal data of American citizens ever been accessed by China-based Microsoft employees? If not, please provide a full explanation of all security measures employed by Microsoft to prevent such access.**

Microsoft is an industry leader in protecting personal data. We live up to our commitment to protect customer privacy by providing products, information, and controls to help customers make informed choices about their data. We publish a Microsoft Privacy Report twice a year to give customers the latest information on what personal data we collect, how it may be used, and how to manage and control their data.

At times, our global engineering teams must access customer environments where data resides to improve the quality and reliability of our products and services and to address customer service issues. All such access is governed by our global privacy policies. Microsoft does not grant its engineers outside the United States standing access to Bing Chat data that is linked to individual names, for example. When necessary to complete engineering tasks, however, such engineers may obtain access to chat data that is not associated with any account registration information (including the user's name).

- 5. How does Microsoft verify that users of its Bing chatbot meet the purported age requirement of 13?**

At Microsoft, we recognize we have a responsibility to ensure that younger users' experiences with technology are safe, age-appropriate, and advancing their best interests. While we believe there are real opportunities for young people to make the most of generative AI and other technologies, including to support their learning and access to information, we also recognize that young people may be vulnerable to unique harms and we take steps to address those risks.

To access the full Bing chat experience, individuals must sign up for a Microsoft account. Consistent with the U.S. industry standard and the Children's Online Privacy Protection Act (COPPA), we have long required an age gate before a Microsoft account may be created in the United States. Individuals identified as under the age of 13 are prevented from creating an account unless their parent provides verified consent, and in those cases, the account comes with a variety of parental controls and safety settings. Not only do Microsoft child accounts come with these additional safety settings and parental controls, they also are prohibited from accessing the full Bing chat experience, as well as the recently released Copilot feature for Windows.

While our approach to age verification represents the industry best practice, this is an area where industry and policymakers should continually reassess current practices and seek improvement. Identifying child users is important to keeping them safe and ensuring that their experiences are age-appropriate. However, age assurance methods require key trade-offs between accuracy, privacy, and other critical interests, and getting

that balance right is important. These topics are subject to active discussion and study by civil society, policymakers, academia, and industry in jurisdictions around the world. We are committed to partnering with others on these issues and are already working diligently to identify innovations to keep kids safe while enabling the public to access information and protecting personal privacy.

For instance, the Xbox Live service recently launched an age verification test pilot in August 2023 with a small set of U.S. Xbox beta testers over the age of 18. The pilot asks beta testers to match a selfie and a government identification to verify that they are 18+. Xbox launched this test pilot to better understand consumer preferences in this area, what consumers' concerns would be in using an age verification mechanism, and how to build a verification experience in a privacy-protective and legally compliant manner. While we are excited about the potential for innovation in this area, more research is needed to ensure that age assurance mechanisms like these, which require verification of either facial features or other personally identifiable information from customers, are respectful of privacy, protective of data, and can be implemented safely.

We believe there is a need for research to help understand how younger users interact with generative AI more broadly, what its impact might be, and whether (for example) it might be used in ways to make children's online experiences safer. This is work we are actively exploring in partnership with others.

Finally, we continue to support efforts in Congress and in state capitals to pass new laws and expand upon the protections contained in COPPA.

**6. Please provide a full explanation of Microsoft's rationale for setting the Bing chatbot age requirement at 13, rather than at 18.**

Prior to the launch of Microsoft's new Bing experience, we proactively analyzed the potential benefits and risks the new features could entail for child and teen users. We recognized that the benefits of AI are not risk-free, and an essential component of Microsoft's Responsible AI program is to identify potential harms, measure their propensity to occur, and build mitigations to address them. While this approach is important for all users of our technology, it is critical for our youngest users.

We determined there are real opportunities for young people to use generative AI in positive ways to assist with their learning, enhance their access to important educational information, and position them to seize future economic opportunities. However, we also recognized that younger users have unique needs, and child users may not always understand the limits of the technology with which they are engaging, particularly when that technology is relatively novel. Accordingly, like we do with our other services, we aimed to take a balanced approach that enables young people to enjoy the benefits of

technology while protecting their safety and wellbeing. We have developed and implemented a strong safety architecture for the Bing chatbot that addresses important child safety needs. In addition, based on an analysis of the potential risks and consistent with our wider approach to safety, Microsoft child accounts (i.e., accounts for those under 13, for which we have special obligations under COPPA) are currently prohibited from accessing the full new Bing experience.

**7. How many times has the Chinese government requested user data from Microsoft's Chinese operations—whether pursuant to China's "national security law," or for some other reason?**

Microsoft does not provide any government with direct or unfettered access to our customers' data, and we do not provide any government with our encryption keys or the ability to break our encryption. If a government seeks customer data, it must follow applicable legal process. All requests must include information about specific accounts and identifiers. Microsoft's legal compliance team reviews all requests to ensure they are compulsory and valid and rejects those that are invalid. Between January 2021–December 2022, which includes our most recent reporting period, Microsoft received 25 legal requests from Chinese law enforcement authorities; Microsoft rejected all of them and did not release customer data. These statistics are reported in our biannual transparency report, titled Law Enforcement Request Report (available at <https://www.microsoft.com/en-us/corporate-responsibility/law-enforcement-requests-report>).

Separately, while we have chosen not to offer several consumer-facing products and services in China that we offer elsewhere in the world, we have licensed certain cloud services technology for enterprise customers in China to a third-party services provider in China. This third-party operates the local data centers in China and provides subscription and billing services, as well as technical support. The entity is contractually obligated to follow Microsoft's lawful access policies in the event it receives a government request for data.