



**TikTok’s Responses to Questions for the Record from Senator Durbin  
Submitted March 7, 2024**

**1. For each year from 2019 to 2023, please provide the following:**

**a. the total number of users on your platform;**

TikTok is an online community of more than a billion people worldwide -- including well over 170 million Americans. We believe that the average U.S. user is over 30 years of age.

**b. the total number of users under the age of 18 on your platform;**

As a privately held company, TikTok does not disclose specific user numbers.

**c. the estimated number of users under the age of 13 on your platform;**

As a privately held company, TikTok does not disclose specific user numbers.

**d. the number of users of your platform under the age of 18 who were paired with a parent or guardian’s account using your Family Pairing tool?**

As a privately held company, TikTok does not disclose detailed statistics about its users or adoption of specific features.

**e. your company’s annual revenue;**

As a privately held company, TikTok does not disclose annual revenue or other financial specifics.

**f. your company’s annual budget for trust and safety;**

We expect to invest more than two billion dollars in trust and safety efforts in 2024, with a significant part of that investment in our U.S. operations.

**g. your company’s annual budget to address online child sexual exploitation;**

As a privately held company, TikTok does not disclose annual revenue or other financial specifics.

**h. the total number of employees working to address trust and safety;**

TikTok currently has more than 40,000 trust and safety professionals working to protect our community.

**i. the total number of employees working to address online child sexual exploitation.**

TikTok currently has more than 40,000 trust and safety professionals working to protect our community. We deploy a combination of automated technology and skilled human moderators who take into account additional context and nuance which may not always be picked up by technology. Our moderators are trained across all Community Guidelines violations, including youth safety issues. Some violations require further work by specialized moderators in specialized queues.

**2. How did your company determine that 13 was the appropriate age for a child to begin using your platform?**

TikTok is deeply committed to ensuring that its platform provides a safe and positive experience, especially for people under the age of 18. TikTok follows the Federal Trade Commission’s (“FTC”) guidance and provides a separate experience in the U.S. for users under 13. This curated viewing experience has additional safeguards and privacy protections designed specifically for a younger audience. In line with the FTC’s guidance on children’s privacy, users 13 and older may access the full TikTok experience.

TikTok provides additional safeguards for teen users, including: (1) a default daily screen time limit of 60 minutes, (2) setting accounts to private by default, (3) restricting access to host LIVE content or engage in financial transactions, and (4) turning off push notifications at night. Users under 16 may not have content recommended to people they do not know in the For You feed, may not send or receive direct messages, may only receive comments on their content from friends, and their videos are not available for duets or stitches. These measures help further TikTok’s goal of providing young people with an experience that is developmentally appropriate and help ensure a safe space for self-exploration.

**3. What legal obligation does your company have in the United States to ensure that your platforms are safe for children before they are launched?**

TikTok’s goal of providing an age-appropriate experience to its users begins with an industry-standard neutral age gate that is consistent with the Federal Trade Commission’s (“FTC”) guidance for age verification under the Children’s Online Privacy Protection Act (“COPPA”). If an individual selects a birthdate that indicates that they are under the age of 13 when creating a TikTok account in the U.S., they are directed to TikTok’s under 13 experience, where they can watch a curated library of age-appropriate videos. In addition to being restricted to only certain approved content, users in the under 13 experience cannot access many of the features and functions that are available to users on the 13+ experience. For example, they are not able to post videos on the platform, comment on videos, message other users, maintain a profile or followers, receive ads, or be directed off the TikTok platform.

Beyond age gate, TikTok uses technologies and human moderators, as well as user and third party reporting, to detect and remove users in the 13+ experience who are suspected to be under 13. An account in the 13+ experience that is flagged as being potentially under 13 is routed to a

dedicated team of trained moderators who would review the account to determine if it should be banned for not meeting the minimum age requirement. If the moderator makes a determination that the account belongs to a suspected underage user, the account would be removed from the 13+ experience.

- 4. For users under the age of 18,**
  - a. what are the default privacy settings for their accounts?**
  - b. what limitations are placed by default on content these users can access, content that will be directed toward them, and individuals they can communicate with?**
  - c. can they change their default settings without the awareness of their parent or guardian, or without the consent of their parent or guardian?**
  - d. in 2023, how many changed their default settings?**

TikTok promotes a safe and age-appropriate experience for teen users between ages 13 through 17 by utilizing a multi-faceted, multi-level approach that currently includes the following age-based default settings:

- Accounts ages 13-15:
  - Have a 60 minute screentime limit by default
  - Cannot send or receive [virtual gifts](#)<sup>1</sup>
  - Are set to private by default
  - Cannot access direct messaging
  - Cannot host a livestream
  - Cannot buy or sell on TikTok Shop
  - Are not able to have their content recommended to people they do not know in the For You feed
  - Cannot have their content Dueted or Stitched
  - Do not receive push notifications from 9 pm to 8 am
  - Do not have their accounts recommended to others by default. If the user changes this option, their account still will not be recommended to people 18 and over
- Accounts ages 16-17:
  - Have a 60 minute screentime limit by default
  - Cannot send or receive [virtual gifts](#)
  - Private account option is pre-selected by default at account registration

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<sup>1</sup> <https://newsroom.tiktok.com/en-us/updating-our-gifting-policies>

- Cannot host a [livestream](#)<sup>2</sup>
- Cannot buy or sell on TikTok Shop
- Do not receive push notifications from 10 pm to 8 am
- Do not have their accounts recommended to others by default. If the user changes this option, their account still will not be recommended to people 18 and over

In addition, we offer parental controls. Family Pairing allows a parent or guardian to link their TikTok account to their teen’s account to directly manage a number of safety controls for their teen’s account, including:

- Account privacy: Set their teen’s account to private or public.
- Comments: Restrict who can comment on their teen’s videos.
- Direct Messages: Restrict who, if anyone, can send private messages to the account
- Daily screen limits: Set the amount of time spent on TikTok each day
- Screentime dashboard: See their teen’s time spent on TikTok
- Search settings: Restrict their ability to search for content
- Push notifications: Restrict push notifications to their teens during certain times
- Keyword filters: Add hashtags or keywords they would prefer their teen not see in their For You feed recommendations
- STEM feed: Enable TikTok’s STEM feed - a feed featuring videos related to science, technology, engineering, and math - on their teen’s account

We help our community understand and control how they spend their time on TikTok. For example, we offer:

- Screen time dashboards that provide insight into how and when a community member is using TikTok;
- Screen time breaks that nudge our community members to take a break from the app after a period of uninterrupted screen time;
- Sleep reminders that allow people to set a reminder to log off at a certain time of day;
- Daily screen time limits that allow people to determine on how much time they spend on TikTok each day; and
- Screen time updates that allow people to receive weekly info about their screen time usage.

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<sup>2</sup> <https://newsroom.tiktok.com/en-us/enhancing-the-live-community-experience-with-new-features-updates-and-policies>

TikTok has also introduced [Content Levels](#)<sup>3</sup> to help prevent content with overtly mature themes, such as graphic violence or cosmetic surgery, from reaching audiences between ages 13-17. Moreover, TikTok has invested in creating tools that help people create the best TikTok experience for them. For example:

- People can filter hashtags and keywords from their For You feed;
  - They can ‘Refresh’ their For You feed if their recommendations start to feel stale; and
  - They can indicate if they’re ‘Not interested’ in certain content.
- 5. If the default settings are different for users aged 16 and 17 than they are for users under the age of 16, please explain why your company takes this position, how this position was developed, and whether any company personnel voiced objections to or raised concerns about this position.**

At TikTok, we work to design tools and policies that promote a safe and age-appropriate experience for teens ages 13-17. While adolescents mature at different rates, based on research and our work with experts we believe that there are generally differences between a 13 year old and 17 year old when it comes to maturity and what may be appropriate, and therefore have even stricter measures to protect younger teens. For example, accounts ages 13-15 cannot have their content Dueted or Stitched, whereas accounts ages 16-17 can restrict who can Duet or Stitch their content.

We also aim to provide parents with resources they can use to have conversations about digital safety and decide the most comfortable experience for their family, including our [Family Pairing features](#)<sup>4</sup> and our new [Guardian’s Guide](#)<sup>5</sup> to TikTok.

- 6. What studies, research, summaries, or data does your company have reflecting the efficacy of its parental controls and child safety measures? Please provide these studies, research, summaries, or data.**

Our minor safety team holds a high bar of rigor for developing policy. Our policies are informed by peer-reviewed academic literature and ongoing consultation with external scholars. We work with leading youth-safety and well-being experts, as well as adolescent psychologists, to inform our approach. For example, TikTok partnered with Boston Children’s Hospital, which launched a [Digital Wellness Lab](#)<sup>6</sup> to serve as a research innovation hub for studying the impact that digital technologies have on the well-being and mental health of children. We seek out feedback, research, and best practices from such experts and organizations, and we use this information to help design TikTok in a way that considers and supports the unique needs of teens. Based on input from these experts and published research in this space, we have adopted a nuanced, age-

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<sup>3</sup> <https://newsroom.tiktok.com/en-us/more-ways-for-our-community-to-enjoy-what-they-love>

<sup>4</sup> <https://newsroom.tiktok.com/en-us/supporting-youth-and-families-on-tiktok>

<sup>5</sup> <https://www.tiktok.com/safety/en-us/guardians-guide/>

<sup>6</sup> <https://digitalwellnesslab.org/>

appropriate approach that distinguishes between early teens (age 13-15) and late teens (age 16-17).

For example, last year every account belonging to a user below age 18 automatically had a 60-minute daily screen time limit. While there’s no collectively-endorsed position on the ‘right’ amount of screen time or even the impact of screen time more broadly, we consulted current academic research and experts from the [Digital Wellness Lab](#) in choosing the limit. If the 60-minute limit is reached, teens will be prompted to enter a passcode in order to continue watching, requiring them to make an active decision to extend that time.

[Research](#)<sup>7</sup> also showed that being more aware of how we spend our time can help us be more intentional about the decisions we make. So we also decided to prompt teens to set a daily screen time limit if they opt out of the 60-minute default and spend more than 100 minutes on TikTok in a day. This built on a prompt we rolled out the previous year to encourage teens to enable screen time management. In addition, we send every teen account a weekly inbox notification with a recap of their screen time.

## **7. Concerning international law,**

### **a. what steps have your company and its subsidiaries taken to comply with the European Union’s *Digital Services Act*?**

In response to the Digital Services Act (“DSA”), we introduced [an additional reporting option](#)<sup>8</sup> for our European community (i.e., TikTok users located in EEA countries) that will allow people to report content they believe is illegal, including advertising. People can choose from a list of categories such as hate speech, harassment, and financial crimes, and we provided a guide to help people better understand each category.

Under the DSA, we also provide our community in Europe with information about a broader range of content moderation decisions. For example, if we decide [a video is ineligible for recommendation](#)<sup>9</sup> because it contains unverified claims about an election that is still unfolding, we let users know. We also share more detail about these decisions, including whether the action was taken by automated technology, and we explain how both content creators and those who file a report can appeal a decision.

We have also been [transparent](#)<sup>10</sup> about the recommendation system that powers the For You feed, which sits at the heart of the TikTok experience. As part of our efforts to meet DSA requirements, our European community have another way to discover content on TikTok by turning off personalized recommendations. This means their For You and LIVE feeds will instead show popular videos from both the places where they live and around the world, rather than recommending content to them based on their personal interests. Similarly, when using non-

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<sup>7</sup> <https://www.internetmatters.org/resources/intentional-use-report/>

<sup>8</sup> <https://www.tiktok.com/legal/page/global/reporting-illegal-content/en>

<sup>9</sup> <https://www.tiktok.com/community-guidelines/en/fyf-standards/>

<sup>10</sup> <https://newsroom.tiktok.com/en-us/how-tiktok-recommends-videos-foryou>

personalized search, they will see results made up of popular content from their region and in their preferred language. Their Following and Friends feeds will continue to show creators they follow, but in chronological order rather than based on the viewer’s profile.

Accounts for those aged under 16 are set to private by default globally and their content cannot be recommended in For You feeds. Now, users in Europe aged 13-17 will also no longer see [personalized advertising](#)<sup>11</sup> based on their activities on or off TikTok. People already have control over the ads they can see and they can toggle personalized ads on or off in their settings. Finally, we expanded eligibility for our Research API to academic researchers in Europe. These tools were designed to enhance transparency about content on our platform and are informed by feedback we’re hearing from researchers and civil society.

More information about these efforts can be found [here](#)<sup>12</sup>.

**b. what steps has your company and its subsidiaries taken to comply with the United Kingdom’s *Online Safety Act*?**

While the Online Safety Act (“OSA”) has been passed by the UK Parliament, it has not substantively come into effect. In particular, much of the practical operation of the OSA is dependent on the completion of a number of consultations by the UK regulator, Ofcom, which are scheduled to take place this year and next. A link to Ofcom’s plan for the roll-out of the OSA obligations can be found [here](#)<sup>13</sup>.

In the meantime, TikTok is regulated under the UK’s existing content regulation law, the ‘Video Sharing Platform’ (“VSP”) regulation. TikTok has been complying with this regulation for approximately two years. The VSP includes obligations relating to the protection of minors from content that is not suitable for those under the age of 18 and users more generally from ‘harmful material’ (e.g., content likely to incite hatred, racism, terrorism or that constitutes the distribution or dissemination of CSAM). An overview of the VSP regulation can be found [here](#)<sup>14</sup>.

**c. what steps has your company and its subsidiaries taken to comply with Australia’s *Online Safety Act*?**

The Online Safety Act 2021 (Cth) requires all businesses that offer online services to users in Australia to comply with the specific requirements outlined in the Online Safety Act itself, but also the requirements detailed in the Basic Online Safety Expectations (“BOSE”), and the relevant industry code that applies to the business. For TikTok, the relevant industry code is the Social Media Services Code (“SMS Code”).

In respect of the requirements under the Online Safety Act itself, TikTok established internal processes to ensure that it can appropriately and efficiently respond to all valid notices issued by

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<sup>11</sup> <https://www.tiktok.com/business/en/blog/privacy-updates-improved-data-control-transparency-tools>

<sup>12</sup> <https://newsroom.tiktok.com/en-eu/fulfilling-commitments-dsa-update>

<sup>13</sup> <https://www.ofcom.org.uk/online-safety/information-for-industry/roadmap-to-regulation>

<sup>14</sup> <https://www.ofcom.org.uk/online-safety/information-for-industry/vsp-regulation>

the eSafety Commissioner. For example, TikTok established a process to ensure that valid takedown notices are actioned and removed within the designated time period (being 24 hours in the case of Class 1 or Class 2 Material, and non-consensual sharing of intimate images, or 48 hours in the case of cyberbullying material targeted towards an Australian child or an Australian adult).

In respect of the requirements under the BOSE, our internal analysis concluded that TikTok already met the ‘core expectations’ outlined in the BOSE, including but not limited to, the requirement to:

- take reasonable steps to ensure that end-users are able to use the service in a safe manner;
- take reasonable steps to minimize cyber bullying material, non-consensual intimate images of a person, material depicting or promoting abhorrent violent conduct;
- take reasonable steps to ensure measures are in effect to prevent access by children to class 2 material (sexual activity / nudity / drugs / violence);
- ensure that the service has clear and readily identifiable mechanisms to report and make complaints about certain material provided on the service;
- take reasonable steps so that penalties for breaches of terms of use are enforced.

We also took steps to meet the ‘additional expectations’, including providing the eSafety Commissioner with a designated contact point for online safety matters and adding an additional help center resource for the Australian community. TikTok also responded to its first BOSE reporting notice in 2023, which related to CSEA and CSAM, and eSafety’s transparency report (which compares platforms’ performance) is available [here](#)<sup>15</sup>.

In respect of the requirements under the Industry Codes Head Terms and the SMS Code, again our internal analysis concluded that the TikTok platform already met the majority of the requirements under the Code. We also updated our help center resources and introduced a new reporting form for our Australian Community, making it easier for the Community to report any non-compliance with the Code.

**d. if those laws create a safer, healthier online experience for kids on your platforms, do you commit to implement these changes in the United States? If not, why not?**

TikTok is committed to helping ensure our community has a safe and positive experience on the platform. While this commitment is unwavering, we do not take a one-size-fits all approach, and a regional focus allows us to better understand local challenges and trends and develop informed solutions that consider unique local context and cultures. This commitment to localization enables us to create a more targeted, responsive approach to safety and enables us to stay up-to-date with the latest developments in each region.

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<sup>15</sup> <https://www.esafety.gov.au/sites/default/files/2023-10/Full-transparency-report-October-2023.pdf>



We work with our Regional Safety Advisory Councils and U.S. Content Advisory Council to bring together groups of independent experts who help us develop forward-looking policies and processes that not only address the challenges of today, but also plan ahead for the next set of issues that our industry will face. These councils are an important way to bring outside perspectives into our company and onto our platform.

Our council members represent a diverse array of backgrounds and perspectives, and are made up of experts in youth safety, free expression, hate speech, and other safety topics. They work collaboratively with us to inform and strengthen our policies, product features, and safety processes.

We have established eight regional Safety Advisory Councils in Asia Pacific, Brazil, Europe, Latin America, MENAT (Middle East, North Africa, Turkey), and a U.S. Content Advisory Council. We aim to continue expanding our regional presence.

- 8. Child predators have been found to use TikTok’s “Only Me” privacy setting to lure children into sharing CSAM with them. This setting allows users to upload private videos that are only visible to the user. Child predators exploit this feature by sharing a password with children and then asking those children to upload CSAM to the shared account using “Only Me.”**

**What steps does TikTok take to ensure “Only Me” isn’t misused in this way?**

We disagree with this assertion. When we find accounts attempting to obtain or distribute CSAM, we remove them, ban their device so they cannot create another TikTok account on the same device, and make reports to NCMEC. Whenever a video is uploaded to the TikTok platform -- including posted videos that are viewable only to the account holder -- the content is run through our automated moderation process. During this process, our systems work to detect and remove violations of our Community Guidelines, including CSAM, or flag content for human evaluation. If moderators find violations of our policies, the content will be removed. We provide special guidance to moderators to help ensure they are alert to signs of such behavior or content.

- 9. Although TikTok bans many hashtags associated with CSAM, by making slight variations in the spelling of CSAM hashtags, predators are able to easily locate victims and CSAM on the platform. Additionally, TikTok’s algorithm at times actually promotes these accounts to users who have demonstrated interest in similar accounts.**

**In addition to banning hashtags, what other steps does TikTok take to combat CSAM and prevent its algorithm from actively promoting these accounts?**

When TikTok bans a keyword, we also ban variations including misspellings and will ban any new variations we surface. Additionally, TikTok implements logic which identifies users displaying risky behaviors on platform (such as using problematic keywords, being blocked by minors, or posting or sharing sexualized content related to or featuring minors) and restricts

recommendations for these accounts. Accounts that exhibit potentially predatory behavior (i.e., where we do not have enough signal of a violation of our Community Guidelines) are not suggested to any users, and we also reduce exposure between such accounts and minors.

**10. In September 2021, TikTok announced it had 1 billion monthly users. In 2022, TikTok sent 288,125 reports to NCMEC’s CyberTipline. When comparing these numbers to other platforms, there is a clear discrepancy in the ratio of users to reports made. For example, Discord had only 150 million monthly users but made 169,800 reports in 2022.**

**How does TikTok explain the discrepancy in the number of reports it submitted to NCMEC?**

TikTok’s overall reports to NCMEC doubled between 2019 and 2022. However, we have no indication that increased numbers year-over-year mean that CSAM went undetected in prior years. For instance, NCMEC has a process for reaching out to platforms when it detects potential CSAM before the platforms do. The number of requests TikTok has received from NCMEC is extremely small compared to peer platforms, and we have addressed those requests promptly. To respond directly to your example, [in 2022, TikTok received only one request from NCMEC](#)<sup>16</sup>.

Each platform operates in very different ways, making direct comparisons difficult. For our part, TikTok makes deliberate design choices that make our platform inhospitable to those would seek to find or share child sexual abuse material. We realize that there is no finish line when it comes to keeping children safe, and we will always work to improve. To that end, TikTok is constantly working to evolve our detection capabilities. The more tools we bring to bear, the more effective we become at detecting and removing this content.

There is also a difference in how different platforms are designed. For example, there are no private groups on TikTok, and TikTok’s direct messaging system is not conducive to sharing violative content. For instance, accounts registered to users under 16 cannot send or receive direct messages, and users 16 or over can only send direct messages to mutual followers.

**11. TikTok claims that it has a zero-tolerance policy for child sexual abuse material. Yet, in a 2022 Forbes article, TikTok’s livestreaming function was described by one expert as “the digital equivalent of going down the street to a strip club filled with 15-year-olds.” TikTok Live allows users to livestream real-time videos. Other users can view the livestreams and send digital gifts to the host, which can then be redeemed for real money.**

**Despite TikTok’s policies prohibiting users under the age of 18 from hosting livestreams and sending or receiving digital gifts, underage users are being victimized and exploited on TikTok Live. Minors as young as fourteen are hosting livestreams for audiences of child predators, who use the comment function to coerce these children into performing explicit acts in exchange for digital gifts.**

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<sup>16</sup> <https://www.missingkids.org/content/dam/missingkids/pdfs/2022-notifications-by-ncmec-per-esp.pdf>



**Viewers often record this content and generate CSAM that is spread across third-party websites.**

**What steps is TikTok taking to combat this problem?**

TikTok account holders must be at least 18 years of age to livestream, and must also have a certain number of followers. TikTok's zero-tolerance policy on CSAM applies to livestreams. Livestreams are regularly monitored through automated processes and human moderation to detect violative content, including CSAM. Where appropriate, livestreams are interrupted and taken down. Any livestream or livestream comment that is detected and taken down that involves CSEA is also reported to NCMEC.

We use a variety of methods to detect CSAM on livestreams, but do not publicly disclose those methods in order to prevent bad actors from attempting to circumvent our systems. We would be willing to privately brief the Committee on these methods.

## **TikTok’s Responses to Questions for the Record from Senator Graham Submitted March 7, 2024**

### **1. Do you support S. 1207, the bipartisan EARN IT Act? Why or why not?**

We support efforts to address the challenges of child sexual abuse material (“CSAM”) and are open to working closely with Congress for legislative solutions that address the problem directly. However, as currently drafted, the EARN IT Act would expand liability for platforms that make substantial efforts to eliminate CSAM. We are also concerned that it may lead to unintended consequences, such as overmoderation and censorship. We believe that legislation, such as the Invest in Child Safety Act, can effectively address the challenge of CSAM by significantly increasing resources for law enforcement agencies to investigate and prosecute CSAM reports made to the National Center for Missing and Exploited Children (“NCMEC”).

### **2. What measures are you taking to prevent and address sextortion, including financial sextortion, on your companies’ platforms?**

#### **a. What methods are in place to detect and disrupt this type of abuse in real time?**

We do not allow youth exploitation and abuse, including nudity, grooming, sextortion, solicitation, pedophilia, and physical or psychological abuse of young people. Our real time detection efforts can be seen in our most recent [Community Guidelines Enforcement Report](#)<sup>1</sup>, which shows that we proactively removed roughly more than 96% of identified violative content before it was reported.

We want everyone to feel safe and comfortable when they spend time on TikTok. That’s why our Community Guidelines apply to everyone and everything on the platform, whether videos, livestreams, or comments. TikTok has always had strict policies prohibiting nudity, sexual activity, and sexually explicit content, including content that directs users to adult websites or apps. This includes content categories that are not eligible for recommendation, including implied nudity, sensual content, and other content that may be allowed on the platform, but is not suitable for all audiences over age 13.

TikTok reports to NCMEC text-based violations both for comments and direct messages. These reports usually involve cases of online enticement behavior, but can also include grooming, minor sexual solicitations and sextortion cases.

TikTok also participates in NCMEC’s [Take It Down](#)<sup>2</sup> service, which is a free service that can help process requests to remove or stop the online sharing of nude, partially nude, or sexually explicit images or videos taken when someone is under 18 years old.

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<sup>1</sup> <https://www.tiktok.com/transparency/en-us/community-guidelines-enforcement-2023-2/>

<sup>2</sup> <https://takeitdown.ncmec.org/>



**3. Please provide the committee statistics on how long it takes your company to respond to various types of legal process from law enforcement?**

In 2023, on average, TikTok responded to legal process requests within 29 days.

Type of Legal Process	Average (Days)
Preservation/Preservation Extension Requests:	9.8
Subpoenas/Grand Jury Subpoenas:	23.8
Court Order	12.1
Search Warrant	37.9
PR/TT	42.8
<b>Total Average</b>	<b>29.2</b>

**4. Do you notify your users when law enforcement serves subpoenas/summons for subscriber information and specifically requests not to notify the subscriber/user?**

**a. If you notify the subscriber, how long do you wait until notification goes out?**

TikTok currently does not notify U.S. users when served with legal process by law enforcement. Should we provide user notice in the future, we will comply with valid non-disclosure orders. The current process for non-government and civil legal requests ensures the notification is sent within 3 days of intake. Upon Notice, TikTok provides a deadline of 14 calendar days (unless the legal request provides alternate specific direction).

**b. Are you aware that by notifying the subscriber about a law enforcement subpoena for their subscriber information that you are jeopardizing critical evidence that could be erased before law enforcement can serve warrants?**

We do not currently notify U.S. users when law enforcement serves legal process. Should we provide user notice in the future, we will comply with valid non-disclosure orders.

**c. Would your company agree to a 90-day non-disclosure to subscribers to allow law enforcement ample time to secure proper legal process?**

We do not currently notify U.S. users when law enforcement serves legal process. Should we provide user notice in the future, we will comply with valid non-disclosure orders.

- 5. Do you actively seek out and incorporate feedback and insight from survivors of online sexual exploitation to improve your trust and safety policies and practices and to prevent and disrupt child sexual abuse material (CSAM) production and distribution on your platform? Can you provide examples?**
- a. If not, please explain.**

We engage closely with organizations that work directly with survivors of online sexual exploitation, who facilitate these conversations and provide insights. These groups include:

- [Internet Watch Foundation](https://www.iwf.org.uk/)<sup>3</sup>
- [WePROTECT Global Alliance](https://newsroom.tiktok.com/en-us/tiktok-joins-weprotect-global-alliance)<sup>4</sup>
- [National Center for Missing & Exploited Children](https://www.missingkids.org/HOME)<sup>5</sup>
- [International Justice Mission](https://www.ijm.org/our-work)<sup>6</sup>
- [National Center on Sexual Exploitation](https://endsexualexploitation.org/about/)<sup>7</sup>

- 6. During our hearing, you testified that you collaborate with parents and parent organizations to create mechanisms to keep children safe online. Please elaborate and cite examples of your company’s work with non-employee parents and parent organizations.**

TikTok is continuously working to provide a safe app experience for our community, and we aim to be a leader in this area. We recognize, however, that technology is ever-evolving and that we need to be prepared to address unexpected trends and challenges as they arise. Beyond our efforts with NCMEC, TikTok regularly consults with and listens to organizations that support minor safety efforts:

- We worked with ConnectSafely—a nonprofit dedicated to educating users of connected technology about safety, privacy, and security—to develop a TikTok-specific guide for parents and teens.
- TikTok is a member of Family Online Safety Institute (“FOSI”), which convenes leaders in industry, government, and the non-profit sectors to collaborate and innovate new solutions and policies in the field of online safety. We’ve partnered with FOSI on TikTok’s Top 10 Tips for Families guide and to create the [TikTok Tools & Resources For Families guide](https://www.fosi.org/good-digital-parenting-tool/tiktok-resources-for-families)<sup>8</sup> to help parents and teens create a fun, safe, and age-appropriate experience on the platform. Among other things, this guide provides steps to report content if a user believes it violates our Community Guidelines, and links to additional resources such as our Youth Portal and Guardian’s Guide.

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<sup>3</sup> <https://www.iwf.org.uk/>

<sup>4</sup> <https://newsroom.tiktok.com/en-us/tiktok-joins-weprotect-global-alliance>

<sup>5</sup> <https://www.missingkids.org/HOME>

<sup>6</sup> <https://www.ijm.org/our-work>

<sup>7</sup> <https://endsexualexploitation.org/about/>

<sup>8</sup> <https://www.fosi.org/good-digital-parenting-tool/tiktok-resources-for-families>

- We are an active member of the Tech Coalition, a global alliance of technology companies to protect children online. In addition to being on its board, we also co-lead the multi-stakeholder forum on Minor Financial Sextortion held last year, and we chair committees within the organization to advance the fight against online child sexual exploitation and abuse.
- We are part of the WePROTECT Global Alliance, the largest and most diverse multi-sector alliance dedicated to ending online child sexual exploitation.
- Internet Watch Foundation (“IWF”) is a vital partner for TikTok in our work to counter online child sexual abuse and exploitation. TikTok accesses IWF’s URL and keyword list and, via NCMEC, its hash database of known child sexual abuse images. In addition to its frontline work, IWF provides insight on new and emerging trends and acts as a convener for key stakeholders.
- TikTok partners with the Boston Children’s Hospital’s Digital Wellness Lab, to provide resources for families, educators, and clinicians and research to understand and promote child and family wellness.
- In addition, we host global [Advisory Councils](#)<sup>9</sup>, and have formally established a [Youth Council](#)<sup>10</sup> that directly engages with teens to solicit their input.

Additionally, TikTok is part of the alliance in support of the Voluntary Principles to Counter Online Child Sexual Exploitation and Abuse. This alliance brings together governments across the world, including the United States; digital platforms and other private companies; and civil society and intergovernmental organizations. The objective is to collaborate across sectors and industries to address online threats to minors. TikTok also works with a group of non-governmental organizations as part of a CSAM intervention project designed in part to help direct users to appropriate resources.

Beyond the partnerships with leading organizations in the space, we see others finding great success in leveraging TikTok as a platform to spread critical safety messages. For example, Thorn launched an in-app campaign called NoFltr, which facilitated a conversation between youth and adults on the sharing of nude images and consent. We also worked in collaboration with Thorn researchers and our policy team to inform our policy and features related to their findings.

We engage in these partnerships because online threats are complex and dynamic. No single company or government can solve these problems in a vacuum. We look forward to continuing our own work, as well as our collaborations, to make a meaningful difference in keeping our community safe.

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<sup>9</sup> <https://www.tiktok.com/transparency/en/advisory-councils/>

<sup>10</sup> <https://newsroom.tiktok.com/en-us/updating-family-pairing-and-establishing-tiktoks-youth-council>

- 7. Why does your company have the age limit of 13 years old for a user to sign up for an account?**
- a. Why not younger or older?**

TikTok is deeply committed to ensuring that its platform provides a safe and positive experience, especially for people under the age of 18. TikTok follows the Federal Trade Commission’s (“FTC”) guidance and provides a separate experience in the U.S. for users under 13. This curated viewing experience has additional safeguards and privacy protections designed specifically for a younger audience. In line with the FTC’s guidance on children’s privacy, users 13 and older may access the full TikTok experience.

TikTok provides additional safeguards for teen users, including: (1) a default daily screen time limit of 60 minutes, (2) setting accounts to private by default, (3) restricting access to host LIVE content or engage in financial transactions, and (4) turning off push notifications at night. Users under 16 may not have content featured in the For You feed, may not send or receive direct messages, may only receive comments on their content from friends, and their videos are not available for duets or stitches. These measures help further TikTok’s goal of providing young people with an experience that is developmentally appropriate and help ensure a safe space for self-exploration.

- 8. How many minors use your platform? How much money does your company make annually from these minors?**

TikTok has an average 170 million monthly average users and we believe that the average U.S. user is over 30 years of age. As a privately held company, TikTok does not disclose detailed user numbers or revenue.

- 9. What percentage of your employees work on trust and safety and how much money does your company invest annually in trust and safety?**

TikTok currently has more than 40,000 trust and safety professionals working to protect our community. We expect to invest more than two billion dollars in trust and safety efforts in 2024, with a significant part of that investment in our U.S. operations.

- 10. It is sometimes challenging for law enforcement conducting criminal investigations to determine the true identity of a person behind a name on social media or other online platforms, and whether an online identity is an actual person. What are you doing to validate the true identity of users – or the fact that a user is a human – when they create an account on your platforms?**

Like our industry peers, TikTok does not verify user identity for most accounts. We do verify user identity in certain circumstances including the verification badge process for high profile accounts and the process that allows us to make payments to certain creators. A verified badge means that TikTok has confirmed the account belongs to the person or brand it represents. In order to verify an account, users submit a verification request, and TikTok collects information to help ensure that the account holder can be verified.



To build a trusted community online, our Community Guidelines prohibit account behaviors that may spam or mislead our community. The following behaviors are not allowed on TikTok:

- Spam, including
  - Accounts that are operated: (1) in bulk, (2) through unauthorized automation, or (3) in order to distribute high-volume commercial content
  - Operating networks of accounts that represent similar entities or post similar content to lead others to specific locations (on or off-platform), such as other accounts, websites, and businesses
- Impersonation, including:
  - Accounts that pose as another real person or entity, such as using someone’s name, biographical details, content, or image without disclosing it
  - Presenting as a person or entity that does not exist (a fake persona) with a demonstrated intent to mislead others on the platform

If we determine someone has engaged in deceptive account behaviors such as spam or impersonation, we will [ban the account](#)<sup>11</sup>, and may ban any new accounts that are created.

**11. Is your company using safety technology to detect and prevent live video child sexual abuse on your platforms and apps that allow users to stream or share live video? If not, please explain.**

Yes. Internally, we have developed a wide range of technology capabilities to detect both content risk (e.g., LIVE video depiction of child abuse, CSAM content, text based content) and behavior risk (e.g., predator, groomer). We do not publicly disclose those methods in order to prevent bad actors from attempting to circumvent our systems, but would be willing to privately brief the Committee on these methods.

**a. Has your company tested that or similar technology? If not, are you developing similar technology to address child sexual abuse in live video?**

Yes. For example, in 2023 we conducted an evaluation with a trusted third party vendor sponsored by the Technology Coalition, and our internal LIVE detection methods outperformed the vendor technology.

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<sup>11</sup> <https://www.tiktok.com/community-guidelines/en/accounts-features?cgversion=2023>

**12. How are you measuring if your trust and safety policies, practices, and tools are effective in protecting children from sexual abuse and exploitation on your platform?**

To ensure our policies stay up-to-date and effectively capture emerging risks and trends, TikTok regularly engages with industry, NGOs, academics, civil society, and other relevant organizations, including NCMEC and those referenced in our response to your Question 5.

We also believe that listening to the experience of teens is one of the most important steps we can take to build a safe platform for teens and their families. It helps us avoid designing teen safety solutions that may be ineffective or inadequate for the actual community they’re meant to protect, and it brings us closer to being a strong partner to caregivers as we can better represent teens’ safety and well-being needs. We launched TikTok’s global Youth Council, where we listen to the experiences of those who directly use our platform and be better positioned to make changes to create a safe experience for our community.

**a. What specific metrics or key performance indicators do you use?**

We review the efficacy of our policies, detection and enforcement based on several metrics, including the volume, accuracy and speed of removal of content that violates our Community Guidelines, the prevalence of CSAM and Child Sexual Exploitation and Abuse (“CSEA”) detected at creation and before any interactions or engagements, as well as the number of cases we report to NCMEC. Our quarterly [Community Guidelines Enforcement Reports](#)<sup>12</sup> also provides insight into our enforcement efforts, showing how we continue to uphold trust, authenticity, and accountability.

**13. Is your company using language analysis tools to detect grooming activities? If not, please explain.**

Yes, TikTok uses various language analysis tools to detect grooming activities, such as keyword lists, Natural Language Processing, and URL detection. We also work with the Internet Watch Foundation to continuously update CSAM and grooming related keywords and URL from the industry.

**a. What investments will your company make to develop new or improve existing tools?**

TikTok is investing in language analysis and other technical tools to understand evolving predator behaviors across all regions, including the U.S. We are building models to detect grooming and predator behaviors across the TikTok platform, as well as feature-specific models trained to better detect unique behaviors within a particular feature (e.g., DM, Live). We expect to launch these models in H2 2024. We also continuously refresh our keywords with new terms to reflect evolving behaviors and develop new strategies to help reduce the risk of predatory interactions.

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<sup>12</sup> <https://www.tiktok.com/transparency/en/community-guidelines-enforcement-2023-3/>

**14. What resources have you developed for victims and survivors of abuse on your platforms?**

TikTok has developed a [safety center for survivors of sexual abuse](#)<sup>13</sup> that provides resources for help and information in more than 30 countries. The resources can be accessed either by going directly to the safety center or by search terms/keywords associated with abuse through an in-app response that redirect our community members to supportive resources. The pages also links to [StopNCII.org](#)<sup>14</sup>, which allows people to report non-consensual sexual images (also referred to as image-based sexual abuse). StopNCII translates those images to hashes and shares them with TikTok and other companies to remove them from the app. TikTok also participates in NCMEC’s [Take It Down](#) service.

**15. What voluntary hash-sharing or other information sharing initiatives does TikTok participate in to help combat child sexual exploitation?**

TikTok participates in IWF hash, URL, and Keyword lists, NCMEC NGO and Industry Hash list, Take It Down, and has applied to join the Tech Coalition’s new Lantern project. We have also integrated Google’s Content Safety API to further support the proactive identification of never-before-seen CSAM imagery, as well as YouTube’s CSAI Match to further support detection of known CSAM in videos.

**16. What safety messaging does TikTok provide to its younger users around online safety, especially as it relates to online enticement and financial sextortion?**

TikTok provides messaging on sexual assault and CSEA prevention and resources on its [Safety Center](#)<sup>15</sup> and [Youth Portal](#)<sup>16</sup>. The Youth Portal specifically highlights how to keep your account secure, manage privacy and safety settings, and restrict unwanted interactions. Consistent with enforcement of our Community Guidelines, TikTok also blocks certain messages from being sent within Direct Messaging and sends a risk notice to users with instructions on how to report the message.

**17. You testified that TikTok plans to invest \$2 billion in trust and safety globally. How much will be spent on trust and safety in the United States?**

We expect to invest more than two billion dollars in trust and safety efforts in 2024, with a significant part of that investment in our U.S. operations.

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<sup>13</sup> <https://www.tiktok.com/safety/en/sexual-assault-resources/>

<sup>14</sup> <http://stopncii.org/>

<sup>15</sup> <https://www.tiktok.com/safety/en-us/sexual-assault-resources/>

<sup>16</sup> <https://www.tiktok.com/safety/youth-portal?lang=en>

- 18. You further testified that TikTok is not in a position to share financials publicly. Please provide the committee with how much revenue TikTok generated in the past three years.**

As a privately held company, TikTok does not disclose revenue.

- 19. What investigative steps have been taken since a senior TikTok officer, Barak Herscowitz, in the Israel office resigned due to other TikTok employees celebrating the barbaric acts of Hamas and other Iranian backed terror groups?**
- a. Your testimony states that: “Investing in teams and technology is a core priority for me as CEO.” As CEO, have you directed that those Trust & Safety officers jubilantly cheering for Hamas terrorists be fired?**
  - b. Will you provide my office with a copy of Mr. Herscowitz’s internal memo regarding TikTok moderators openly expressing support for terrorism and actively promoting Hamas?**
  - c. Will you provide my office with copies of Lark communications that show TikTok moderators’ and Trust & Safety Officers’ expressions of support for terrorist groups, including Hamas, as well as expressions of antipathy to Israel?**

This report is inaccurate in several respects. Mr. Herscowitz worked for TikTok in a sales role; he therefore was not involved in content policy, nor was he part of the process for ensuring employees abide by our internal rules in the workplace.

TikTok has strong policies against discrimination and harassment in the workplace, and praise in the workplace for the October 7th attack or for any other forms of terrorism would violate these policies. Employees are encouraged to report their concerns, anonymously if they so choose, and every incident is investigated by the appropriate internal team. Documents or communications relating to any such investigations are confidential.

TikTok’s priority is to keep both its global community on the platform and those impacted by these tragic events safe. This sentiment was reiterated in a message sent to all TikTok employees denouncing the October 7th attacks, as well as in our published statement [online](#)<sup>17</sup>.

- 20. Will you fully restore the Creative Center tool so that TikTok’s claims of independence from Beijing can be substantiated? If not, please explain.**

This resource is designed to provide brands with the top trending content to help them better understand trends. Unfortunately, some individuals and organizations have misused the Center’s search function to draw inaccurate conclusions, so we changed some of the features to ensure it is used for its intended purpose. To continue serving advertisers, we allow searches of hashtags that are in the top 100 by industry. For content research purposes, we provide a Research API that enables academic researchers to independently study content.

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<sup>17</sup> <https://newsroom.tiktok.com/en-us/our-continued-actions-to-protect-the-tiktok-community-during-the-israelhamas-war>

## **TikTok’s Responses to Questions for the Record from Senator Whitehouse**

**1. What exemptions from the protections of Section 230 would your company be willing to accept?**

TikTok welcomes the opportunity for conversation about ways that Section 230 could be further updated. The Communications Decency Act of 1996 generally immunizes interactive computer services from liability as a publisher or speaker for online content posted by their users. But the statute does not apply to—and, indeed, specifically excludes—claims related to certain federal obscenity statutes, federal criminal statutes, and types of intellectual property claims. In 2018, Congress enacted an additional exception to Section 230 immunity for certain claims related to sex trafficking. Enforcing laws against, and taking action to curtail, sex trafficking and child sexual exploitation crimes, are critical to protecting children. Any updates to Section 230 should seek to balance all of Section 230’s important policy goals, including in promoting the continued development of the internet as a “vibrant and competitive” market, while also taking measures to help ensure that users are safeguarded against criminal acts and exploitation.

**2. Is it your belief that your company should enjoy absolute immunity under Section 230 from suits like *Doe v. Twitter*, No. 21-CV-00485-JCS, 2023 WL 8568911 (N.D. Cal. Dec. 11, 2023), no matter the extent of your company’s failure to remove reported child sexual abuse material from the platform or to stop its distribution?**

Section 230 of the Communications Decency Act of 1996 generally immunizes interactive computer services from liability for online content posted by their users, but its protections are not absolute. Congress has already created exceptions to Section 230 immunity, including for certain claims related to certain federal obscenity statutes and related to sex trafficking.



## **TikTok’s Responses to Questions for the Record from Senator Coons Submitted March 7, 2024**

### **1. Does TikTok Inc. (“TikTok”) measure an estimated total amount of content on the platform that violates its suicide and self-harm policy? If not, why not?**

As explained in more detail in response to Question 1(a), TikTok measures the volume of videos removed for violating our suicide and self-harm policies.

#### **a. Does TikTok disclose an estimated total amount of content on its platform that violates its suicide and self-harm policy? If so, please provide a specific citation to where TikTok discloses that information. If not, why not?**

TikTok publishes [Community Guidelines Enforcement Reports](#)<sup>1</sup> each quarter. In its latest report, covering Q3 2023 we shared that 0.8% of videos published during the time period were removed (136M total videos). Of the videos removed, 10.4% were removed for violating our policies for mental and behavioral health. Of the videos removed under our mental and behavioral health policy, 23.4% were removed for violations related to suicide and self-harm. Accordingly, 0.02% of videos uploaded to TikTok were removed for violating our policies against [Suicide and Self-Harm](#)<sup>2</sup>. Additionally, of this content, TikTok proactively identified and removed 97.9% before it is reported to us; more than 90% of this content was removed within 24 hours of posting.

Unlike our competitors, TikTok publishes these statistics for the U.S. (and 49 additional markets) as well as the global aggregates.

### **2. TikTok has previously reported how much content it removes under the platform’s suicide and self-harm policy.**

#### **a. For content that has been removed, does TikTok measure how many views that content received prior to being removed? If not, why not?**

We do track the percentage of content removed with zero views.

#### **b. For content that has been removed, does TikTok disclose how many views that content received prior to being removed? If so, please provide a specific citation to where TikTok discloses that information. If not, why not?**

We disclose the percentage of content removed before receiving any views in our [Community Guidelines Enforcement Reports](#)<sup>3</sup> each quarter.

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<sup>1</sup> <https://www.tiktok.com/transparency/en/community-guidelines-enforcement-2023-3/>

<sup>2</sup> <https://www.tiktok.com/community-guidelines/en/mental-behavioral-health/#1>

<sup>3</sup> <https://www.tiktok.com/transparency/en/community-guidelines-enforcement-2023-3/>

- c. Please provide an estimate of the number of views content that was removed under this policy received in January 2024.**

In Q3 2023, over 75% of content identified and removed for violating our policy on Suicide and Self-Harm was removed before receiving any views. In the same time period, views on content identified and removed for violating this policy represented approximately 0.00017% of total views on the platform.

- d. For content that has been removed, does TikTok measure demographic factors about users who viewed the violating content, such as how many times the content was viewed by minors? If not, why not?**

We do not track viewer demographics. TikTok prioritizes tracking removals based on the potential severity of policies they violate (i.e., the basis for the content’s removal), and not viewer demographics.

- e. For content that has been removed, does TikTok disclose demographic factors about users who viewed the violating content, such as how many times the content was viewed by minors? If so, please provide a specific citation to where TikTok discloses that information. If not, why not?**

As mentioned in our response to 2(d), we do not track this information and therefore do not disclose it.

- f. Does TikTok measure the number of users that have viewed content that was removed under its suicide and self-harm policy multiple times? If not, why not?**

For content that is ultimately removed, we do not track whether it was viewed by a user multiple times prior to its removal.

TikTok’s policies aim to support people who may be struggling, and we have developed in-app interventions in furtherance of this effort. For example, we will not show self-harm related content when searching related terms. Instead, we want to support our community by providing resources and access to emotional support helplines. We surface regional suicide prevention hotline numbers and additional localized resources that can help. Additionally, users cannot create LIVE rooms with suicide or self-harm keywords in title and cannot post a video or a LIVE that was removed for violating our suicide or self-harm policies.

- g. Does TikTok disclose the number of users that have viewed content that was removed under its suicide and self-harm policy multiple times? If so, please provide a specific citation to where TikTok discloses that information. If not, why not?**

As mentioned in our response to 2(f), we do not track this information and therefore do not disclose it.

**3. TikTok utilizes an algorithm to recommend or amplify content to users.**

- a. For content that has been removed, does TikTok measure whether and the extent to which the removed content was recommended or amplified by TikTok? If not, why not?**

We strive to remove violative content as soon as possible, and before it’s reported to us by our community. In our latest [Community Guidelines Enforcement Report](#)<sup>4</sup> covering Q3 2023, the removal rate for violative content was 96.1% before a single view and 90.6% within 24 hours of posting. TikTok does not measure whether violative content was amplified as we have separate teams that are responsible for identifying and removing violative content, and other teams responsible for recommending content.

- b. For content that has been removed, does TikTok disclose whether and the extent to which the removed content was recommended or amplified by TikTok? If so, please provide a specific citation to where TikTok discloses that information. If not, why not?**

TikTok does not measure or disclose this.

- c. For content that has been removed, does TikTok measure how many views the removed content received after having been recommended or amplified? If not, why not?**

We measure and include in our [Community Guidelines Enforcement Report](#)<sup>5</sup> the proportion of content that is removed without views.

- d. For content that has been removed, does TikTok disclose the number of views the removed content received after having been amplified or recommended? If so, please provide a specific citation to where TikTok discloses that information. If not, why not?**

Any content that violates TikTok’s Community Guidelines we aim to remove as swiftly as possible and limit the exposure of views on this content. We disclose the proportion of content that is removed without a single view. In our latest [Community Guidelines Enforcement Report](#)<sup>6</sup> covering Q3 2023, 76.8% of the videos removed had 0 views. Less than 1% of videos published on TikTok are ever removed for violating our Community Guidelines.

**4. Does TikTok support creating industry-wide transparency requirements to disclose basic safety information, like those included in the Platform Accountability and Transparency Act?**

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<sup>4</sup> <https://www.tiktok.com/transparency/en/community-guidelines-enforcement-2023-3/>

<sup>5</sup> <https://www.tiktok.com/transparency/en/community-guidelines-enforcement-2023-3/>

<sup>6</sup> <https://www.tiktok.com/transparency/en/community-guidelines-enforcement-2023-3/>





TikTok supports and has been a leader in platform transparency. TikTok strives to foster a fun and inclusive environment where people can create, find community, and be entertained. To maintain that environment, we take action upon content and accounts that violate our [Community Guidelines](#)<sup>7</sup> or [Terms of Service](#)<sup>8</sup> and regularly publish information about these actions to hold ourselves accountable to our community. We release quarterly [reports](#)<sup>9</sup> to bring transparency to the actions we take to help keep TikTok safe, welcoming, and entertaining for our global community. As part of our continued efforts to make it easy to study the TikTok Platform, we continue to expand our reporting. For example, as of our most recent report (published on December 13, 2023), we now provide additional removal data by policy category for the 50 markets with the highest volumes of removed content in the downloadable data file below. These markets account for approximately 90% of all content removals for this quarter. As we continue our work to build a safe, inclusive and authentic home for our global community, we look forward to sharing more on our evolving efforts to prevent harm.

In the spirit of PATA, TikTok also supports independent research through our Research API. Using the Research API, non-profit universities in the U.S. and Europe can apply to study public data about TikTok content and accounts. We’re working to provide increased access to the Research API in the future. Since we introduced the Research API, we have rolled out improvements based on feedback we’ve heard from the community. We’re dedicated to hearing and incorporating feedback from testers and creating an API that will meet the needs of scientific researchers while respecting the privacy of our community.

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<sup>7</sup> <https://www.tiktok.com/community-guidelines/en/>

<sup>8</sup> <https://www.tiktok.com/legal/page/us/terms-of-service/en>

<sup>9</sup> <https://www.tiktok.com/transparency/en/reports/>



## **TikTok’s Responses to Questions for the Record from Senator Booker Submitted March 7, 2024**

- 1. Trust and safety teams are a vital component in combatting the spread of CSAM, hate speech, violence, and other violative content on tech platforms. Despite this, tech companies have time and time again disinvested from their trust and safety team, especially during changes in leadership.**

- a. How has the size of your trust and safety team changed over the past five years? Please provide numbers for each of the past five years.**

TikTok currently has more than 40,000 trust and safety professionals working to protect our community, and we expect to invest more than two billion dollars in trust and safety efforts this year alone, with a significant part of that investment in our U.S. operations. We are continuing to hire for our Trust and Safety team globally, with 1,000+ open roles.

- b. Do your trust and safety teams make submissions to the National Center for Missing & Exploited Children’s CyberTipline, or is that a separate unit?**

The Child Safety Team, which is a part of our Trust and Safety team, makes submissions to NCMEC.

- c. If it is a separate unit, how many members are on the team and how have those numbers changed over the past five years. Please provide numbers for each of the past five years.**

As noted in our response to Question 1(b), the Child Safety Team is part of the Trust and Safety team.

- 2. The National Center for Missing & Exploited Children’s CyberTipline plays an integral role in combatting child sexual exploitation. The tipline helps law enforcement investigate potential cases and allows prosecutors to bring justice to victims. While federal law requires your company to report to the CyberTipline any apparent violations of federal laws prohibiting child sexual abuse material of which you are aware, there are many gaps.**

- a. Is there a standard format your reports to the CyberTipline follow? If so, what is that format?**

TikTok utilizes two methods for submitting reports to NCMEC. Our child safety teams utilize both direct reporting through an API (developed with the support of NCMEC) and the manual NCMEC provided webform for CyberTipline reports. These two formats disclose similar information with slight variations due to the technical differences in the reporting method. TikTok produces: the identified user content depicting CSAM, metadata associated with the



CSAM content, subscriber information. TikTok also produces IP data: through the API, we provide the three most recent IP addresses; through manual reports, we produce the data from the last month.

**b. Does your company proactively report planned or imminent offenses?**

Yes, TikTok reports exigent circumstance cases to NCMEC via their ESP escalation button that prioritizes these reports. Additionally, TikTok also coordinates with its Law Enforcement Outreach team for emergency cases globally, who will directly engage directly with local law enforcement. This is especially pertinent as the CyberTipline report number helps fast track a review and response.

**c. Does your company proactively report potential offenses involving coercion or enticement of children?**

Yes, TikTok reports text-based violations both for comments and direct messages ("DMs"). These reports usually involve cases of online enticement behavior, but can also include grooming, minor sexual solicitations and sextortion cases.

**d. Does your company proactively report apparent child sex trafficking?**

Yes, TikTok reports cases of suspected child sex trafficking.

## **TikTok’s Responses to Questions for the Record from Senator Padilla Submitted March 7, 2024**

- 1. In recent years, more companies in the tech sector are offering tools to enable caregivers to have a dialogue with minors in their care about healthy and safe internet activity. An important element in understanding whether these tools are helpful is understanding whether or not these tools are being adopted.**
  - a. How many minors are on TikTok?**
  - b. Of these minors, how many of them have caregivers that have adopted Family Pairing?**
  - c. How are you ensuring that young people and their caregivers are aware of these tools?**
  - d. How are you ensuring that these tools are helpful to both minors and their caregivers?**

TikTok has an average 170 million monthly average users and we believe that the average U.S. user is over 30 years of age. As a privately held company, TikTok does not disclose detailed statistics about its users or adoption of specific features.

TikTok has invested significant resources in promoting Family Pairing, including utilizing both earned and paid media such as advertisements, billboards, and local news. Family Pairing has also been promoted to users via in-app notifications and on our [Guardian’s Guide](#)<sup>1</sup>.

In addition, we host global [Advisory Councils](#)<sup>2</sup>, and have formally established a [Youth Council](#)<sup>3</sup> that directly engages with teens to solicit their input.

We also regularly [work with experts](#)<sup>4</sup> in online security, wellness, digital literacy, and family safety to help provide advice and resources for our community.

- 2. TikTok offers a broad range of “user empowerment” tools, and it’s helpful for policymakers to understand whether young people even find these tools helpful or are actually adopting them. Additionally, some safety features still put the onus on young people to employ a great deal of judgment about safety.**
  - a. Last year, TikTok rolled out changes to help teens manage their time on TikTok. What impact has this feature had on the amount of time young people spend on TikTok?**
  - b. How are you ensuring that the burden is not on young people to make adult-level decisions about safety on TikTok?**

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<sup>1</sup> <https://www.tiktok.com/safety/en/guardians-guide/>

<sup>2</sup> <https://www.tiktok.com/transparency/en/advisory-councils/>

<sup>3</sup> <https://newsroom.tiktok.com/en-us/updates/family-pairing-and-establishing-tiktoks-youth-council>

<sup>4</sup> <https://www.tiktok.com/safety/en/safety-partners/>

- c. Over the last 4 years, how often have you blocked products from launching because they were not safe enough for minors, or withdrawn products from the market after receiving feedback on the harms they were causing?**

TikTok is committed to the principles of safety by design and privacy by design. When features do not meet these standards, they will not be approved for launch.

We help our community understand and control how they spend their time on TikTok. For example, we offer:

- Screen time dashboards that provide insight into how and when a community member is using TikTok;
- Screen time breaks that nudge our community members to take a break from the app after a period of uninterrupted screen time;
- Sleep reminders that allow people to set a reminder to log off at a certain time of day;
- Daily screen time limits that allow people to determine on how much time they spend on TikTok each day; and
- Screen time updates that allow people to receive weekly info about their screen time usage.

TikTok promotes a safe and age-appropriate experience for teen users between ages 13 through 17 by utilizing a multi-faceted, multi-level approach that currently includes the following age-based default settings:

- Accounts ages 13-15:
  - Have a 60 minute screentime limit by default
  - Cannot send or receive [virtual gifts](#)<sup>5</sup>
  - Are set to private by default
  - Cannot access direct messaging
  - Cannot host a livestream
  - Cannot buy or sell on TikTok Shop
  - Are not able to have their content recommended to people they do not know in the For You feed
  - Cannot have their content Dueted or Stitched
  - Do not receive push notifications from 9 pm to 8 am
  - Do not have their accounts recommended to others by default. If the user changes this option, their account still will not be recommended to people 18 and over

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<sup>5</sup> <https://newsroom.tiktok.com/en-gb/updating-our-gifting-policies>

- Accounts ages 16-17:
  - Have a 60 minute screentime limit by default
  - Cannot send or receive virtual gifts
  - Private account option is pre-selected by default at account registration
  - Cannot host a [livestream](#)<sup>6</sup>
  - Cannot buy or sell on TikTok Shop
  - Do not receive push notifications from 10 pm to 8 am
  - Do not have their accounts recommended to others by default. If the user changes this option, their account still will not be recommended to people 18 and over

In addition, we offer parental controls. Family Pairing allows a parent or guardian to link their TikTok account to their teen’s account to directly manage a number of safety controls for their teen’s account, including:

- Account privacy: Set their teen’s account to private or public.
- Comments: Restrict who can comment on their teen’s videos.
- Direct Messages: Restrict who, if anyone, can send private messages to the account
- Daily screen limits: Set the amount of time spent on TikTok each day
- Screentime dashboard: See their teen’s time spent on TikTok
- Search settings: Restrict their ability to search for content
- Push notifications: Restrict push notifications to their teens during certain times
- Keyword filters: Add hashtags or keywords they would prefer their teen not see in their For You feed recommendations
- STEM feed: Ensure TikTok’s STEM feed - a feed featuring videos related to science, technology, engineering, and math - is enabled on their teen’s account

**3. Existing detection tools for keeping child sexual abuse material from spreading online rely on hashed images of already identified CSAM imagery. There are tools like PhotoDNA and Google’s CSAI match tool available for identifying this content. A challenge I hear raised frequently is identifying and removing novel images that have not already been hashed.**

- a. **What would it take to develop better technology to accurately identify and limit the spread of novel CSAM images?**
- b. **Are there interventions from Congress that would facilitate identification of CSAM?**

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<sup>6</sup> <https://newsroom.tiktok.com/en-gb/enhancing-the-live-community-experience-with-new-features-updates-and-policies>

- c. **Based on your company’s experience trying to address online sexual exploitation and abuse of minors, are there areas where Congress could be helpful in tackling this problem?**

The success of computer vision models depends on the quality and representativeness of the training data for the models. This is a highly complex issue given the underlying subject matter, and we welcome further dialogue on this extremely important and sensitive topic.

4. **AI models are making it easier to develop synthetic CSAM. These are either altered images of real people, or wholly synthetic individuals. Policymakers are grappling with what this will mean for law enforcement efforts to hold perpetrators accountable and identify children who are being harmed. In addition to processing a higher volume of Cybertips, investigators will have the added challenge of determining whether the victim in the scenario is in fact a real person. And cases are already being reported where AI generative technologies are being employed to facilitate the grooming and sextortion of minor victims.**
  - a. **What are you doing to identify and remove AI-generated CSAM on your services?**
  - b. **Do you flag for NCMEC if you perceive the CSAM to be AI-generated?**
  - c. **How prevalent is this kind of content?**
  - d. **How do you anticipate the rise of AI-generated CSAM will impact NCMEC’s ability to process and refer Cybertips to law enforcement?**
  - e. **Recently, A.I.–generated explicit images of a major pop superstar were distributed widely online without her consent. That story drew attention to a growing problem over the last year facilitated by AI tools: the generation of deepfake, nonconsensual, sexually explicit imagery of everyday people, including our young people. Will you commit to reporting on the prevalence of this new problem and the steps your company is taking to address this horrendous abuse?**
  - f. **Are there technical or legal barriers that your company has identified preventing thorough red teaming of AI models to ensure they do not generate CSAM?**

TikTok’s approach to combatting AI-generated CSAM begins with our [Community Guidelines](#)<sup>7</sup> and the strict policies we have for both [Synthetic and Manipulated Media](#)<sup>8</sup> and [Youth Exploitation and Abuse](#)<sup>9</sup>. In the context of child safety, we updated our Community Guidelines to make clear that we do not allow any AI-generated content of a real child. Furthermore, we have maintained our zero tolerance policy against CSAM, nudity, grooming, sextortion, solicitation, pedophilia, and physical or psychological abuse of young people, including content that is real, fictional, digitally created, and shown in fine art or objects.

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<sup>7</sup> <https://www.tiktok.com/community-guidelines/en/>

<sup>8</sup> <https://www.tiktok.com/community-guidelines/en/integrity-authenticity/?cgversion=2023#3>

<sup>9</sup> <https://www.tiktok.com/community-guidelines/en/safety-civility/?cgversion=2023#4>

Our comprehensive Community Guidelines provide the foundation for our moderation strategies. Our CSAM detection techniques cover our strict policies inclusive of AI-generated content, and our Trust and Safety teams are actively investing in general AI-generated content detection techniques, from which we may further distinguish between permitted and prohibited content. Currently, we flag all content that we confirm to be CSAM and expeditiously report to NCMEC. This includes Perceived First Person CSAM (PFP CSAM) as well as anything possibly computer or AI-generated or altered.

With respect to barriers around thorough red-teaming, CSAM is contraband, and therefore AI-generated CSAM must also be treated as contraband. Red-teaming, or attempting to jailbreak a tool to see if it can generate undesired content, is high risk in the context of CSAM given the potential liability to employees due to the lack of safe harbor laws or affirmative defenses.

- 5. How companies choose to allocate their resources illustrates their true priorities.**
  - a. What percentage of your company’s budget is dedicated to addressing child safety on your platform?**
  - b. What process or assessment of risk on the platform informed that figure?**
  - c. How many layers of leadership separates your trust and safety leaders from you?**

TikTok currently has more than 40,000 trust and safety professionals working to protect our community. We expect to invest more than two billion dollars in trust and safety efforts in 2024, with a significant part of that investment in our U.S. operations.

TikTok’s CEO regularly speaks with its trust and safety leadership and they have an open line of communication. As of February 2024, TikTok’s head of global trust and safety reports directly to the CEO, and there is one formal layer of leadership between TikTok’s U.S. head of trust and safety and the CEO.

- 6. The companies represented at the hearing have the money and resources to hire teams of Trust & Safety professionals and build bespoke tools to aid with content moderation and integrity work as well as the detection of content like CSAM on their services. This is not necessarily the case for the rest of the tech sector. These are industry-wide problems and will demand industry-wide professionalization and work.**
  - a. What is TikTok currently doing to support access to open-source trust & safety tools for the broader tech ecosystem?**
  - b. And if TikTok is not doing anything now, will you commit to supporting the development of these kinds of resources?**

TikTok agrees these are industry-wide issues and supports the development of additional tools that can be used by companies at all stages of their development. We financially support organizations like the Tech Coalition and others that work to create accessible resources and to aid in the development and access to detection systems and remain committed to partnering with others across the broader tech ecosystem to develop additional resources.



7. **One necessary element of keeping our kids safe is preventing harms in the first place. The National Center for Missing and Exploited Children partnered with the White House, the Department of Justice, and the Department of Homeland Security to create “The Safety Pledge” initiative to combat online child exploitation in September 2020. I understand more government backed public awareness campaigns are being developed.**
  - a. **Are you partnering with the federal government to distribute health and safety resources to young people?**
  - b. **What are you proactively doing to educate the minors that use your services about online health and safety?**

We are committed to creating a safe platform for our community, and believe this work is especially important for our teenage users. People should be able to come to TikTok to express themselves creatively and be entertained in a safe and inclusive environment. Our comprehensive approach to teen safety includes robust policies, innovative technologies, in-app features, and educational resources. We also work collaboratively with industry partners, non-profits, academics, and governments, to identify, implement, and share innovative solutions to better protect teens online.

On our Safety Center, we offer a number of tools and controls to help teens manage their experience. We provide guides, including our [well-being guide](#)<sup>10</sup>, to share more about our approach to safety, privacy, and security on TikTok. We also offer helpful information for parents, caregivers, and new users. Additionally, listening to the experience of teens is one of the most important steps we can take to build a safe platform for teens and their families. We launched TikTok’s global Youth Council, where we will listen to the experiences of those who directly use our platform and be better positioned to make changes to create the safest possible experience for our community.

TikTok is continuously working to provide a safe app experience for our community, and we aim to be a leader in this area. We recognize, however, that technology is ever-evolving and that we need to be prepared to address unexpected trends and challenges as they arise. Beyond our efforts with NCMEC, TikTok works with a variety of global partners on minor safety efforts:

- We are an active member of the Tech Coalition, a global alliance of technology companies to protect children online. In addition to being on its board, we also co-lead the multi-stakeholder forum on Minor Financial Sextortion held last year, and we chair committees within the organization to advance the fight against online child sexual exploitation and abuse.
- We are part of the WePROTECT Global Alliance, the largest and most diverse multi-sector alliance dedicated to ending online child sexual exploitation.
- Internet Watch Foundation (IWF) is a vital partner for TikTok in our work to counter online child sexual abuse and exploitation. TikTok accesses IWF’s URL and keyword list and, via NCMEC, its hash database of known child sexual abuse images. In addition to its

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<sup>10</sup> <https://www.tiktok.com/safety/en/well-being-guide/>

frontline work, IWF provides insight on new and emerging trends and acts as a convener for key stakeholders.

- We worked with ConnectSafely—a nonprofit dedicated to educating users of connected technology about safety, privacy, and security—to develop a TikTok-specific guide for parents and teens.
- TikTok’s Top 10 Tips for Families guide for the Family Online Safety Institute offers information on several tools to help teens manage how they interact with other users and who can see their videos. It includes information about privacy restrictions, content, comments, and messages.

Additionally, TikTok is part of the alliance in support of the Voluntary Principles to Counter Online Child Sexual Exploitation and Abuse. This alliance brings together governments across the world, including the United States; digital platforms and other private companies; and civil society and intergovernmental organizations. The objective is to collaborate across sectors and industries to address online threats to minors. TikTok also works with a group of non-governmental organizations as part of a CSAM intervention project designed in part to help direct users to appropriate resources.

Beyond the partnerships with leading organizations in the space, we see others finding great success in leveraging TikTok as a platform to spread critical safety messages. For example, Thorn launched an in-app campaign called NoFltr, which facilitated a conversation between youth and adults on the sharing of nude images and consent. We also worked in collaboration with Thorn researchers and our policy team to inform our policy and features related to their findings.

We engage in these partnerships because online threats are complex and dynamic. No single company or government can solve these problems in a vacuum. We look forward to continuing our own work, as well as our collaborations, to make a meaningful difference in keeping our community safe.

- 8. Sextortion has become increasingly prevalent. Offenders may use grooming techniques or basic trickery to manipulate victims into providing nude or partially nude images of themselves, which are then used to coerce victims into sending more graphic images and videos or pay a ransom. These criminals often threaten to post the images or sensitive images publicly or send them to the victim’s friends and family if the child does not comply. From May 2022 to October 2022, U.S. law enforcement and NCMEC witnessed an alarming increase in CyberTips and reports where minors have been sextorted for money. Many young boys, including in California, have committed suicide out of desperation, leaving their loved ones devastated.**
  - a. How is your company responding to the growing threat of financial sextortion?**
  - b. What methods are in place to detect and disrupt this type of abuse in real time?**
  - c. What kind of user education and awareness are you engaged in?**

- d. Are you aware of a higher prevalence of sexual extortion or abuse against certain demographics among young users? If not, will you commit to studying this issue and making that kind of information available to improve public education and protection measures?**

TikTok’s Community Guidelines prohibit sexual exploitation or gender-based violence, including non-consensual sexual acts, image-based sexual abuse, sextortion, physical abuse, and sexual harassment. Although not required by law, TikTok reports sextortion-related content to NCMEC for prioritized NCMEC review and forwarding to law enforcement. TikTok also participates in NCMEC’s [Take It Down](#)<sup>11</sup> service, which is a free service that can help process requests to remove or stop the online sharing of nude, partially nude, or sexually explicit images or videos taken when someone is under 18 years old.

TikTok has restrictions in place to help disrupt and minimize this sort of content. For example, users under 16 do not have access to direct messaging. Additionally, if the content shared in direct messaging is detected by our CSAM related models, the content will be blocked and not will not be delivered.

TikTok is a member of the [Tech Coalition](#)<sup>12</sup>, which helps facilitate high-impact information, expertise, and knowledge sharing across industry to disrupt and help prevent online CSEA, including creating and expanding robust systems and processes for information and threat sharing related to exploitative or predatory behaviors. In turn, the Tech Coalition financially supports academic research on these important issues through its [Safe Online Research Fund](#)<sup>13</sup>. In addition to being on the board of the Tech Coalition, we also co-lead the multi-stakeholder forum on Minor Financial Sextortion held last year, and we chair committees within the organization to advance the fight against online child sexual exploitation and abuse.

- 9. Young people need to be at the center of regulatory discussions, and they need to be at the table as products and services they use are designed.**
- a. Are you engaging young adults and youth in your conversations and policies around Trust and Safety on the platform?**
  - b. How do you proactively keep up to speed with the most pressing issues facing young people online?**

At TikTok, we prioritize the safety and well-being of our community. As we work to provide a safe and inclusive place for everyone, we actively seek input and advice from individual experts and nonprofit organizations. Through ongoing engagement, we work to ensure our policies and processes are informed by a diversity of perspectives, expertise, and lived experiences. By bringing together different voices, we aim to create a safe platform for everyone, especially those who may be more vulnerable to online harm.

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<sup>11</sup> <https://takeitdown.ncmec.org/>

<sup>12</sup> <https://www.technologycoalition.org/what-we-do>

<sup>13</sup> <https://www.technologycoalition.org/newsroom/tech-coalition-safe-online-research-fund-announces-additional-funding-of-us-500k-to-select-existing-grantees-for-research-extension-product-development-innovation>

To do this, we consult with a number of NGOs, academics, and civil society members to better inform our work. In addition, we host global [Advisory Councils](#)<sup>14</sup>, and have formally established a [Youth Council](#)<sup>15</sup> that directly engages with teens to solicit their input.

**10. For many children, an open dialogue about their internet habits is a best practice, and healthy. But not every child has a parent or a caregiver that is looking out for their best interest. For many kids who are abused, a caregiver or parent is their abuser. Additionally, for many young people, their parents’ knowledge of their sexual orientation or their interest in exploring it, fundamentally puts them in jeopardy. Solving for these different needs across our young people at the scale of social media and internet applications is really vital.**

**a. How have you designed your parental tools with this dynamic in mind?**

We are committed to creating a safe platform for our community, and believe this work is especially important for our teenage members. People should be able to come to TikTok to express themselves creatively and be entertained in a safe and inclusive environment. Our comprehensive approach to teen safety includes robust policies, innovative technologies, in-app features, and educational resources. We also work collaboratively with industry partners, non-profits, academics, and governments, to identify, implement, and share innovative solutions to better protect teens online.

Listening to the experience of teens is one of the most important steps we can take to build a safe platform for teens and their families. It helps us avoid designing teen safety solutions that may be ineffective or inadequate for the actual community they’re meant to protect, and it brings us closer to being a strong partner to caregivers as we can better represent teens’ safety and well-being needs. We launched TikTok’s global [Youth Council](#)<sup>16</sup>, where we will listen to the experiences of those who directly use our platform and be better positioned to make changes to create the safest possible experience for our community. In a similar way to how we engage regularly with more than 50 academics and leading experts from around the world through our Content and Safety [Advisory Councils](#)<sup>17</sup>, the new Youth Council will provide a more structured and regular opportunity for youth to provide their views.

We have launched several initiatives aimed at supporting teens’ digital journeys and helping ensure that online experiences play a positive role in how younger users express themselves, discover ideas, and connect. In addition to offering a range of safety and privacy controls that empower users to decide who they share content with, TikTok provides even stronger proactive protections to safeguard our teen users, and we have consistently introduced changes to support age-appropriate experiences on our platform. For instance, accounts registered to teens under 16 are set to private by default, and their content is ineligible for recommendation to people they do not know.

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<sup>14</sup> <https://www.tiktok.com/transparency/en/advisory-councils/>

<sup>15</sup> <https://newsroom.tiktok.com/en-us/updating-family-pairing-and-establishing-tiktoks-youth-council>

<sup>16</sup> <https://newsroom.tiktok.com/en-us/updating-family-pairing-and-establishing-tiktoks-youth-council>

<sup>17</sup> <https://www.tiktok.com/transparency/en/advisory-councils/>

TikTok’s Family Pairing features let a parent or guardian link their TikTok account to their teens to enable a variety of content and privacy settings. Within Family Pairing, we provide [tips for caregivers](#)<sup>18</sup> that we developed in collaboration with teens. These outline the support teens would like and their suggestions on how to approach conversations about digital literacy and safety. We encourage caregivers to discuss the Family Pairing features with their teens and explain why they choose to turn them on. Even without Family Pairing enabled, parents can help their teens enable TikTok’s Screen Time offerings, including Daily Screen Time and Restricted Mode, which are protected by a passcode set by the parent or guardian.

Last year we also heard from parents and caregivers that they’d like more ways to customize the topics their teen may prefer not to stumble upon, as every teen is unique and caregivers are often closest to their teen’s individual needs. To adapt this feature for Family Pairing, we engaged with experts, including the [Family Online Safety Institute](#)<sup>19</sup>, on how to strike a balance between enabling families to choose the best experience for their needs while also ensuring we respect young people’s rights to participate in the online world. Therefore, by default, teens can view the keywords their caregiver has added and we believe this transparency can also help to prompt conversations about online boundaries and safety. The keywords caregivers add will be a personalized layer on top of our [Content Levels](#)<sup>20</sup> system, which already helps to keep content with more mature or complex themes from reaching audiences between ages 13-17.

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<sup>18</sup> <https://newsroom.tiktok.com/en-us/new-family-pairing-resources-offer-digital-safety-advice-from-teens>

<sup>19</sup> <https://www.fosi.org/>

<sup>20</sup> <https://newsroom.tiktok.com/en-us/more-ways-for-our-community-to-enjoy-what-they-love>

## **TikTok's Responses to Questions for the Record from Senator Welch Submitted March 7, 2024**

### **1. Please explain TikTok's decision to not offer full end-to-end encryption for direct messaging.**

Direct messages on TikTok are encrypted at rest and while in transit. End-to-end encryption is not currently available. We place a premium on ensuring that our younger users have a safe experience by default on TikTok. Like many companies, we maintain the ability to decrypt user data in response to [valid legal process](#)<sup>1</sup> and to enforce our [Community Guidelines](#)<sup>2</sup>, and we regularly publish [Transparency Reports](#)<sup>3</sup> to provide visibility into this work. We maintain internal controls to ensure that only personnel with proper authorization and a demonstrated need to perform their job have access to certain decrypted data like contact information or direct messages.

### **2. Since TikTok does not offer end-to-end encryption for direct messages, how can users be sure that foreign governments or bad actors are not snooping on their private conversations?**

TikTok does not believe the use of encryption increases TikTok's cybersecurity vulnerabilities. TikTok uses industry-standard encryption to protect sensitive user data. We encrypt sensitive user data in transit and at rest. Data can only be decrypted with a key that is generated and managed by our key management service, which is operated by TikTok's established subsidiary, US Data Security Inc. ("USDS").

### **3. How much of your content moderation is managed by artificial intelligence?**

TikTok removes violative content proactively using both automated and manual processes, as well as removing violative content reported by users. Videos uploaded to TikTok are initially reviewed by TikTok's automated moderation technology, which aims to identify content that violates the Community Guidelines before it is distributed across the TikTok platform and displayed to users.

We proactively remove content that violates our Community Guidelines. For example, in 2023 Q3, we removed more than 136 million violative videos globally, which accounts for just under 1% of total published videos over that period. The vast majority (96%) were removed proactively, before they were reported to us. Approximately 65% of our removals were by automation.

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<sup>1</sup> <https://www.tiktok.com/legal/page/global/law-enforcement/en>

<sup>2</sup> <https://www.tiktok.com/community-guidelines/en/>

<sup>3</sup> <https://www.tiktok.com/transparency/en-us/reports/>

**4. Is it your view that artificial intelligence can replace human judgment in identifying and removing false or harmful content? If not, when is human judgment necessary?**

TikTok’s automated technology systems look at a variety of signals across content, including keywords, images, titles, descriptions, and audio, and continuously learn and adapt based on the data in each video and the moderation decisions that TikTok’s human moderators ultimately make based on TikTok’s Community Guidelines and related policies. If TikTok’s machine-based filters identify a potential violation, the automated moderation system will either pass it on to TikTok’s safety teams for further review or remove it automatically. Automatic removal is applied if there is a high degree of confidence that the content violates the Community Guidelines and where violations are most clear-cut. Automatic removals are subject to the user’s ability to appeal that determination.

When TikTok’s automated moderation systems identify potentially problematic content but cannot make an automated decision to remove it, they send the content to TikTok’s safety teams for further review. To support this work, TikTok has developed technology that can identify risky or suspicious items — for example, weapons — in video frames, so that content moderators can carefully review the video and the context in which it appears. This technology improves the efficiency of TikTok’s moderators by helping them more adeptly identify violative images or objects, quickly recognize violations, and make decisions accordingly.

In keeping with its commitment to ensuring fairness, TikTok notifies community members if and why their content was removed. The community member can then appeal the decision if he or she believes their content was erroneously removed, and TikTok allows community members to submit specific feedback on why they disagree with the decision to remove the content.

**5. How have your Trust & Safety teams been trained on how to handle false or illegal AI-generated content?**

We identify and remove any content that violates our Community Guidelines, regardless of whether it was created or altered by AI. This is addressed through a combination of proactive technology, user reports, and flags from trusted partners.

AI-generated content (“AIGC”) brings new challenges around misinformation in our industry, which we’ve proactively addressed with firm rules and new technologies. We don’t allow manipulated content that could be misleading, and we also require creators to label any realistic AIGC and launched a first-of-its-kind tool to help people do this.

**6. How does TikTok plan on addressing the large amount of disinformation that could be spread on its platform during the 2024 election?**

Thousands of trust and safety professionals work alongside technology to enforce our Community Guidelines. We are committed to consistently enforcing our rules to fight misinformation, covert influence operations, and other content and behavior that platforms see more of during elections.

- **Countering misinformation:** We invest in media literacy as a counter-misinformation strategy as well as technology and people to fight misinformation at scale. This includes specialized misinformation moderators with enhanced tools and training, and teams on the ground who partner with experts to prioritize local context and nuance. We partner with 17 global fact-checking organizations, who assess the accuracy of content in over 50 languages so that our moderators can apply our misinformation policies accordingly. We added three new global fact-checking partners in 2023, and will continue to expand our fact-checking program this year.
- **Deterring covert influence operations:** We know that deceptive actors try to target online platforms during elections, and we remain [vigilant](#)<sup>4</sup> against covert influence operations. We have dedicated experts working to detect, disrupt, and stay ahead of deceptive behaviors. We report the removals of covert influence networks in our quarterly Community Guidelines Enforcement Reports. In the coming months, we'll introduce dedicated covert influence operations reports to further increase transparency, accountability, and sharing with the industry. We provide information about how we assess this behavior at our [Transparency Center](#)<sup>5</sup>.
- **Tackling misleading AI-generated content:** AI-generated content ("AIGC") brings new challenges around misinformation in our industry, which we've proactively addressed with firm rules and new technologies. We don't allow manipulated content that could be misleading, including AIGC of public figures if it depicts them endorsing a political view. We also require creators to label any realistic AIGC and launched a first-of-its-kind tool to help people do this. As the technology evolves in 2024, we'll continue to improve our policies and detection while partnering with experts on media literacy content that helps our community navigate AI responsibly.

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<sup>4</sup> <https://www.tiktok.com/transparency/en-us/countering-influence-operations/>

<sup>5</sup> <https://www.tiktok.com/transparency/en-us/>



## **TikTok’s Responses to Questions for the Record from Senator Butler Submitted March 7, 2024**

- 1. Family and parental control tools: I was glad to hear that you have spent time talking with parents and what their families need from your products. I was also glad to hear your companies have a Family Center, or other similar tools, to give parents more insight and control over how their children are using your platforms and apps.**
  - a. How do you advertise this feature to parents?**
  - b. Can you share data on how many Family Center/parental tools users there are in proportion to total minors on your platforms and products?**

TikTok has invested significant resources in promoting Family Pairing, including utilizing both earned and paid media such as advertisements, billboards, and local news. Family pairing has also been promoted to users via in-app notifications and on our [Guardian’s Guide](#)<sup>1</sup>.

As a privately held company, TikTok does not disclose detailed statistics about its users or adoption of specific features.

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<sup>1</sup> <https://www.tiktok.com/safety/en/guardians-guide/>

## **TikTok’s Responses to Questions for the Record from Senator Grassley Submitted March 7, 2024**

- 1. Current law requires that a provider of a report of suspected CSAM to the National Center for Missing and Exploited Children’s (NCMEC) CyberTipline preserve “any visual depictions, data, or other digital files that are reasonably accessible and may provide context or additional information about the reported material or person” for a minimum of 90 days. 18 U.S.C. 2258A(h)(1-2). The recent explosion of suspected abuse has presented unprecedented challenges for law enforcement to follow up on leads before companies discard or delete essential data and information. There is nothing preventing tech companies from preserving relevant material beyond the statutorily-mandated 90-day period.**

- a. How long does TikTok voluntarily preserve and retain data contained in and related to its reports to the CyberTipline?**

TikTok proactively preserves and retains data related to the user and incident reported in a NCMEC report for 180 days.

- b. The massive influx of reports to the CyberTipline naturally results in law enforcement entities having to conduct and finish investigations beyond 90 days of an initial report to the CyberTipline. Retaining relevant information for longer periods could significantly advance law enforcement’s ability to thoroughly investigate leads. If TikTok only preserves and retains this information for the minimum 90-day period, why does it do so when preserving this data longer could significantly enhance and prolong law enforcement’s ability to investigate and prosecute child predators?**

Not applicable - see response to Question 1(a).

- c. Please confirm if TikTok stores and retains the following information relating to reports to the CyberTipline:**
  - i. IP addresses**
  - ii. Screen Names**
  - iii. User Profiles**
  - iv. Associated Screennames (by IP address and associated emails)**
  - v. Email addresses**
  - vi. Geolocation data**

TikTok stores and retains the following information related to its reports to the CyberTipline, to the extent we have such information for the user: IP address, username, subscriber information, associated username, email address, and registration location.

- d. If TikTok does not retain or store any of the above types of information in question (c), please explain why.**

Not applicable - see response to Question 1(c).

- e. Please list any other information TikTok retains and preserves for law enforcement purposes not listed above in question (c).**

TikTok also retains and preserves all reported user content.

- f. Does TikTok flag screennames and associated email addresses to suspected accounts that violate TikTok’s terms of service?**

Any account that violates our policies and is reported to NCMEC will be removed along with associated accounts. We also block their device from creating new accounts.

- 2. How does TikTok prioritize urgent requests for information from law enforcement and what is TikTok’s response time to urgent requests?**

TikTok’s Law Enforcement Response Team (“LERT”) prioritizes requests marked as urgent by aiming to respond within 1 business day. Otherwise, LERT follows internal prioritization policies based on the nature of the crime described in law enforcement requests. The nature of case categories that are prioritized include same day responses for human trafficking and within three business days for cases involving child exploitation.

TikTok’s Emergency Response Team processes emergency disclosure requests (“EDRs”) from law enforcement with a team of specialists available at all times. The team assigns the emergency request within 15 minutes and aims to respond to law enforcement within 1 hour.

- 3. What is TikTok’s average response time to service of legal process from law enforcement for CSAM-related information?**

On average in 2023, TikTok responded to legal process requests from law enforcement related to child exploitation investigations within approximately 15 days, dependent on the type of legal process and amount of data required by disclosure.

- 4. In 2023, the tech industry as a whole slashed more than 260,000 jobs. And in the first four weeks of this year, another 25,000 jobs were cut.**
- a. For each year, between 2018 and 2023, how many U.S. based employees did you have at TikTok?**
    - i. Of these employees, how many were sponsored on H-1B visas?**
    - ii. For each year, between 2018 and 2023, how many H1-B visa applications did TikTok submit?**
  - b. For each year, between 2018 and 2023, how many employees based outside the U.S. did you have at TikTok?**

- i. Of these employees, how many were based in China?
- c. For each year, between 2018 and 2023, how many employees in total did TikTok terminate, fire, or lay off?
  - i. Of these employees, how many were based in the United States?
  - ii. Did TikTok fill these newly vacant positions with employees sponsored on H1-B visas? If so, how many?
  - iii. Were any duties and/or functions previously performed by laid-off employees transferred to or performed at any point by employees sponsored on H1-B visas? If so, which duties and/or functions?
- d. For each year, between 2018 and 2023, how many employees performing work related to child safety did TikTok terminate, fire, or lay off?
  - i. Of these employees, how many were based in the United States?
  - ii. Did TikTok fill these newly vacant positions with employees sponsored on H1-B visas? If so, how many?
  - iii. Were any duties and/or functions (specifically relating to child safety) previously performed by laid-off employees transferred to or performed at any point by employees sponsored on H1-B visas? If so, which duties and/or functions?
  - iv. How have layoffs impacted TikTok’s ability to protect children on its platforms?
  - v. Does TikTok have any plans to increase staff responsible for child safety operations or otherwise optimize its child safety operations?

TikTok is working diligently on a response to this question and its subparts. Review of the associated data is not complete at the date of submission of these responses, so TikTok will follow up with Senator Grassley to share relevant data.

- 5. On January 30, 2024, the Tech Transparency Project (TTP) published an article on their website called, “Meta Approves Harmful Teen Ads with Images from its Own AI Tool”. In summary, TTP, using Meta’s “Imagine with Meta AI” tool generated inappropriate images such as young people at a pill party or other vaping. These images with text were submitted to Facebook as advertisements targeting users between ages 13-17 in the United States. TTP reported that Facebook approved the advertisement, despite it violating its own policies, in less than five minutes to run on the following platforms: Facebook, Instagram, Messenger, and Meta Quest. Meta. Over the course of a week, TTP submitted the advertisements with the same end result: Facebook approving them. TTP reported that they canceled these advertisements before their scheduled publication, but it illustrated the repeated failures of Facebook to properly moderate content. This is just one example of what other non-government organizations and others have uncovered across social media platforms.

**a. How often a month do TikTok employees conduct quality checks on TikTok’s policies and safeguards for child accounts?**

We work hard every day to provide a safe, trustworthy and vibrant experience for users and maintain a set of Community Guidelines that includes rules and standards for using TikTok, including around youth safety and well-being. The guidelines apply to everyone and everything on our platform. They are informed by international legal frameworks and industry best practices. TikTok also regularly consults our community, safety and public health experts, and our regional Advisory Councils to inform our policy development, stay on top of evolving issues, and address emerging risks and potential harms that may occur from new behaviors.

**b. In which departments, components, or units of the company does TikTok have staff dedicated to performing this type of work?**

TikTok’s community is protected by over 40,000 global trust and safety professionals who help maintain and enforce our robust [Community Guidelines](#)<sup>1</sup>, [Terms of Service](#)<sup>2</sup> and [Advertising Policies](#)<sup>3</sup>, which apply to all content on our platform.

**c. How many employees make up these departments, components, or units?**

As noted in our response to Question 5(b), TikTok currently has more than 40,000 trust and safety professionals working to protect our community.

**d. If a violation is found, what action is taken, and how quickly is action taken?**

We aim to remove content or accounts that violate our guidelines before they are viewed or shared by other people in order to reduce potential harm. In our latest [transparency report](#)<sup>4</sup> covering Q3 2023, the removal rate for violative content was 96.1% before a single view and 90.6% within 24 hours of posting.

Content on TikTok first goes through technology that reviews it against our Community Guidelines. If content is identified as a potential violation, it will be automatically removed, or flagged for additional review by our trust & safety team. Additional review will occur if a video gains popularity or has been reported. Community members can [report](#)<sup>5</sup> violations in-app and on our website. Our quarterly [Community Guidelines Enforcement Reports](#)<sup>6</sup> provide insight into our enforcement efforts, showing how we continue to uphold trust, authenticity, and accountability.

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<sup>1</sup> <https://www.tiktok.com/community-guidelines/en/>

<sup>2</sup> <https://www.tiktok.com/legal/page/us/terms-of-service/en>

<sup>3</sup> <https://ads.tiktok.com/help/article/tiktok-advertising-policies-ad-creatives-landing-page-prohibited-content?lang=en>

<sup>4</sup> <https://www.tiktok.com/transparency/en/community-guidelines-enforcement-2023-3/>

<sup>5</sup> <https://support.tiktok.com/en/safety-hc/report-a-problem>

<sup>6</sup> <https://www.tiktok.com/transparency/en/community-guidelines-enforcement-2023-3/>

6. Social media companies claim they are investing in company components dedicated to safety, and that their platforms are safe for children. However, children continue to be exploited daily across these platforms.
- a. What have TikTok’s revenue and profit figures been for the last three years (2021-2023)? Please provide figures broken out per year. Do not provide percentages.
  - b. How much has TikTok spent in advertising for the last three years (2021-2023), broken out per year?
  - c. How much of TikTok’s resources spent on advertising has been devoted to advertising TikTok’s safety initiatives and efforts for the last three years (2021-2023), broken out per year?
  - d. To get an understanding of how your company has invested and plans to invest in its components dedicated to child safety functions, what are the annual budgets for TikTok’s child safety-related components for the last three years (2021-2023)?
  - e. What is the current anticipated (2024) budget for TikTok’s child safety-related components?
  - f. Provide the number of staff employed in TikTok’s child safety-related components for the last three years (2021-2023).
  - g. How much is that compared to TikTok’s other components for the same period? (Please provide a breakout per year. Do not provide percentages.)
  - h. How many staff are currently employed in TikTok’s child safety-related components?
  - i. What are the roles, responsibilities, and functions of TikTok’s child safety-related components?
  - j. Are any other components responsible for the monitoring of CSAM on TikTok’s platform(s)?
  - k. What, if any, third parties does TikTok employ or contract with to address CSAM material on its platforms?
    - i. What are the roles and responsibilities of these third parties?
    - ii. What is the breakdown of cost per third party over the last three years (2021-2023)?

As a privately held company, TikTok does not disclose revenue or detailed budget breakdowns. We expect to invest more than two billion dollars in trust and safety efforts in 2024, with a significant part of that investment in our U.S. operations.

TikTok’s U.S. community is protected by over 40,000 global trust and safety professionals. Within this, TikTok’s content moderators work alongside our automated moderation systems to take into account additional context and nuance which may not always be picked up by technology. Our moderators are trained across all Community Guidelines violations, including youth safety issues. Some violations require further work by specialized moderators in specialized queues. We are continuing to hire for our Trust and Safety team globally, with 1,000+ open roles.

TikTok has invested significant resources in promoting safety features such as Family Pairing, including utilizing both earned and paid media such as advertisements, billboards, and local news. Family pairing has also been promoted to users via in-app notifications and on our [Guardian’s Guide](#)<sup>7</sup>.

- 7. Of all reports sent by TikTok to the National Center for Missing and Exploited Children, how many reports were self-generated from victim users for the last three years (2021-2023)? Please provide the actual number of self-generated reports in addition to the total number of reports (including those that were not self-generated). In addition, please provide a break-down of the self-reporters by age.**

We currently do not track if an incident reported to NCMEC was solely initiated by the victim-user.

- 8. What is TikTok’s policy or protocol with respect to law enforcement accessing user data and subsequent notification to users of law enforcement accessing their data?**
  - a. Do certain crimes such as drug trafficking or child exploitation affect TikTok’s decision to notify a user whose data is accessed by law enforcement?**
  - b. Do certain requests such as a subpoena or search warrant affect TikTok’s notification protocol? If so, what are they?**
  - c. If TikTok does notify users of law enforcement accessing their data, why does TikTok find this necessary?**

TikTok does not currently notify U.S. users of law enforcement requests.

- 9. The National Center for Missing and Exploited Children has indicated that reports from social media companies tend to lack actionable information causing law enforcement to be burdened with incomplete information. How comprehensive are TikTok’s reports to NCMEC? What challenges is TikTok experiencing on the collection of user data and other information to include in its reports to NCMEC? What actions is TikTok taking to make its reports more comprehensive and useful to law enforcement?**

In 2022, NCMEC informed TikTok that 83% of its reports were ‘actionable’ by law enforcement. We provide the same information in all of our reports regarding the offender and the content. In 2022, [we received only one request from NCMEC](#)<sup>8</sup> to take down content, and removed it in a matter of hours.

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<sup>7</sup> <https://www.tiktok.com/safety/en/guardians-guide/>

<sup>8</sup> <https://www.missingkids.org/content/dam/missingkids/pdfs/2022-notifications-by-ncmec-per-esp.pdf>

**10. Has TikTok applied to join Project Lantern to work with industry peers tackling online child predators and the reporting of Child Sexual Abuse Material to law enforcement authorities?**

- a. If not, why hasn’t TikTok applied for participation in Project Lantern when doing so could improve law enforcement’s ability to effectively investigate these crimes?**

TikTok has applied to join Lantern and has been tentatively approved for membership.

**11. Mr. Chew, you testified, “we have not been asked for any data by the Chinese government and we have never provided it.” That same day, Director Wray testified about TikTok before the House Select Committee on the Chinese Communist Party. In describing his concerns about TikTok, he stated, “the most important starting point is the role of the Chinese government. The app’s parent company is effectively beholden to the Chinese government and that is what in turn creates a series of national security concerns in the PRC government’s ability to leverage that access or that authority.”**

- a. Has any member of the Chinese government or Chinese Communist Party asked ByteDance or any of ByteDance’s other subsidiaries for access to U.S. company, U.S. person, or U.S. government data? If so, what data has the Chinese government or Chinese Communist Party requested?**

TikTok does not offer the TikTok app for download in mainland China. TikTok Inc. has not been asked by the Chinese government for U.S. user data. TikTok discloses on a regular basis in its [Information Requests Reports](#)<sup>9</sup> the volume and type of requests for user information received from governments and law enforcement agencies, and whether the data was disclosed or presented.

- b. What information or data related to the United States companies, United States government, or United States users does TikTok share with ByteDance?**

TikTok’s data sharing practices are described in TikTok’s [U.S. Privacy Policy](#)<sup>10</sup> and [U.S. Children’s Privacy Policy](#)<sup>11</sup>. Subject to the further limitations on protected U.S. user data that are described below, access by TikTok-affiliated corporate group entities is governed by the principles set out in ByteDance’s data access policies.

In addition to the safeguards imposed by the data access policies, TikTok has been engaged in ongoing confidential discussions with CFIUS regarding measures that will significantly limit TikTok’s affiliates’ access to protected U.S. user data. In connection with these discussions, TikTok formed a new subsidiary, TikTok U.S. Data Security Inc. (“USDS”), which will be

<sup>9</sup> <https://www.tiktok.com/transparency/en-us/information-requests-2023-1/>

<sup>10</sup> <https://www.tiktok.com/legal/page/us/privacy-policy/en>

<sup>11</sup> <https://www.tiktok.com/legal/page/global/childrens-privacy-policy/en>



tasked with managing all business functions that require access to protected U.S. user data and the deployment and functioning of the TikTok app and TikTok platform in the United States.

**c. What information or data related to United States companies, United States government, or United States users does TikTok share with ByteDance’s other subsidiary companies?**

TikTok’s parent company, ByteDance Ltd., has China-based subsidiaries including Beijing Douyin Information Services Co., Ltd. The 1% stake in that entity does not give the Chinese government any right to influence the operations of TikTok. Please see the corporate structure diagram at [ByteDance.com](https://ByteDance.com), which illustrates the structural separation between Beijing Douyin Information Services, Co. Ltd. and all TikTok entities.

TikTok has imposed data access policies to help ensure that adequate safeguards are in place to protect personal information. If a person has no business need to access protected U.S. user data, they are not afforded such access under the terms of those policies. In addition to these safeguards, USDS is undertaking efforts that are unprecedented among our peer group to build a secure environment for protected U.S. user data.

**12. On February 4, CBS News reported that videos on TikTok were providing migrants (including large numbers of Chinese migrants) with instructions on how to hire a human smuggler and enter the United States illegally through a gap in the fence along the California border.**

**a. Is this a violation of TikTok’s policy?**

Yes, this type of content would violate TikTok’s Community Guidelines. TikTok prohibits content that seeks to promote or facilitate criminal activities, including human smuggling. We do not allow:

- facilitating or promoting human trafficking and human smuggling activities
- requesting support for being smuggled illegally into a different country
- instructional content on how to illegally cross the border

**b. Why hasn’t TikTok already removed this material from its platform? Will TikTok commit to removing this material from its platform?**

As mentioned, this type of content would violate our Community Guidelines. When we identify content that violates our policies, it is removed from the platform. Our policies relating to human exploitation allow certain content, such as content that expressing a desire to migrate to another country, or showing a migrant’s journey (as long as it does not explicitly show the involvement of smugglers in their journey or provide instructions on how to illegally cross the border). We report this type of content to law enforcement in certain circumstances, and we also work with

third-party intelligence firms to bolster our defenses against the efforts of bad actors on the platform and make reports to law enforcement as appropriate.

**c. How can TikTok reconcile its stated commitment to protect children with allowing its platform to facilitate a crisis which is especially dangerous to children and could lead to their trafficking, abuse, and exploitation?**

We are committed to upholding human rights and preventing the platform from being misused to enable any exploitative activities. We do not allow human exploitation on our platform, including trafficking, smuggling, forced labor, or underage marriage. We do understand how important it is for survivors who have experienced exploitation to share their stories and for migrants and refugees to be able to describe challenges they faced, so we seek to create a supportive space to do so (provided it does not violate any of our Community Guidelines, including those noted in our response to Question 12(a)).

We recognize our responsibility to help maintain a safe and welcoming environment for our community. Our Law Enforcement Response Team discloses relevant user data in response to valid legal requests from law enforcement agencies, including the U.S. Department of Homeland Security. TikTok may also share content or account information directly with law enforcement in the absence of a request when it believes in good faith that there is an emergency involving imminent harm or risk of death or serious physical injury to a person. Additionally, we have a robust law enforcement outreach team that is dedicated to meaningful engagement with law enforcement officers across the federal, state, and local levels. Since 2021, this team has trained over 13,000 U.S. law enforcement officers on our platform and company. We maintain an open dialogue for questions and answers through this program, and provide resources and contacts for questions and emergencies.

## **TikTok’s Responses to Questions for the Record from Senator Lee Submitted March 7, 2024**

- 1. The 2022 Thorn Report identified TikTok as the #3 platform where minors reported having an online sexual encounter (12 percent), and with 8 percent of minor TikTok users having an online sexual encounter with someone they believed to be an adult. Amongst minors who share self-generated CSAM, 52 percent say they do so with people they only know from online interactions. What is TikTok doing to cease being one of the most preferred platforms for predators to sexually exploit children?**

We are deeply committed to ensuring that TikTok offers a safe and positive experience for people under the age of 18. Minors must be 13 years and older to have an account, with additional age limitations based on local law in some regions. In the United States, there is a separate [under 13 TikTok experience](#)<sup>1</sup>, which does not permit sharing of personal information and puts extensive limitations on content and user interaction to help keep younger users safe while enjoying TikTok. In this ecosystem, account holders cannot do things like share their videos, comment on others’ videos, message with users, or maintain a profile or followers.

Our goal is to provide young people with an experience that is developmentally appropriate and helps to ensure a safe space for self-exploration. We take [several steps](#)<sup>2</sup>, such as using restrictive default privacy (e.g., setting accounts for 13-15 year olds to private by default) and limiting access to [certain product features](#)<sup>3</sup> (e.g., disabling direct messaging and limiting comments for 13-15 year olds, preventing accounts under 18 from being suggested as a connection to others on TikTok, preventing accounts under 18 from going LIVE).

Youth safety is our priority. We do not allow content that may put young people at risk of exploitation, or psychological, physical, or developmental harm. This includes child sexual abuse material (“CSAM”), youth abuse, and exposure to overtly mature themes. If we become aware of youth exploitation on our platform, we will ban the account, as well as any other accounts belonging to the person. If we suspect predatory behavior from a user, their account will be flagged and minor users’ videos will be filtered out from their For You page. We also machine moderate DMs for egregious violations (e.g., minor sexual solicitation) to block violative messages from being sent, with the model being stricter for conversations involving a user under 18.

- 2. A 2023 survey by Parents Together found that 54 percent of all TikTok users have been exposed to sexual content on TikTok. TikTok restricts certain content from accounts that belong to minors, including removing the direct-messaging function for users 16-years-old and younger. However, the only age verification measure that**

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<sup>1</sup> <https://newsroom.tiktok.com/en-us/tiktok-for-younger-users>

<sup>2</sup> <https://support.tiktok.com/en/account-and-privacy/account-privacy-settings/privacy-and-safety-settings-for-users-under-age-18>

<sup>3</sup> <https://support.tiktok.com/en/account-and-privacy/account-privacy-settings/privacy-and-safety-settings-for-users-under-age-18>

**TikTok undertakes to ascertain the age of its users is asking new users to enter their birthdate when they open an account. How do you prevent minors from lying about their age when creating an account and accessing the sexual content on your app?**

TikTok disagrees with many of the assertions in this question.

TikTok’s goal of providing an age-appropriate experience to its users begins with an industry-standard neutral age gate that is consistent with the Federal Trade Commission’s (“FTC”) guidance for age verification under the Children’s Online Privacy Protection Act (“COPPA”). If an individual selects a birthdate that indicates that they are under the age of 13 when creating a TikTok account in the U.S., they are directed to TikTok’s under 13 experience, where they can watch a curated library of age-appropriate videos. In addition to being restricted to only certain approved content, users in the under 13 experience cannot access many of the features and functions that are available to users on the 13+ experience. For example, they are not able to post videos on the platform, comment on videos, message other users, maintain a profile or followers, receive ads, or be directed off the TikTok platform.

Beyond age gate, TikTok uses technologies and human moderators, as well as user and third party reporting, to detect and remove users in the 13+ experience who are suspected to be under 13. An account in the 13+ experience that is flagged as being potentially under 13 is routed to a dedicated team of trained moderators who would review the account to determine if it should be banned for not meeting the minimum age requirement. If the moderator makes a determination that the account belongs to a suspected underage user, the account would be removed from the 13+ experience.

Our age assurance measures include a range of measures that are applied on an ongoing basis, rather one time only. In our most recent quarterly report for Q3 2023, we disclosed that we removed 20,864,857 accounts for being suspected of belonging to persons under 13 years of age. Precise numbers are provided on a quarterly basis in our [Community Guidelines Enforcement Reports](#)<sup>4</sup> that we make available publicly on our website.

### **3. What does TikTok do when you identify a minor who lied about their age when creating an account?**

Accounts that a moderator suspects to be under 13 years of age in the 13+ experience are removed from the platform. In our most recent quarterly report for Q3 2023, we disclosed that we removed 20,864,857 accounts for being suspected of belonging to persons under 13 years of age. Precise numbers are provided on a quarterly basis in our [Community Guidelines Enforcement Reports](#)<sup>5</sup> that we make available publicly on our website.

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<sup>4</sup> <https://www.tiktok.com/transparency/en-us/community-guidelines-enforcement/>

<sup>5</sup> <https://www.tiktok.com/transparency/en-us/community-guidelines-enforcement/>

**4. Predators often contact minors on one platform and then attempt to get the minor to move the conversation to another platform. What does TikTok do to identify these situations, and are these types of interactions reported to law enforcement?**

When a violative conversation or DM is reported, human moderators will review the conversation and escalate to our Child Safety Team. We machine moderate conversations including for grooming, though depending on the nature of the conversation, it may not trigger an intervention since moving off-platform alone is not a policy violation. However, other parts of the conversation may trigger machine intervention.

If applicable, violative conversations will be reported to the [National Center for Missing & Exploited Children \(“NCMEC”\)](#)<sup>6</sup> (and through that, to law enforcement for follow-up or tracking where appropriate).

**5. How does TikTok inform parents when a child is exposed to sexual material? How does TikTok inform parents when their child is the target of grooming?**

We respect youth privacy and understand that youth may need additional support to understand online privacy risks and assert their rights. TikTok is committed to offering youth enhanced user education, accessible control over the visibility, access and use of their personally identifiable data, and meaningful measures to prevent third party’s unauthorized access to their data (this includes parental access to youth’s content consumption data without permission/assent from youth).

We encourage parents to have an open dialogue with their teens and have created a [Guardian’s Guide](#)<sup>7</sup> to help facilitate these conversations. It also outlines an overview of TikTok and the many tools and controls we’ve built into the product to keep teens and our broader community safe, as well as general information on common internet safety concerns. It also explains TikTok’s privacy policy and safety tools, including our Family Pairing feature, which lets parents link their TikTok account to their teen’s account to enable a variety of content, privacy, and well-being settings.

**6. Despite having more than 1 billion active users on your platform, TikTok only launched tools for identifying potential child sexual abuse and grooming within the last month. What is your company’s plan to develop a truly comprehensive underage threat detection and prevention strategy?**

This is an inaccurate representation of TikTok’s efforts. While TikTok is a young company compared to our peers, we have employed human and machine-based moderation tools like photo identification technologies, in alignment with industry standards, to identify and remove exploitative content for many years. In addition, we filter red-flag language and share information with NCMEC about situations that may indicate grooming behavior, according to their policies and industry norms, and have shared information about our efforts publicly in the

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<sup>6</sup> <https://www.missingkids.org/home>

<sup>7</sup> <https://www.tiktok.com/safety/en/guardians-guide/>

U.S. since at least [early 2020](#)<sup>8</sup>, and have been a member of the WeProtect Global Alliance [since 2020](#)<sup>9</sup>, the Technology Coalition [since 2021](#)<sup>10</sup>. We received [broad praise for our efforts](#)<sup>11</sup> from many leading organizations as far back as 2021.

- 7. Several Trust and Safety policy leaders within TikTok testified that they have been asked to “be lenient on creators with more than 5 million followers,” indicating that TikTok applies different moderation standards based on the popularity of certain accounts. Can you confirm that TikTok will apply the same content moderation standards to all accounts, regardless of the size of their audience?**

Our [Community Guidelines](#)<sup>12</sup> apply equally to all content and we’re committed to enforcing them fairly, consistently, and equitably. Higher follower counts do not lead to more lenient moderation.

- 8. A 2022 report from Forbes highlighted issues with TikTok’s “Only Me” feature, which offers a pathway for predators to access CSAM on TikTok by hosting the images and videos on a singular account and sharing the account login details amongst other predators. What has TikTok done to close this loophole? Do you scan materials held in the Only Me folder for potential CSAM? Do you scan materials posted publicly for potential CSAM?**

Whenever a video is uploaded to the TikTok platform -- including private videos that are viewable only to the account holder -- the content is run through our automated moderation process. We also proactively scan for user password sharing behavior to identify and remove violative accounts. Additionally, search terms related to “post2private” are blocked, and users with “post2private” related bios, handles, or usernames are taken down.

- 9. TikTok is used by many unlawful organizations to inform would-be criminals on methods for circumventing the American legal system. Last week, a CBS 60 Minutes report interviewed dozens of Chinese immigrants who credited TikTok for showing the specific steps to enter this country illegally, including the location of a four-foot hole in the fence near San Diego. Reporters “witnessed nearly 600 migrants—adults and children—pass through the gap and onto U.S. soil, unchecked . . . The migrants knew about the hole because of TikTok. Posts on the app reviewed by ‘60 Minutes’ featured step-by-step instructions for hiring smugglers and detailed directions to the border gap.” What is TikTok doing to shut down these types of videos, and other videos that encourage individuals to break the law?**

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<sup>8</sup> <https://newsroom.tiktok.com/en-us/protecting-against-exploitative-content>

<sup>9</sup> <https://newsroom.tiktok.com/en-us/tiktok-joins-weprotect-global-alliance>

<sup>10</sup> <https://newsroom.tiktok.com/en-us/tiktok-joins-the-technology-coalition/>

<sup>11</sup> <https://newsroom.tiktok.com/en-us/strengthening-privacy-and-safety-for-youth>

<sup>12</sup> <https://www.tiktok.com/community-guidelines/en/>

This type of content would violate TikTok’s Community Guidelines. TikTok prohibits content that seeks to promote or facilitate criminal activities, including human smuggling. We do not allow content relating to:

- facilitating or promoting human trafficking and human smuggling activities
- requesting support for being smuggled illegally into a different country
- instructional content on how to illegally cross the border

When we identify content that violates our policies, it is removed from the platform. Our policies relating to human exploitation allow certain content, such as content that expressing a desire to migrate to another country, or showing a migrant’s journey (as long as it does not explicitly show the involvement of smugglers in their journey or provide instructions on how to illegally cross the border). We are committed to upholding human rights and preventing the platform from being misused to enable any exploitative activities. We do not allow human exploitation on our platform, including trafficking, smuggling, forced labor, or underage marriage.

We recognize our responsibility to help maintain a safe and welcoming environment for our community. Our Law Enforcement Response Team discloses relevant user data in response to valid legal requests from law enforcement agencies, including DHS. TikTok may also share content or account information directly with law enforcement in the absence of a request when it believes in good faith that there is an emergency involving imminent harm or risk of death or serious physical injury to a person. We also work with third-party intelligence firms to bolster our defenses and make reports to law enforcement as appropriate.

## **TikTok’s Responses to Questions for the Record from Senator Cruz Submitted March 7, 2024**

- 1. In the last two years, has an employee or commissioner of the Federal Trade Commission (FTC) requested to evaluate or evaluated your data used for training Large Language Models or algorithms or the sources of such data for bias, discrimination, or misinformation?**

Yes, insofar as TikTok, along with several other companies, received requests for information from the FTC under its 6(b) authority regarding algorithms and bias.

- 2. In the last two years, has an employee or commissioner of the FTC sought details regarding your company’s measures related to filtering or blocking inputs and outputs of a Large Language Model or algorithms.**
  - a. If yes, has the FTC attempted to coerce or otherwise request you to implement input/output filtering in order to allegedly comply with federal law?**

No. The FTC has not made such a request.

- 3. In the last two years, has an employee or commissioner of the Federal Trade Commission sought to evaluate your company’s use of measures, including “prebunking” or “debunking”, designed to counteract so called “online misinformation”?**

Yes, insofar as TikTok, along with several other companies, received requests for information from the FTC under its 6(b) authority regarding measures to address misleading, deceptive, or fraudulent ads.

- 4. In June 2022, the FTC released a report titled “Combatting Online Harms Through Innovation.” In this report, the FTC discussed how the deployment of AI tools intended to detect or otherwise address harmful online content is accelerating but may never be appropriate as an alternative to human judgment.**
  - a. In the context of protecting children from online harms to what extent does your company rely on automated tools to detect online harm vs. human review? Please be specific.**

TikTok removes violative content proactively using both automated and manual processes, as well as removing violative content reported by users. Videos uploaded to TikTok are initially reviewed by TikTok’s automated moderation technology, which aims to identify content that violates the Community Guidelines before it is distributed across the TikTok platform and displayed to users. These automated technology systems look at a variety of signals across content, including keywords, images, titles, descriptions, and audio, and continuously learn and



adapt based on the data in each video and the moderation decisions that TikTok’s human moderators ultimately make based on TikTok’s Community Guidelines and related policies. If TikTok’s machine-based filters identify a potential violation, the automated moderation system will either pass it on to TikTok’s safety teams for further review or remove it automatically. Automatic removal is applied if there is a high degree of confidence that the content violates the Guidelines and where violations are most clear-cut, such as nudity or youth safety. Automatic removals are subject to the user’s ability to appeal that determination.

When TikTok’s automated moderation systems identify potentially problematic content but cannot make an automated decision to remove it, they send the content to TikTok’s safety teams for further review. To support this work, TikTok has developed technology that can identify risky or suspicious items in video frames, so that content moderators can carefully review the video and the context in which it appears. This technology improves the efficiency of TikTok’s moderators by helping them more adeptly identify violative images or objects, quickly recognize violations, and make decisions accordingly.

**b. What benefits can AI provide to helping detect and/or stop harmful content to children online?**

As mentioned in our response to Question 4(a), we use both automated moderation technology and content moderators to identify content that violates our Community Guidelines. We strive to remove violative content as soon as possible, and before it’s reported to us by our community. In our latest [transparency report](#)<sup>1</sup> covering Q3 2023, our proactive removal rate for violative content was 96.1%, and 90.6% within 24 hours of posting. We continue to improve our content moderation systems to more effectively remove violative content at scale.

**c. What does a human reviewer provide that an AI or automated tool cannot? Will we always need some measure of human review in assessing online harms to children?**

In order to support fair and consistent review of potentially violative content, we deploy a combination of automated technology and skilled human moderators who can take into account additional context and nuance which may not always be picked up by technology. Human review also helps improve our automated moderation systems by providing feedback for the underlying machine learning models to strengthen future detection capabilities. This continuous improvement helps to reduce the volume of potentially distressing videos that moderators view and enables them to focus more on content that requires a greater understanding of context and nuance. The responsibilities of content moderators include:

- **Reviewing content flagged by technology:** When our automated moderation systems identify potentially problematic content but cannot make an automated decision to remove it, they send the content to our safety teams for further review. To support this work, we’ve developed technology that can identify risky or suspicious items – for example, weapons – in video frames, so that content moderators can carefully review the

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<sup>1</sup> <https://www.tiktok.com/transparency/en/community-guidelines-enforcement-2023-3/>

video and the context in which it appears. This technology improves the efficiency of our moderators by helping them more adeptly identify violative images or objects, quickly recognize violations, and make decisions accordingly.

- **Reviewing reports from our community:** We offer our community easy-to-use in-app and [online reporting tools](#) so they can flag any content or account they feel is in violation of our Community Guidelines. While these reports are important, the vast majority of removed content is identified proactively before it receives any views or is reported to us.
- **Reviewing popular content:** Harmful content has the potential to rapidly gain popularity and pose a threat to our community. In order to reduce this risk, our automated moderation systems may send videos with a high number of views to our content moderators for further review against our Community Guidelines.
- **Assessing appeals:** If someone disagrees with our decision to remove their content or account, they can file an appeal for reconsideration. These appeals will be sent to content moderators to decide if the content should be allowed back onto the platform or the account reinstated.

**d. The FTC has sent mixed signals in its enforcement of COPPA. While the Commission emphasizes not over relying on use of automated tools or AI, they have nonetheless found liability for using human review as alternative signaling overreliance on automated tools. What improvements, if any, should Congress make to clarify the legal tension between use of automated detection tools vs. human review?**

We believe that Congress can clarify the legal tension between the use of automated detection tools and human review by focusing on protecting against harmful outcomes, being technology-neutral about specific measures that organizations adopt to prevent these outcomes, and establishing voluntary safe harbors for organizations that implement such measures to mitigate harmful outcomes. Legislation that focuses on protecting against harmful outcomes without being overly prescriptive about the precise measures that organizations must adopt would encourage organizations to develop and innovate new and better automated and human-driven processes that improve harm reduction and prevention. A potential drawback of specifying the tools and technological parameters that organizations must deploy is that these specifications may become obsolete over time as bad actors use increasingly advanced and sophisticated means to achieve their objectives. Congress should consider establishing voluntary safe harbor programs for organizations to innovate and develop technology designed to protect children with appropriate safeguards. By supporting principles-based, harm-focused and technology-neutral online safety laws that include scientifically-based safe harbors, Congress can provide greater regulatory guidance to law enforcement authorities, online service providers, parents and children.

5. **In 2021, Congress directed the FTC to research and report on how AI can be used positively to detect and combat fraudulent or deceptive content online. Rather than viewing AI as a potential solution to our online woes, the FTC instead issued a report that read more like an indictment of the technology.**
- a. **Please explain whether, in your view, AI can be used to positively detect and combat fraudulent or deceptive content, including the recent use of deepfakes or other scams to harm consumers.**

AI can be used to improve positively detecting and combating fraudulent or deceptive content. AI technologies designed for online fraud detection offer a number of advantages that, when deployed in conjunction with human moderators, can be designed to more effectively reduce harm to consumers from deepfakes or other scams at scale in a number of ways:

1. Models can be trained on datasets that include existing examples of fraudulent or deceptive content in order to learn how to better detect existing or novel harmful attempts and by identifying trends and patterns of coordinated fraudulent behavior.
2. Models can augment human review by quickly identifying potentially fraudulent or deceptive content at a large scale.
3. Models can be used to intake and process reports from users to ensure completeness and reduce wait times for better customer service.

- b. **Has the FTC ever consulted with your company to learn how your company deploys AI to better detect and combat fraudulent or deceptive content? Has the DOJ? How about the Federal Elections Commission?**

Yes, insofar as TikTok, along with several other companies, received requests for information from the FTC under its 6(b) authority regarding use of AI to detect misleading, deceptive, or fraudulent ads.

- c. **How can Congress empower agencies to use AI positively for the protection of American consumers from fraudulent or deceptive content?**

Congress is taking prudent steps to educate itself on the potential benefits and harms of AI development across many sectors, like healthcare, education, and social media. Carefully balancing responsible innovation by technology developers along with safety, security, and privacy for consumers is paramount. Working together with the Administration and other global policymaking efforts, Congress can allocate appropriations in support of agency acquisitions of specified AI products and services that are designed to help consumers identify, report, and prevent the spread of fraudulent or deceptive content.

**6. Please provide a description of your company’s policy regarding the sale or transfer of the data of American users collected on your platform to a third party, including data brokers.**

TikTok does not sell personal information. The TikTok U.S. Data Security Inc. (“USDS”) vendor program restricts transfer to and/or sharing of U.S. user data to third parties. USDS has established a process to vet any third party who will: (1) have to access, process, modify and/or store TikTok U.S. user data; or (2) provide services to USDS that support operational and daily functions. If the third party fails the compliance assessment, USDS does not contract with the third party. If the third party passes the compliance assessment and no sensitive company information will be shared with the third party, USDS may proceed with contracting. If the third party passes the compliance assessment and sensitive company information will be shared, the third party is then further reviewed from a security risk standpoint as outlined in the following paragraph.

USDS completes a third-party risk and security assessments for any third party that receives sensitive company information, including personal information. To evaluate third party security risk, USDS obtains third party engagement information from completed submission forms and correspondence with associated company business teams. Based upon the security risk profile of the vendor engagement, USDS requests commensurate security documentation from the third party (this may include SOC2 attestations, ISO certifications, policies, penetration and vulnerability reports). USDS reviews this documentation to determine whether the third party meets company security requirements. As necessary, USDS enforces remediation prior to authorizing the vendor.

**7. Has your company ever sold the data of American users on your platform to the government of a foreign country? If so, please provide a full list of the countries and the categories of data sold.**

No. We do not sell TikTok user data to governments.

**8. Outside of complying with a lawful order, has your company ever transferred the data of American users on your platform to the government of a foreign country? If so, please provide a full list of the countries and the circumstances underlying the basis for such transfer.**

Yes. In response to emergency requests or proactively to prevent emergency situations, we have produced U.S. user data to non-U.S. law enforcement authorities. These requests are not legal orders, but instead emergency related requests from foreign authorities or proactively identified emergency related content that we believe meet a high standard of imminence, credibility and specificity to grant a limited and specific disclosure of user data. In 2023, we disclosed to the following countries: Canada, Mexico, and UK. Examples of emergency nature of requests include: missing minors, child exploitation, violent credible threats, and suicidal missing persons.

**9. Has your company ever sold the data of American users on your platform to a U.S. government agency? If so, please provide a full list of the agencies and the categories of data sold.**

No. We do not sell TikTok user data to governments.

**10. Outside of complying with a lawful order, has your company ever transferred the data of American users on your platform to a U.S. government agency? If so, please provide a full list of the agencies and categories of data transferred.**

Yes. First, in response to emergency requests, we have produced U.S. user data to U.S. law enforcement authorities. These requests are not formal legal process, but instead emergency related requests from U.S. authorities that we believe meet a high standard of imminence, credibility and specificity to grant a limited and specific disclosure of user data. These disclosures are made to assist in either identifying or locating an individual to prevent emergencies.

Examples of the emergency nature of these disclosures include: crimes of violence, school shootings, national security/ terrorism, suicide/self-harm, missing persons, kidnappings, mass shooting/ casualty events, and child exploitation. These requests typically include basic subscriber information and IP log-in data.

In 2023, the U.S. Federal government agencies that have received U.S. user data under this policy and process are:

- FBI
- DHS (HSI, CBP)
- U.S. Marshals Service
- U.S. Secret Service
- U.S. Capitol Police
- U.S. Treasury Inspector General for Tax Administration
- USNCB Interpol Washington

Second, we also have proactively disclosed U.S. user data to U.S. law enforcement authorities to report potential emergency situations or provide evidence of potential serious criminal conduct. These data disclosures are done in response to internally identified content that either a) meet a high emergency standard of imminence, credibility and specificity or b) contains evidence of potential serious criminal conduct.

Examples of the emergency nature of these disclosures include: suicide/self-harm, crimes of violence, school shootings, national security/ terrorism, mass shooting/ casualty event, child exploitation and kidnapping. These requests typically include: basic subscriber information, IP log-in data, user content, and metadata about the user content. User content and metadata are produced here to provide the evidence of the potential emergency.

Examples of the potential serious criminal conduct included in the below disclosures: human smuggling or trafficking, firearms trafficking, and drug trafficking. These requests typically include basic subscriber information, IP log-in data, user content, and metadata about the user content. User content and metadata are produced here to provide the evidence of the potential serious criminal conduct.

In 2023, we produced U.S. user data according to these policies and processes to the following U.S. federal government agencies:

- Potential Emergencies:
  - FBI
  - USNCB Interpol Washington
- Potential Serious Criminal Conduct:
  - ATF
  - DEA
  - FBI

**11. Does your company have a policy to restrict third party use and/or transfer of data collected from users on your platform? Please be specific, including how you enforce such restrictions and whether such restrictions prohibit the sale or transfer of such data to a government agency, including a foreign government agency.**

TikTok does not sell personal information. The TikTok U.S. Data Security Inc. (“USDS”) vendor program restricts transfer to and/or sharing of U.S. user data to third parties. USDS has established a process to vet any third party who will: (1) have to access, process, modify and/or store TikTok U.S. user data; or (2) provide services to USDS that support operational and daily functions. If the third party fails the compliance assessment, USDS does not contract with the third party. If the third party passes the compliance assessment and no sensitive company information will be shared with the third party, USDS may proceed with contracting. If the third party passes the compliance assessment and sensitive company information will be shared, the third party is then further reviewed from a security risk standpoint as outlined in the following paragraph.

USDS completes a third-party risk and security assessments for any third party that receives sensitive company information, including personal information. To evaluate third party security risk, USDS obtains third party engagement information from completed submission forms and correspondence with associated company business teams. Based upon the security risk profile of the vendor engagement, USDS requests commensurate security documentation from the third party (this may include SOC2 attestations, ISO certifications, policies, penetration and vulnerability reports). USDS reviews this documentation to determine whether the third party meets company security requirements. As necessary, USDS enforces remediation prior to authorizing the vendor.

- 12. Between July 4, 2023 and July 14, 2023, was your company contacted by any employee of or contractor for any of the following agencies? Please answer “yes” or “no” for each agency and, if “yes,” provide the date(s) of contact and the name(s) of the agency employees or contractors that contacted your company.**
- a. U.S. Department of Health and Human Services (HHS)**

Other than any valid legal process, we have not to date as part of a limited informal review identified any communication by any employee of or contractor of this agency during the time period of July 4, 2023 to July 14, 2023. We may be unaware of communications if they took place between an agency and an employee and it was not reported to the company.

- b. National Institute of Allergy and Infectious Diseases (NIAID)**

Other than any valid legal process, we have not to date as part of a limited informal review identified any communication by any employee of or contractor of this agency during the time period of July 4, 2023 to July 14, 2023. We may be unaware of communications if they took place between an agency and an employee and it was not reported to the company.

- c. Centers for Disease Control and Prevention (CDC)**

Other than any valid legal process, we have not to date as part of a limited informal review identified any communication by any employee of or contractor of this agency during the time period of July 4, 2023 to July 14, 2023. We may be unaware of communications if they took place between an agency and an employee and it was not reported to the company.

- d. U.S. Food and Drug Administration (FDA)**

Other than any valid legal process, we have not to date as part of a limited informal review identified any communication by any employee of or contractor of this agency during the time period of July 4, 2023 to July 14, 2023. We may be unaware of communications if they took place between an agency and an employee and it was not reported to the company.

- e. The National Institutes of Health (NIH)**

Other than any valid legal process, we have not to date as part of a limited informal review identified any communication by any employee of or contractor of this agency during the time period of July 4, 2023 to July 14, 2023. We may be unaware of communications if they took place between an agency and an employee and it was not reported to the company.

- f. U.S. Department of Homeland Security (DHS)**

Other than any valid legal process, we have not to date as part of a limited informal review identified any communication by any employee of or contractor of this agency during the time period of July 4, 2023 to July 14, 2023. We may be unaware of communications if they took place between an agency and an employee and it was not reported to the company.

**g. DHS Cybersecurity and Infrastructure Security Agency (CISA)**

Other than any valid legal process, we have not to date as part of a limited informal review identified any communication by any employee of or contractor of this agency during the time period of July 4, 2023 to July 14, 2023. We may be unaware of communications if they took place between an agency and an employee and it was not reported to the company.

**h. U.S. Census Bureau**

Other than any valid legal process, we have not to date as part of a limited informal review identified any communication by any employee of or contractor of this agency during the time period of July 4, 2023 to July 14, 2023. We may be unaware of communications if they took place between an agency and an employee and it was not reported to the company.

**i. Federal Bureau of Investigation (FBI)**

Other than any valid legal process, we have not to date as part of a limited informal review identified any communication by any employee of or contractor of this agency during the time period of July 4, 2023 to July 14, 2023. We may be unaware of communications if they took place between an agency and an employee and it was not reported to the company.

**j. U.S. Department of Justice (DOJ)**

Other than any valid legal process, we have not to date as part of a limited informal review identified any communication by any employee of or contractor of this agency during the time period of July 4, 2023 to July 14, 2023. We may be unaware of communications if they took place between an agency and an employee and it was not reported to the company.

**k. The White House Executive Office of the President (EOP)**

Other than any valid legal process, we have not to date as part of a limited informal review identified any communication by any employee of or contractor of this agency during the time period of July 4, 2023 to July 14, 2023. We may be unaware of communications if they took place between an agency and an employee and it was not reported to the company.

**l. U.S. Department of State**

Other than any valid legal process, we have not to date as part of a limited informal review identified any communication by any employee of or contractor of this agency during the time period of July 4, 2023 to July 14, 2023. We may be unaware of communications if they took place between an agency and an employee and it was not reported to the company.



**13. Is it your company’s policy to prevent children under 13 from using your social media app(s) or creating an account?**

In line with the FTC's guidance, under our policy in the U.S., users age 13 and older may access TikTok's 13+ experience, but for users under 13, we provide a separate under 13 experience which has additional safeguards and privacy protections designed specifically for children under 13.

**14. In your view, would it be appropriate for school-aged children to spend time on or access your company’s social media app(s) during class?**

Every teen is different, and so is every family, but for all of us there are times when it's important to be uninterrupted. This is why caregivers are able to use Family Pairing to customize the daily screen time limit for their teen – including choosing different time limits depending on the day of the week – giving families choices to match screen time to school schedules, holiday breaks, or family travel. TikTok has also enabled parents to set a schedule to mute notifications for their teen.

TikTok believes that schools and teachers are best positioned to make determinations as to their classroom curriculums.

**15. As a parent, would you be concerned if your child were able to access your company’s social media app(s) during class via a school network or device?**

Every teen is different, and so is every family, but for all of us there are times when it's important to be uninterrupted. This is why caregivers are able to use Family Pairing to customize the daily screen time limit for their teen – including choosing different time limits depending on the day of the week – giving families choices to match screen time to school schedules, holiday breaks, or family travel. TikTok has also enabled parents to set a schedule to mute notifications for their teen.

TikTok believes that schools and teachers are best positioned to make determinations as to their classroom curriculums.

**16. In your view, should elementary and secondary schools block students’ access to your company’s social media app(s) on school networks and devices?**

Every teen is different, and so is every family, but for all of us there are times when it's important to be uninterrupted. This is why caregivers are able to use Family Pairing to customize the daily screen time limit for their teen – including choosing different time limits depending on the day of the week – giving families choices to match screen time to school schedules, holiday breaks, or family travel. TikTok has also enabled parents to set a schedule to mute notifications for their teen.

TikTok believes that schools and teachers are best positioned to make determinations as to their classroom curriculums.

**17. Do you think that school buses equipped with Wi-Fi should allow children to access your company’s social media app(s) via a school bus Wi-Fi network during their rides to and from school?**

Every teen is different, and so is every family, but for all of us there are times when it's important to be uninterrupted. This is why caregivers are able to use Family Pairing to customize the daily screen time limit for their teen – including choosing different time limits depending on the day of the week – giving families choices to match screen time to school schedules, holiday breaks, or family travel. TikTok has also enabled parents to set a schedule to mute notifications for their teen.

TikTok believes that school districts are best positioned to make determinations as to what content should be available from school bus Wi-Fi networks.

**18. As a parent, do you think it is important to supervise your children’s internet access?**

TikTok encourages parents and guardians to have ongoing dialogue and supervision of their teen's digital journey. TikTok provides a Guardian's Guide to help facilitate conversations between parents and their teens. More information on our approach can be found [here](#)<sup>2</sup>.

**19. As a parent, would you be concerned if your child’s school allowed your child to access the internet on an unsupervised basis, such as on your child’s bus ride to and from school via the school bus Wi-Fi?**

TikTok agrees that it is important for parents to understand how their children's schools engage with technology and what safeguards will be put in place.

**20. Do you think Congress should require schools, as a condition of receiving broadband subsidies through the Federal Communications Commission’s E-Rate program (which funds broadband for elementary and secondary schools), to block students’ access to your company’s social media app(s) from school-run networks?**

TikTok has not taken a position on the E-Rate program. TikTok has significant educational content on the app, such as our STEM feed<sup>3</sup> or [#booktok](#) content<sup>4</sup> that schools may wish to allow students to access.

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<sup>2</sup> <https://www.tiktok.com/safety/en/guardians-guide/>

<sup>3</sup> <https://newsroom.tiktok.com/en-us/take-discovery-to-a-new-level-with-stem-feed>

<sup>4</sup> <https://newsroom.tiktok.com/en-us/world-book-day-booktok-2023>

**21. Do you support the bipartisan *Eyes on the Board Act of 2023, S. 3074*?**

No.

**22. Have you, your company, or any foundation associated with you or your company, donated or contributed funding, equipment, or services to any of the following organizations in the last ten years (CY 2013 to CY 2023)?**

- a. Education and Libraries Networks Coalition (EdLiNC)
- b. Open Technology Institute
- c. Consortium for School Networking (COSN)
- d. Funds For Learning
- e. State Educational Technology Directors Association (SETDA)
- f. Schools, Health, and Libraries Broadband Coalition (SHLB)
- g. State E-Rate Coordinators’ Alliance (SECA)
- h. EducationSuperHighway
- i. All4Ed
- j. Public Knowledge
- k. Fight for the Future
- l. Free Press
- m. Electronic Frontier Foundation
- n. Benton Foundation or Benton Institute for Broadband & Society
- o. Electronic Privacy Information Center

TikTok has contributed funding to Public Knowledge.

**23. For each such donation or contribution described in the prior question, please detail (1) the type of donation or contribution, such as financial donation, goods or equipment, services, etc.; (2) who made the donation or contribution; (3) the recipient organization; (4) the year the donation or contribution was made; and (5) the total value of that donation or contribution.**

In 2021, TikTok Inc. contributed \$50,000 to support Public Knowledge's IP3 Awards.

In 2022, TikTok Inc. contributed \$50,000 to support Public Knowledge's IP3 Awards.

In 2023, TikTok Inc. pledged \$50,000 to support Public Knowledge's IP3 Awards and another \$50,000 to support Public Knowledge's Sherwin Lee Siy Memorial Fund, which funds Public Knowledge's training program for diverse early career public interest advocates.

**24. China’s 2017 national intelligence law states: “All organizations and citizens shall support, assist, and cooperate with national intelligence efforts in accordance with the law, and shall protect national intelligence work secrets they are aware of.”**

- a. You worked for Chinese tech giant Xiaomi from 2015 to 2021. Yes or no: As an employee of Xiaomi, were you covered by China’s national intelligence law following its 2017 passage?**

It is our understanding that any business that operates in China, including many other global businesses, is subject to Chinese law.

- b. Yes or no: Is Xiaomi as an organization covered by the 2017 national intelligence law?**

It is our understanding that any business that operates in China, including many other global businesses, is subject to Chinese law.

- c. You worked as ByteDance’s chief financial officer in 2021. Yes or no: As an employee of ByteDance, were you covered by China’s national intelligence law?**

ByteDance is obligated to comply with China's laws insofar as they relate to the ByteDance business just as it is obligated to comply with the laws of the United States. Other U.S. companies doing business in China would likewise be required to comply with Chinese laws insofar as they are doing business in China.

Project Texas, as we have described elsewhere, safeguards protected U.S. user data by taking steps to limit access only to USDS personnel, subject to limited exceptions.

- d. Yes or no: Is ByteDance as an organization covered by the 2017 national intelligence law?**

ByteDance is obligated to comply with China's laws insofar as they relate to the ByteDance business just as it is obligated to comply with the laws of the United States. Other U.S. companies doing business in China would likewise be required to comply with Chinese laws insofar as they are doing business in China.

Project Texas, as we have described elsewhere, safeguards protected U.S. user data by taking steps to limit access only to USDS personnel, subject to limited exceptions.

- e. In March 2023, you testified before Congress that you report to the CEO of ByteDance, Liang Rubo. Yes or no: Is Liang Rubo covered by the 2017 national intelligence law?**

ByteDance is obligated to comply with China's laws insofar as they relate to the ByteDance business just as it is obligated to comply with the laws of the United States. Other U.S. companies doing business in China would likewise be required to comply with Chinese laws insofar as they are doing business in China.

Project Texas, as we have described elsewhere, safeguards protected U.S. user data by taking steps to limit access only to USDS personnel, subject to limited exceptions.

**f. Yes or no: As CEO of TikTok—a role in which you report to the CEO of ByteDance—are you covered by the 2017 national intelligence law?**

TikTok does not offer the TikTok app for download in mainland China.

Project Texas, as we have described elsewhere, safeguards protected U.S. user data by taking steps to limit access only to USDS personnel, subject to limited exceptions.

**g. Yes or no: Is TikTok as an organization covered by the 2017 national intelligence law?**

TikTok does not offer the TikTok app for download in mainland China.

Project Texas, as we have described elsewhere, safeguards protected U.S. user data by taking steps to limit access only to USDS personnel, subject to limited exceptions.

**h. How many of ByteDance’s employees are covered by the 2017 national intelligence law?**

TikTok does not offer the TikTok app for download in mainland China.

ByteDance is obligated to comply with China's laws insofar as they relate to the ByteDance business just as it is obligated to comply with the laws of the United States. Other U.S. companies doing business in China would likewise be required to comply with Chinese laws insofar as they are doing business in China.

Project Texas, as we have described elsewhere, safeguards protected U.S. user data by taking steps to limit access only to USDS personnel, subject to limited exceptions.

**i. How many of TikTok’s employees are covered by the 2017 national intelligence law?**

TikTok does not offer the TikTok app for download in mainland China.

Project Texas, as we have described elsewhere, safeguards protected U.S. user data by taking steps to limit access only to USDS personnel, subject to limited exceptions.

**25. Is TikTok subject to the Cybersecurity Law of the PRC, and/or is TikTok subject to the regulations put forward by Cyberspace Administration of China (CAC), their 2021 Regulations on the Management of Network Product Security Vulnerabilities” (RMSV)? Please be specific.**

- a. **If yes, what are TikTok’s obligations to disclose the cyber vulnerabilities in its application to America’s government or America’s TikTok users? Are they different from TikTok’s obligations to the PRC? Does TikTok commit to notify the U.S. government and consumers if and when it discovers a cyber vulnerability concurrently with the PRC should that situation arise?**

TikTok does not make the app available for download in mainland China. Additionally, we've taken steps to limit to only USDS personnel access to protected U.S. user data in the Oracle environment, unless authorization is given by USDS pursuant to limited exceptions. Traffic from the Oracle Cloud now goes through Oracle controlled gateways to prevent protected U.S. TikTok user data from being transferred to or accessed by employees of TikTok or ByteDance. TikTok believes that these cutting-edge measures are unprecedented among our peer group and will provide many layers of protection for U.S. user data.

Project Texas, as we have described elsewhere, safeguards protected U.S. user data by taking steps to limit access only to USDS personnel, subject to limited exceptions.

- 26. Last year, it was reported that TikTok and ByteDance employees have access to a tool internally known as “heating,” which can be used to manually boost videos in TikTok’s “For You” feed—resulting in supercharged reach to the platform’s 1.1 billion users.**

- a. **How many TikTok employees currently have the ability to “heat” videos?**

Only a small number of people, based in the U.S., have the ability to approve content for promotion in the U.S., and that content makes up approximately 0.002% of videos in For You feeds.

- b. **According to an internal document called “TikTok Heating Policy,” heating is often used for commercial purposes, such as helping influencers or brands go viral. However, it can also be used to “push important information.” How does TikTok define “important information” in its Heating Policy?**

We are uncertain which specific document is referenced by the description “TikTok Heating Policy”.

The TikTok app may use “in-app notifications” for users when they have new messages, interactions, and more. Additionally, in-app notifications may be used to share information such as to alert users to new features on the app or to alert creators to new commercial programs. Users have the ability to customize the kinds of in-app notifications that they receive, and can set a personalized schedule to mute in-app notifications.

- c. **Yes or no: Has content posted by a Chinese state media outlet ever been heated on TikTok?**
- i. **If “yes,” identify (1) the outlet, (2) a description of the piece of content, (3) the date(s) for which the content was heated, and (4) the**

**number of views that the piece of content received in the United States. Provide this information for each piece of heated content.**

TikTok has policies that prohibit personnel from taking any action in the course of their work for or with TikTok to advance the political agenda of a third party through the promotion, recommendation, moderation, or filtering of content.

- d. Yes or no: Has content posted by a Russian state media outlet ever been heated on TikTok?**
  - i. If “yes,” identify (1) the outlet, (2) a description of the piece of content, (3) the date(s) for which the content was heated, and (4) the number of views that the piece of content received in the United States. Provide this information for each piece of heated content.**

TikTok has policies that prohibit personnel from taking any action in the course of their work for or with TikTok to advance the political agenda of a third party through the promotion, recommendation, moderation, or filtering of content.

- e. Yes or no: Has TikTok ever received a request from ByteDance to heat content?**

TikTok may promote or “heat” specific content (including, e.g., promoting the video of an artist who will be hosting a concert on TikTok Live) in line with company content policies to support the inclusion of diverse and high-quality content on the platform. A content operations team will review heating requests submitted by a limited number of cross-functional partners with access to the heating request, and the Content Operations team will either approve or reject the request based on their assessment of whether it follows the platform's best practices in support of content diversity and quality (including, e.g., being engaging and meaningful and focusing on timely/relevant content) and business objectives. A USDS Trust and Safety team also reviews Heating requests to help ensure no content violating its policies will be promoted using the Heating function. Even if the request is approved, increasing visibility or video views (“VV”) is not guaranteed as the recommendation system will not recommend low quality content (e.g, reposted or irrelevant content). Heating impacts less than 1% of VV in the U.S. We have guidelines for the process of human-curation of content known as “heating”, but do not publicly disclose those guidelines in order to prevent bad actors from attempting to manipulate our systems.

- 27. You and TikTok U.S. Data Security (USDS) staff have said that TikTok has “given” Oracle full access to TikTok’s source code to review as part of TikTok’s “Project Texas” data security plan.**
  - a. How many lines of source code does TikTok have?**

Similar to other feature rich applications, TikTok is made up of millions of lines of code.

**b. How will Oracle inspect every line of TikTok source code to ensure there are no backdoors?**

We are committed to protecting TikTok systems from unauthorized access to protected U.S. user data. Oracle has both the access to the source code and the environment to do the source code analysis as they see fit. It includes a combination of human and automated analysis. Oracle keeps the details of their approach confidential to maintain the integrity of their tools, techniques, and analysis. Additionally, we plan to announce the selection of another independent security inspector who, in addition to Oracle, will have access to our source code and systems, further testing the security and integrity of TikTok’s platform and its software.

**c. When did TikTok “give” Oracle its source code? Provide an exact date.**

Oracle began reviewing the TikTok app source code in January 2023. This review is on-going, and we plan to announce the selection of another independent security inspector who, in addition to Oracle, will have access to our source code and systems, testing the security and integrity of TikTok’s platform and its software.

**d. By what mechanism was the source code provided?**

We have opened a Dedicated Transparency Center (“DTC”) in Maryland where Oracle has access to review TikTok source code. As of January 2024, we have opened an additional DTC in Colorado, and we expect to have two fully operational DTCs in the United Kingdom and Australia soon. There are independent experts reviewing TikTok code to find and eliminate security vulnerabilities.

**e. Did TikTok give Oracle a copy of its source code, or was Oracle granted access to TikTok’s codebase?**

TikTok and related source code must go through the Software Assurance process in order to run in the secure Oracle environment. It is first loaded into an instance of the Oracle Cloud called the Secure Computing Environment; from there, it is available for Oracle to conduct automated and manual analysis prior to it being compiled and deployed by USDS. Only source code that comes through this analysis is allowed to run in the secure Oracle Cloud environment. Code for the mobile app, which is deployed to the app stores by global teams, is also available to Oracle to review.

**f. Will Oracle have access to TikTok’s codebase on an ongoing basis? If yes, please describe. If no, please explain why not.**

Yes. TikTok and related source code must go through the Software Assurance process in order to run in the secure Oracle environment. It is first loaded into an instance of the Oracle Cloud called the Secure Computing Environment; from there, it is available for Oracle to conduct automated



and manual analysis prior to it being compiled and deployed by USDS. Only source code that comes through this analysis is allowed to run in the secure Oracle Cloud environment. Code for the mobile app, which is deployed to the app stores by global teams, is also available to Oracle to review.

**28. TikTok’s divestment from ByteDance is one possible solution to ongoing national security concerns related to TikTok’s Chinese ownership. In the event that TikTok is sold to an American owner, how will you ensure that during the sensitive post-sale period all American information is processed within American jurisdictions and following American privacy laws as the Transition Services Agreement (TSA) is negotiated?**

TikTok believes that U.S. national security concerns can be addressed through mitigation measures, such as data privacy safeguards, that have been applied for years under similar circumstances. The company has already devoted substantial resources over the course of many years to adopt such measures and has made itself open to intensive scrutiny from stakeholders as well. For these reasons, TikTok believes divestiture is not necessary and would violate fundamental rights of the company and its users.

**29. During our meeting, you mentioned that TikTok doesn’t use end-to-end encryption so you can monitor/moderate certain content on the platform.**  
**a. Does TikTok use end-to-end encryption for adult users or is it a platform-wide policy – i.e. for adult users and minor users – not to use end-to-end encryption?**

No. TikTok does not currently use end-to-end encryption (E2EE) for direct messages.

**b. As I mentioned during the hearing, I am concerned about TikTok’s ties to the Chinese Communist Party. You noted that your technology (like all technology) is not completely free of a vulnerability of hackers. Yes or no: Doesn’t using encryption for TikTok users increase TikTok’s cybersecurity vulnerabilities, including the vulnerability of U.S. user data from hackers or other unauthorized access?**

No, we do not believe the use of encryption increases TikTok’s cybersecurity vulnerabilities. TikTok uses industry-standard encryption to protect sensitive user data. We encrypt sensitive user data in transit and at rest. Data can only be decrypted with a key that is generated and managed by our key management service, which is operated by USDS.

**30. As you are aware, Members of Congress on both sides of the aisle have serious concerns with TikTok’s ties to the Chinese Communist Party. During our meeting, we discussed at length about who has access to TikTok’s U.S. user data. You noted during our meeting that “protected data” is stored on U.S. soil and run through Oracle and TikTok’s U.S. Data Security (USDS). You firmly stated that no one**

**outside of either Oracle or USDS can obtain access to this data. This assurance, of course, only applies to “protected data”.**

- a. In reviewing TikTok’s privacy policy, I did not find a definition for data that is “not protected”. Please provide TikTok’s definition of “not protected” data.**

“Protected data” is a concept used by CFIUS to distinguish between types of data that require protection under U.S. national security policy and other types of data, such as public information, that do not. Under Project Texas, “protected data” of U.S. users is afforded stricter protection. Protected data broadly means personal information collected from a TikTok U.S. user. subject to exceptions, protected data include the following categories of data: user data, such as email and birthdate; non-public user content, such as private videos and direct messages; behavioral data, such as user interaction with content including likes and favorites; data inputs to TikTok’s recommendation engine, such as video completion and video viewing time; and device and network data, such as IP address and device model.

TikTok has been clear that there are certain, limited exceptions to the definition of protected data. These exceptions are in place to help ensure interoperability of TikTok as a global platform and were determined as part of TikTok's extensive, multi-year discussions with CFIUS that have occurred under two Administrations.

These necessary exceptions to protected data include: business metrics such as daily active user stats; data of certain creators pursuant to an agreement; interoperability data such as data needed to apply a user’s privacy settings globally; and e-commerce data such as shipping information.

- b. TikTok’s most recent Privacy Policy includes “exceptions to protected data” policies including data “that allow TikTok to continue operating a business and as a global platform, including public data such as public videos.” Please define “public data”.**

Public data is data that is generally accessible to other users of the TikTok platform, such as publicly posted videos.

- c. Does setting my TikTok account to “public” rather than “private” expand the categories of data accessible outside the United States? If so, which data categories?**

By changing your account settings to public, your public content will then available to TikTok users around the world to view and interact with where TikTok is available. You will still have the ability to adjust public/private settings for each individual video you post.

- d. Please provide the most recent data on the number of TikTok user accounts set to public. Please provide the most recent data on the number of user accounts on TikTok set to private.**

As a privately held company, TikTok does not disclose detailed statistics about its users or adoption of specific features.

- e. Please provide the most recent data on the number of TikTok minor user accounts who have their accounts set to public.**

As a privately held company, TikTok does not disclose detailed statistics about its users or adoption of specific features; however, all accounts of 13-15 year olds are set to private by default.

- f. Please provide the most recent data on the number of TikTok minor user accounts who have their accounts set to private.**

As a privately held company, TikTok does not disclose detailed statistics about its users or adoption of specific features; however, all accounts of 13-15 year olds are set to private by default.

- g. Does TikTok apply its policies regarding access to “public data” outside the United States equally to both adult and minor TikTok user accounts who are set to public rather than private? In other words, do minor TikTok user accounts set to public have more or the same data protections as adult TikTok user accounts set to public?**

We have prioritized the privacy of younger users and made substantial product improvements to help parents and minors navigate the platform safely, and continue to focus on improving privacy safeguards for minors that use TikTok. As of January 2021, all under 16 accounts are private by default. Even if an account registered to a teen under 16 chooses to change their private account setting, others are still unable to download, Duet, or Stitch their content, and the ability to “suggest your account to others” is turned off by default. In addition, their content will not be recommended in the For You feed to people they do not know. Direct messaging is not available for teens under 16.

- h. A common TikTok user goal is to go “viral” which is more likely to happen if your account is public. If more TikTok user accounts are public with significantly more data accessible outside the U.S., then why shouldn't we view this as a huge loophole undermining your reliance on data security provided by Project Texas?**

Many other apps and platforms enable public sharing of content. On TikTok, users can choose whether to have a private account or a public account and can make updates through in-app settings.

- 31. In December 2022, news broke that ByteDance fired four employees, including two employees based in China, who improperly accessed the personal data of two journalists on the platform. This data included IP addresses, which can provide**

**information about a user’s location. TikTok’s Privacy Policy states that “As of January 2023” (just a few weeks after this story broke) that all access to new U.S. user protected data is exclusively controlled by the USDS.**

- a. Please provide a list of the categories of personal data that these fired employees based in China were able to access.**

Based on our internal investigation of the facts surrounding the incident, the two China-based former employees did not obtain access to TikTok’s internal databases that contain TikTok user data in connection with this conduct.

- b. Was any of the personal data accessed by the employees based in China, data that TikTok considers “not protected”? If so, which data categories?**

Based on our internal investigation of the facts surrounding the incident, the two China-based former employees did not obtain access to TikTok’s internal databases that contain TikTok user data in connection with this conduct.

- c. Please describe the actual steps TikTok took in the span of a couple of weeks to close off all access to new U.S. user protected data from employees outside USDS.**

The process of separating individual production systems and databases began July 2022 through January 2023 when final account transitions were completed.

- d. Can employees based in China access U.S. user data that is “not protected”? If so, how many employees are based in China with access to this data?**

Public videos and related data are accessible worldwide, just like content on the internet generally.

- e. How many employees not based in China or the United States have access to U.S. user data that is “not protected”?**

Public videos and related data are accessible worldwide, just like content on the internet generally.

- f. As noted above, TikTok’s policies state that USDS’s exclusive control over access to user data only applies to “new U.S. user protected data.” What about existing U.S. user protected data? Does any employee or person outside the United States have access to U.S. user protected data that was collected or used by TikTok prior to January 2023?**

TikTok continues to delete historical protected U.S. user data from our global data centers, helping to ensure that protected U.S. user data is stored in Oracle’s Cloud and controlled by

USDS. Since last spring, our team has completed the first round of deletion from TikTok servers in our global data centers. In order to provide additional assurance and validation of our team’s work, we have also begun independent validation efforts to confirm the comprehensiveness of the data deletions.

- g. TikTok further notes in its privacy policy that “new protected data is restricted to approved USDS employees”. Are all of these employees located in the United States? Are any of them subject to the jurisdiction of the CCP? Please be specific.**

USDS employs personnel in the U.S., Australia, and in the United Kingdom.

- h. TikTok’s policies note that there are some limited exceptions for non-USDS employee access to protected data, including for legal and compliance reasons. How many non-USDS employees have this access? Please provide the employer for each non-USDS employee that has this access. Please provide a list of each country where the non-USDS employees are based.**

Approximately 50 non-USDS employees, who are based in the U.S., Germany, England, Ireland, Japan, and Singapore have limited access to protected data on an as-needed basis, including for legal and compliance reasons.

- i. Please explain TikTok’s position on which legal and compliance reasons warrant an exception to this policy. Does compliance with the laws of a foreign country, including China, cover this exception?**

TikTok, as a U.S. company incorporated in the United States, is subject to the laws of the United States. In order to adequately conduct litigation, respond to regulatory enforcement actions, and conduct legal investigations, the TikTok legal team must be able to access and analyze relevant data. This can include both protected U.S. user data, access to which is managed by USDS, and other non-protected data. This exception includes U.S. litigation and regulatory matters and compliance investigations, and it has not been used as a basis to share any protected U.S. user data with Chinese authorities. Additional safeguards are built into the process, to include that data sharing would need to be approved by USDS for each instance.

**32. TikTok has stated that as of March 2023, they began the process of deleting U.S. user protected data from the data centers in Virginia and Singapore.**

- a. Has TikTok completed this deletion process? Please be specific.**

TikTok continues to delete historical protected US TikTok user data from our global data centers, helping to ensure that protected US TikTok user data is stored in Oracle’s Cloud and controlled by USDS. Since last spring, our team has completed the first round of deletion from TikTok servers in our global data centers. In order to provide additional assurance and validation of our team’s work, we have also begun independent validation efforts to confirm the comprehensiveness of the data deletions.

- b. Does TikTok have additional data centers other than the ones in Virginia and Singapore that store U.S. user protected data? If so, where? Are these data centers deleting U.S. user protected data?**

As TikTok announced in June 2022, U.S. user traffic is today routed to the Oracle cloud and USDS Infrastructure in the United States. Moreover, since January 2023, we have implemented controls to block access to databases in Oracle containing new protected U.S. user data and limit to approved USDS employees unless there is a limited exception. TikTok is in the process of deleting historic protected U.S. user data on non-USDS TikTok systems globally; once that process is complete, TikTok will have taken necessary steps to effectively end all access to protected U.S. user data outside of USDS except under limited circumstances being defined through engagement with CFIUS.

- c. Please provide a list of all data centers in the world that store U.S. user data that is “not protected”.**

At this time, TikTok has primary data centers available and online in the United States, Singapore, Malaysia, and Ireland, and U.S. user data that is not protected is stored in those data centers.

- 33. In TikTok’s privacy policy, you note that TikTok does not collect “precise geolocation” but does collect approximate geolocation information based on a SIM card and/or IP address. TikTok further notes that if you are using a previous version of the app last released in August 2020, you may still be collecting precise geolocation.**

- a. How many U.S. users are still using a previous version of the app that would allow for the collecting of precise geolocation?**

TikTok continues to delete historical protected US TikTok user data from our global data centers, helping to ensure that protected US TikTok user data is stored in Oracle’s Cloud and controlled by USDS. Since last spring, our team has completed the first round of deletion from TikTok servers in our global data centers. In order to provide additional assurance and validation of our team’s work, we have also begun independent validation efforts to confirm the comprehensiveness of the data deletions.

- b. Why does TikTok still collect precise geolocation on older versions of the app? Why not just stop the collection/use of such data consistent with your stated policies?**

As TikTok announced in June 2022, U.S. user traffic is today routed to the Oracle cloud and USDS Infrastructure in the United States. Moreover, since January 2023, we have implemented controls to block access to databases in Oracle containing new protected U.S. user data and limit to approved USDS employees unless there is a limited exception. TikTok is in the process of deleting historic protected U.S. user data on non-USDS TikTok systems globally; once that

process is complete, TikTok will have taken necessary steps to effectively end all access to protected U.S. user data outside of USDS except under limited circumstances being defined through engagement with CFIUS.

- c. As part of the process of deleting U.S. user protected data note above, is TikTok deleting all U.S. user precise geolocation consistent with its data storage policies or does prior user consent with the older version of the app make this data “not protected”?**

At this time, TikTok has primary data centers available and online in the United States, Singapore, Malaysia, and Ireland, and U.S. user data that is not protected is stored in those data centers.

- 34. Please provide a diagram and explanation of TikTok’s data architecture and the data flows with respect to Project Texas. Specifically, please include the following:**
  - a. How major updates or patches to the TikTok software are delivered.**

The delivery of updates or patches to TikTok software, all of which are reviewed by USDS, can currently be delivered in these ways:

1. Updates or patches submitted by USDS personnel:

- 1. Deploy in global/Rest of World environment to ensure it works in that environment
- 2. Submit a deployment request for Trusted Technology Provider environment
- 3. Review by USDS personnel
- 4. Run unit test and integration test in Trusted Technology Provider environment
- 5. Deploy to Trusted Technology Provider pilot
- 6. Deploy to Trusted Technology Provider all clusters

2. Updates or patches submitted by non-USDS personnel:

- 1. Deploy in global/Rest of World environment to ensure it works in that environment
- 2. Submit a deployment request for Trusted Technology Provider environment
- 3. Review and approve by USDS personnel
- 4. Run unit test and integration test in Trusted Technology Provider environment
- 5. Deploy to Trusted Technology Provider pilot
- 6. Deploy to Trusted Technology Provider all clusters

- b. The origin of TikTok software coding and coding fixes or improvements (i.e. patches, updates, maintenance).**

Software coding: As part of our US product release process, source code from our global engineering work force is uploaded to the Oracle Cloud Infrastructure environment where it is available to be inspected by Oracle. The process requires code to go through the review process in order to run in the environment. The process requires all TikTok code to go through Oracle's

review process (including technology or human review). Finally, the process also calls for Oracle to compile the app, and deploy it to the app stores, maintaining chain of custody for assurance.

Coding fixes or improvements: The origin of fixes and improvements will depend on whether it is commercial software, opensource, or internally developed. For internally developed software, the source code for fixes is developed globally, but the Software Assurance process (including being available for Oracle to review) requires source code to be deployed in the Oracle Cloud instance that serves U.S. users.

**c. Whether the fixes to the code ever originate from outside of the United States.**

Software is developed globally but is subject to the Software Assurance process before it is deployed.

**d. How and where diagnostics are run on the American TikTok application.**

Diagnostics to ensure cloud resources are operating as expected, or that require access to protected U.S. user data are conducted by USDS.

**e. How, when, and where data (both protected data and not protected data, including any diagnostic data or that related to service and maintenance) from American TikTok users of the American TikTok application is transferred or accessed outside of the United States.**

Three use cases:

1. Protected data: USDS has personnel in Australia and the UK who provide “follow the sun”, 24/7 support and who have approved access to protected U.S. user data and can access the U.S. Oracle cloud from these regions.
2. Limited access protocol: The global team can make requests for data for legal, compliance, or safety reasons under limited scenarios. USDS reviews these requests and either rejects or approves them. If appropriate and approved, USDS will provide relevant information to designated members of the global team.
3. Excepted data: Data is verified in one of the Oracle gateways and synchronized with global systems (e.g. performance metrics, etc).

Public data is data that is generally accessible to other users of the TikTok platform, such as publicly posted videos.

Since January of 2023, new protected U.S. user data has been stored in the Oracle Cloud in an environment controlled by USDS. We've taken steps to limit access to protected U.S. user data in the Oracle environment, unless authorization is given by USDS pursuant to limited exceptions, such as for legal and compliance purposes. Traffic from the Oracle Cloud now goes through



Oracle controlled gateways to prevent protected U.S. user data from being transferred to or accessed by employees of TikTok or ByteDance.

- 35. Please list all of TikTok’s donations or contributions of funding, equipment, and/or services to 501(c) organizations in the last six years (CY 2017 to CY 2023). For each such donation or contribution, please detail (1) the type of donation or contribution, such as, financial donation, goods or equipment, services, etc.; (2) the recipient organization; (3) the year the donation or contribution was made; and (4) the total value of that donation or contribution.**

TikTok makes contributions to charitable organizations that align with our Global Impact Themes. In addition to financial contributions, from time to time, TikTok may also provide an in-kind donation in the form of ad credits to charitable organizations. For example, TikTok has donated [\\$100,000 in advertising credits to the Ad Council and \\$25,000 to Song for Charlie](#)<sup>5</sup> to aid their efforts in spreading awareness around the dangers of fentanyl. Cash and in-kind donations can also be allocated in times of emergencies, including natural disasters, public health emergencies and conflicts. For example, TikTok in 2023 donated \$300,000 to the Hawaii Community Foundation as well as \$200,000 in ad credits to support Maui after the devastating wildfires.

Some examples of our contributions include [a \\$250,000 donation by TikTok to Rare Impact Fund](#)<sup>6</sup> in connection with World Mental Health Day to sponsor the inaugural Rare Impact Fund Benefit and support the organization's global work and [\\$1 million donation by TikTok to each of the Hispanic Heritage Foundation and Black Girl Ventures](#)<sup>7</sup> in connection with National Small Business Week.

**Previously Unanswered Question from *Questions for the Record, Senate Commerce Committee Hearing on “Subcommittee: Protecting Kids Online: Snapchat, TikTok, and YouTube” (October 26, 2021)***

- 36. Please provide the following:**
- a. The legal name of each “parent, subsidiary, or other affiliate” which is part of TikTok’s “corporate group.”**

TikTok Inc. is incorporated in California and is the provider of the TikTok platform in the United States. TikTok U.S. Data Security Inc. (“USDS”) is a wholly owned subsidiary of TikTok Inc. USDS is incorporated in Delaware, and its main responsibility is to keep the data of TikTok’s U.S. users secure.

TikTok Inc. is wholly owned by TikTok LLC, a Delaware limited liability company. TikTok LLC is in turn wholly owned by TikTok Ltd., a Cayman Islands company. TikTok’s corporate

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<sup>5</sup> <https://newsroom.tiktok.com/en-us/national-fentanyl-awareness-day>

<sup>6</sup> <https://newsroom.tiktok.com/en-us/supporting-our-community-this-world-mental-health-day-and-beyond>

<sup>7</sup> <https://newsroom.tiktok.com/en-us/tiktok-small-business-week-2023>

group consists of TikTok Ltd. and its subsidiaries. Besides the subsidiaries described above, TikTok Ltd. maintains subsidiaries around the world to support its global operations. These subsidiaries include, among others, TikTok Pte. Ltd. (established in Singapore), TikTok Information Technologies UK Ltd. (established in the UK), TikTok Technology Ltd. (established in Ireland), TikTok Technology Canada Inc. (established in Canada), TikTok Australia Pty. Ltd. (established in Australia), and TikTok Hong Kong Ltd. (established in Hong Kong). TikTok Ltd. is wholly owned by Bytedance Ltd., a Cayman Islands company.

**b. The location where each “parent, subsidiary, or other affiliate” is headquartered**

Los Angeles and Singapore are TikTok’s global headquarters.

**c. The location where each “parent, subsidiary, or other affiliate” is domiciled, if domicile location differs from where the parent, subsidiary, or other affiliate is headquartered.**

Please see the locations listed above. Los Angeles and Singapore are TikTok’s global headquarters.

**d. For each “parent, subsidiary, or other affiliate,” the laws under which they were originally incorporated.**

TikTok Inc. is incorporated under the laws of California. TikTok U.S. Data Security Inc. (“USDS”) is incorporated under the laws of Delaware.

TikTok LLC is organized under the laws of Delaware. TikTok Ltd. is organized under the laws of the Cayman Islands. TikTok Ltd.’s subsidiaries outside of the U.S. include, among others, TikTok Pte. Ltd. (organized under the laws of Singapore), TikTok Information Technologies UK Ltd. (organized under the laws of England and Wales), TikTok Technology Ltd. (organized under the laws of Ireland), TikTok Technology Canada Inc. (organized under the laws of British Columbia, Canada), TikTok Australia Pty. Ltd. (organized under the laws of New South Wales, Australia) and TikTok Hong Kong Ltd. (organized under the laws of Hong Kong). Bytedance Ltd. is organized under the laws of the Cayman Islands.

**e. For each “parent, subsidiary, or other affiliate,” the laws under which they currently operate, if different from the laws under which they were incorporated. If there are multiple jurisdictions, please list all that apply for each “parent, subsidiary, or other affiliate.”**

The TikTok platform is available in over 170 countries and regions around the world, but not mainland China. Each TikTok entity is subject to the laws applicable to the entity in their respective jurisdiction.

- f. **For each “parent, subsidiary, or other affiliate,” the full names of the leadership of each “parent, subsidiary, or other affiliate,” including the members of the board where applicable.**

The Chief Executive Officer of TikTok is Shou Chew, who is based in Singapore. Other members of TikTok’s leadership team include Adam Presser (head of operations and trust and safety, based in Los Angeles), Blake Chandlee (in charge of monetization business, based in Austin), and Zenia Mucha (in charge of brand and communications, based in New York). The board members of TikTok Inc. are Shou Chew and Adam Presser.

ByteDance Ltd., the ultimate parent entity of TikTok Inc. that is incorporated in the Cayman Islands, has a global board comprised of Bill Ford of General Atlantic, Arthur Dantchik of Susquehanna International Group, Philippe Laffont of Coatue, Neil Shen of HongShan (formerly Sequoia China), and the company's CEO Rubo Liang, who is based in Singapore.

- g. **For each “parent, subsidiary, or other affiliate,” the mix of capital backing the entity, including all state-owned banks or financing regimes, or state-backed banks or financing regimes, the names of those state-owned or state-backed banks and financing regimes, and the names of those nations.**

TikTok Ltd. is wholly owned by ByteDance Ltd., a Cayman Islands company. ByteDance Ltd. is majority owned by investors around the world, and the rest are owned by the founding team and employees around the world.

**37. In TikTok’s privacy policy is a paragraph titled “For Legal Reasons.” The relevant text has been reproduced below:**

*How we share your information*

*For Legal Reasons*

*We may disclose any of the information we collect to respond to subpoenas, court orders, legal process, law enforcement requests, legal claims, or government inquiries, and to protect and defend the rights, interests, safety, and security of the Platform, our affiliates, users, or the public. We may also share any of the information we collect to enforce any terms applicable to the Platform, to exercise or defend any legal claims, and comply with any applicable law.*

**Please answer whether TikTok would consider demands made under the following to fall under the umbrella of “subpoenas, court orders, legal process, law enforcement requests, legal claims, or government inquiries” for which TikTok may “disclose any of the information [it] collect[s]”:**

- a. **China’s 2014 counter-espionage law, which allows Chinese authorities to seal or seize any property linked to activities deemed harmful to the country.**

No.

- b. **China’s 2015 national security law, which outlaws threats to China’s government, sovereignty and national unity as well as its economy, society, and cyber and space interests.**

No.

- c. **China’s 2017 national intelligence law, which obliges individuals, organizations, and institutions to assist Public Security and State Security officials in carrying out a wide array of “intelligence” work, and stipulates that “any organization or citizen shall support, assist, and cooperate with state intelligence work according to law.”**

No.

- 38. Of the ByteDance employees in China who have access or have previously accessed TikTok data, how many of them are affiliated with, or have some kind of relationship with, the Chinese Communist Party? Please list, in detail, what those relationships are and what data these employees had or have access to.**

TikTok does not collect political affiliation information regarding its employees.

***Letter Regarding the Treatment of Content from the Israel-Hamas War (October 20, 2023)***

- 39. Describe how automated content moderation on your platform(s) has affected content from the Israel-Hamas War since October 7, 2023.**

TikTok removes violative content proactively using both automated and manual processes, as well as removing violative content reported by users. Videos uploaded to TikTok are initially reviewed by TikTok’s automated moderation technology, which aims to identify content that violates the Community Guidelines before it is distributed across the TikTok platform and displayed to users. These automated technology systems look at a variety of signals across content, including keywords, images, titles, descriptions, and audio, and continuously learn and adapt based on the data in each video and the moderation decisions that TikTok’s human moderators ultimately make based on TikTok’s Community Guidelines and related policies. If TikTok’s machine-based filters identify a potential violation, the automated moderation system will either pass it on to TikTok’s safety teams for further review or remove it automatically. Automatic removal is applied if there is a high degree of confidence that the content violates the Guidelines and where violations are most clear-cut. Automatic removals are subject to the user’s ability to appeal that determination.

When TikTok’s automated moderation systems identify potentially problematic content but cannot make an automated decision to remove it, they send the content to TikTok’s safety teams for further review. To support this work, TikTok has developed technology that can identify risky or suspicious items — for example, weapons — in video frames, so that content moderators can carefully review the video and the context in which it appears. This technology improves the efficiency of TikTok’s moderators by helping them more adeptly identify violative images or objects, quickly recognize violations, and make decisions accordingly.

In response to the Israel-Hamas War, TikTok has evolved its proactive automated detection systems in real-time as it identifies new threats, enabling TikTok to automatically detect and remove graphic and violent content so that neither moderators nor TikTok community members are exposed to it. TikTok identifies new emerging trends from a number of different specialized teams and sources, including: internal information points on violative content, external risks and escalations, third-party intelligence sources, and proactive efforts by its investigations teams to monitor for and identify violations.

In keeping with its commitment to ensuring fairness, TikTok notifies community members if and why their content was removed. The community member can then appeal the decision if he or she believes their content was erroneously removed, and TikTok allows community members to submit specific feedback on why they disagree with the decision to remove the content.

**40. How many pieces of content from the Israel-Hamas War have been removed automatically by your systems (i.e., without any human review)?**

From October 7, 2023 through December 31, 2023, TikTok automatically removed 1,234,859 videos in the conflict region for violating its Community Guidelines, including content promoting Hamas or containing hate speech, terrorism, or dangerous misinformation.

**a. How many of the removals described in the previous Question were appealed?**

Of the 1,234,859 videos automatically removed in the conflict region between October 7, 2023 through December 31, 2023, 147,241 video removals were appealed.

**b. How many of the appeals described in the previous Question have been reviewed?**

All 147,241 appeals were reviewed.

**c. How many of the appeals described in the previous Question have been granted?**

Review of the 147,241 appeals resulted in 80,647 videos being restored.

- d. For the content described in the previous Question, do you plan to conduct a policy review of the content to ensure that content in the public interest was not erroneously removed from your platform(s)?**

We recognize that some content that would otherwise violate our rules can be in the public interest to view. Public interest refers to topics that inform, inspire, or educate the community and enhance deliberation about matters of broad collective significance. We may allow content to remain on the platform one of the following public interest exceptions, such as documentary or educational. An important factor TikTok considers in looking at public interest exceptions is context, such as captions, voice over, and similar signals. TikTok encourages creators to clearly show the context to help in the review process. TikTok does not provide public interest exceptions for content that may cause extreme harm, such as showing a suicide or sexual abuse of a young person.

TikTok added opt-in screens over content relating to the Israel-Hamas War that could be shocking or graphic to help prevent people from unexpectedly viewing it as TikTok continues to make public interest exceptions for some content.

We remain agile in considering and implementing changes to both our policies and enforcement strategies. A key part of this is working with external experts, for example engaging with dozens of organizations representing Jewish and Muslim communities to help ensure our actions against antisemitism and Islamophobia are effective.

- 41. How would your decisions to remove content pursuant to international laws differ if you faced a legal obligation in the United States to not remove content protected by the First Amendment?**

TikTok removes content that violates its Community Guidelines or applicable local law. TikTok also complies with lawful legal process. TikTok does not, however, remove non-violative content based on ideological or political considerations.

Regarding your hypothetical scenario, TikTok Inc. is a U.S. company incorporated in the United States and subject to the laws of the United States, and in the event current U.S. law regarding content moderation changes, TikTok's position is that it would comply.

**Letter Regarding TikTok’s Recommendation Systems (February 13, 2023)**

- 42. Provide a complete list of the names of any individuals outside of your organization that you consulted with in developing any of the documents and information [that describe your recommendation systems and any content moderation policies for such systems].**

TikTok consults with numerous experts and organizations to inform our recommendation systems and content moderation policies. We work with our Regional Safety Advisory Councils and U.S. Content Advisory Council to bring together groups of independent experts who help us develop forward-looking policies and processes that not only address the challenges of today, but

also plan ahead for the next set of issues that our industry will face. [These councils are an important way to bring outside perspectives into our company and onto our platform.](#)

Our council members represent a diverse array of backgrounds and perspectives, and are made up of experts in youth safety, free expression, hate speech, and other safety topics. They work collaboratively with us to inform and strengthen our policies, product features, and safety processes.

We have established eight regional Safety Advisory Councils in Asia Pacific, Brazil, Europe, Latin America, MENAT (Middle East, North Africa, Turkey), and a U.S. Content Advisory Council. We aim to continue expanding our regional presence. Focusing on regions allows us to better understand local challenges and trends and develop informed solutions that consider unique local context and cultures. This commitment to localization enables us to create a more targeted, responsive approach to safety and enables us to stay up-to-date with the latest developments in each region.

In addition, we regularly [work with experts](#) in online security, wellness, digital literacy, and family safety to help provide advice and resources for our community. Note that some of our partners have asked that their collaborations with TikTok remain non-public.

**43. For the recommendations [viewed by users under 18], please list the top 100 sources of recommendations.**

It is unclear what is meant by “top 100 sources of recommendations.” The main source for the recommendation system is the user, and the primary signals for the recommendation system are user interactions. They include videos users like or share, accounts they follow, comments they post, and content they create. Other signals that the recommendation system takes into account include account and device information, such as country and language setting, and video information, which might include captions, sounds, and hashtags.

**44. Please provide copies of any curation guidelines for human-curated content, accounts, or entities.**

TikTok may promote or “heat” specific content (including, e.g., promoting the video of an artist who will be hosting a concert on TikTok Live) in line with company content policies to support the inclusion of diverse and high-quality content on the platform. A content operations team will review heating requests submitted by a limited number of cross-functional partners with access to the heating request, and the Content Operations team will either approve or reject the request based on their assessment of whether it follows the platform's best practices in support of content diversity and quality (including, e.g., being engaging and meaningful and focusing on timely/relevant content) and business objectives. A USDS Trust and Safety team also reviews Heating requests to help ensure no content violating its policies will be promoted using the Heating function. Even if the request is approved, increasing visibility or video views (“VV”) is not guaranteed as the recommendation system will not recommend low quality content (e.g., reposted or irrelevant content). Heating impacts less than 1% of VV in the U.S. We have guidelines for the process of human-curation of content known as “heating”, but do not publicly

disclose those guidelines in order to prevent bad actors from attempting to manipulate our systems.

- 45. Please list all U.S.-based users with more than 500,000 total followers or subscribers that have been removed from recommendations, even if temporarily, for a period of at least three continuous days within the past ten years. Please include the duration of and reason for the removal, and note whether the removal is currently in effect.**

There are times we limit accounts and content for the safety of our platform and to prevent harm. Video views will vary from video to video, and the number of followers a user has or whether they have other high-performing videos does not affect how a video is suggested in For You feeds. This means that a user may see some of their videos receive more views than others. Recommendations are not determined based on how many followers a user has.

TikTok uses the same content moderation practices for [Government, Politician, and Political Party Accounts](#) and news entities as we do for other TikTok accounts. This means we'll remove any violative content and permanently remove the account for any single severe content violation, such as showing real-world violence or torture. However, because of the role these public interest accounts play in civic processes and civil society, we enforce different account restrictions in keeping with our commitment to human rights and [free expression](#). If they reach the strike limit set for all accounts, they'll be temporarily ineligible to appear in the For You and Following feeds for 90 days.

In some cases, where public interest accounts may present a particularly high risk to public safety—such as during periods of civil unrest, elections, or other high-risk social and political environments—we may impose other restrictions. If a public interest account posts content during high-risk times that promotes violence, hate, or misinformation that could undermine a civic process or contribute to real-world harm, we may restrict that account from posting content for a period of 7 to 30 days, depending on the severity of the violation and surrounding risk. We may extend the restriction period if we determine that the actions of the account owner indicate they're likely to continue violations and public safety is still at high risk. We may also consider behavior outside of TikTok in our decision.

- 46. What percentage of U.S.-based recommendations on your platform(s) are political in nature, such as accounts of political figures or content discussing current political issues? If you do not include political content in recommendations, please (a) elaborate on why not and (b) provide your precision rate for enforcing this rule.**

TikTok does not have a “political” content label and is therefore unable to assess what percentage of U.S.-based recommendations are political in nature. Content that is political in nature is able to be recommended to users. Like all content, it is subject to the Community Guidelines.



**47. Please list the top 100 sources of political content shown in recommendations, as defined by total distribution from recommendations, for each year over the past ten years. Please provide these lists regardless of whether you have a policy to not include political content in recommendations.**

In general, TikTok’s labeling efforts are used to ensure that 1) content that is potentially harmful to younger users is restricted from their For You feed, 2) low visual quality content is not recommended, and 3) the For You feed is diverse. TikTok does not label content as “political.” The definition of “political” is subjective, and therefore the Company does not label incoming or uploaded content as “political” in the way it may label “games” or “animals” or “travel” and other visual activities that can be seen in a particular video. Because this is not tracked, TikTok is unable to generate a list of the top 100 sources.

## **TikTok’s Responses to Questions for the Record from Senator Hawley Submitted March 7, 2024**

**1. Do you allow your children to use social media? If so, please explain under what conditions.**

TikTok encourages each family to make their own decisions about when their children are ready to engage online, and provides a detailed [Guardians’ Guide](#)<sup>1</sup> to help parents discuss these topics with their teens.

**2. Do you believe that children under the age of 18 should be allowed to use social media?**

Yes, we believe people under age of 18 have a right to freedom of speech and expression, and in general, we believe that parents and guardians, not government, should decide to what extent their children should be allowed to use social media.

**3. How many individuals does your company employ in Trust & Safety?**

We currently have more than 40,000 trust and safety professionals working to protect our community.

**4. How many individuals does your company employ to review content for so-called “misinformation,” “disinformation,” or “malinformation”?**

TikTok’s community is protected by over 40,000 global trust and safety professionals. We deploy a combination of automated technology and skilled human moderators who take into account additional context and nuance which may not always be picked up by technology. All of our moderators are trained to identify misinformation and disinformation content, and we have thousands of moderators focused on moderating U.S. content including in places like Nashville, Tennessee and Austin, Texas. Some violations require further work by specialized moderators in specialized queues.

**5. How many dollars per year does your company spend on salaries for Trust & Safety officers?**

As a privately held company, TikTok does not disclose revenue or detailed budget breakdowns.

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<sup>1</sup> <https://www.tiktok.com/safety/en/guardians-guide/>

- 6. Do you believe that the algorithms your company has developed to sort users’ feeds are protected by Section 230 of the Communications Decency Act of 1995? If so, please explain why.**

Section 230 of the Communications Decency Act (“CDA”), immunizes internet-based services from claims that treat them as a “publisher or speaker” of “information” provided by a third party. The plain meaning of “publishing” includes selecting and organizing information for display to make that information useful for an audience. Section 230 does not distinguish between publishing functions that use an algorithm and those that do not. Algorithms are everywhere, used by nearly all (if not all) search engines and other websites, and are indispensable tools for organizing the vast quantities of data available on the internet and publishing that data in a user-friendly format. Without them, the modern internet could not function.

- 7. Do you believe that the algorithms your company has developed to sort users’ feeds are expressive speech protected by the First Amendment to the U.S. Constitution? If so, please explain why.**

The First Amendment protects those who disseminate speech created by others.

- 8. Is your company a member of a party, an amicus, or a member of an amicus in *NetChoice, LLC v. Paxton*, No. 22-555 (U.S.), or did your company provide any funds or donations to any party or amicus in that case? If so, please describe the amount of funds or donations made and the context.**

Yes, TikTok is a member of NetChoice and financially supports its work. TikTok also has provided financial support to various amici who have appeared in the case, though TikTok has not provided any amicus with funding specifically to be used in support of this litigation.

- 9. Do you believe that the First Amendment to the U.S. Constitution precludes Congress from enacting legislation holding social media companies liable to users for torts they commit?**

The First Amendment to the United States Constitution provides that “Congress shall make no law . . . abridging the freedom of speech, or of the press.” This language restricts the government’s ability to constrain the speech of citizens. But it does not apply to conduct that does not constitute speech or expressive conduct, and even as to speech and expressive conduct, its prohibitions are not absolute.

- 10. Do you believe that companies can be trusted to develop artificial general intelligence (AI) through open-source methods?**

We believe open-source does have an important place in AI development. Companies have been able to use open-source methods to make significant and trustworthy software and technology developments across multiple sectors for decades.

**11. Do you believe the government should play a role in licensing certain artificial intelligence technologies, such as generative AI products?**

We support government efforts to make laws and regulate artificial intelligence technologies, including generative AI products.

**12. Do you believe that artificial intelligence represents an existential threat to humanity?**

No. Artificial intelligence has tremendous potential to increase creativity and productivity while also presenting challenges that should be identified and mitigated.

**13. Do you think that the development of large language models by Microsoft, Google, Meta, and other large companies raises antitrust concerns?**

We cannot say whether the conduct of such companies raises antitrust concerns; we leave such determinations up to appropriate legal authorities.

**14. What steps does your company take to make transparent the algorithms by which users are censored, shadow banned, or demonetized?**

We disagree with the characterization of our moderation efforts. TikTok provides users with information on [how](#)<sup>2</sup> our recommendation system works and offers users the ability to learn [why](#)<sup>3</sup> a specific video was recommended. We ban accounts and videos in accordance with our [Community Guidelines](#)<sup>4</sup>, [Terms of Service](#)<sup>5</sup> and other company policies. Video views will vary from video to video, and the number of followers or whether a creator has other high-performing videos does not affect how a video is suggested in For You feeds.

We do take measures to keep our users and platform safe, like enforcing eligibility standards for content recommended to the For You feed (which we share as part of our Community Guidelines). There are times we limit accounts and content for the safety of our platform and to prevent harm. Video views will vary from video to video, and the number of followers a user has or whether they have other high-performing videos does not affect how a video is suggested in For You feeds. This means that a user may see some of their videos receive more views than others. Recommendations are not determined based on how many followers a user has.

Users are also given the option to review TikTok’s reasoning and appeal the decision if TikTok determines a video isn’t eligible for the For You feed. A user must have analytics in their TikTok settings turned on to view TikTok’s decision.

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<sup>2</sup> <https://www.tiktok.com/transparency/en-us/recommendation-system/>

<sup>3</sup> <https://newsroom.tiktok.com/en-us/learn-why-a-video-is-recommended-for-you>

<sup>4</sup> <https://www.tiktok.com/community-guidelines/en/>

<sup>5</sup> <https://www.tiktok.com/legal/page/us/terms-of-service/en>

**15. What steps does your company take to ensure that your company is not disproportionately targeting or censoring conservative voices?**

TikTok is committed to being a platform for free expression and not being manipulated by any government. The content people see on TikTok is generated by our community and subject to our publicly available Community Guidelines and Advertising Policies, and recommendations are based on the content people have previously engaged with.

To help ensure a safe, trustworthy, and vibrant experience, TikTok maintains a set of Community Guidelines that include rules and standards for using TikTok. The guidelines apply to everyone and everything on our platform.

In keeping with our commitment to ensuring procedural fairness, TikTok notifies community members if and why their content was removed. The community member can then appeal the decision if he or she believes their content was erroneously removed, and TikTok allows community members to submit specific feedback on why they disagree with the decision to remove the content.

**16. Do you condemn Hamas’ terrorist attacks on the State of Israel on October 7, 2023?**

TikTok stands against terrorism and is deeply saddened by the events that took place on October 7th and the ongoing Israel-Hamas War. TikTok’s priority is to keep both its global community on the platform and those impacted by these tragic events safe. While it is important to stay informed about the ongoing crisis, we want to be clear that we do not allow violent, hateful, or misleading content on the platform.

TikTok has strict rules prohibiting violent threats and incitement to violence, including rules prohibiting the presence of extremist and hateful organizations on the platform. TikTok does not allow Hamas, Hezbollah, or Palestinian Islamic Jihad an organizational presence on the platform (e.g., the organizations and their prominent leaders are prohibited from holding accounts). Furthermore, TikTok prohibits the praising or glorification of Al-qassam brigade (Hamas’ military wing), the Hezbollah military, and Palestinian Islamic Jihad.

From the start of the war through to the end of last year, we have removed more than 1.5 million videos and suspended more than 46,000 livestreams in Israel and Palestine for violating our Community Guidelines, including content promoting Hamas, hate speech, terrorism and misinformation.

**17. What role do you believe social media companies have in promoting or limiting public speech regarding the events of October 7, 2023?**

As mentioned, it is our priority to keep our global community and those impacted by the Israel-Hamas war safe. We are committed to transparency, and we remain focused on supporting free expression, upholding our commitment to human rights, and protecting our platform during the Israel-Hamas war.

To help ensure a safe, trustworthy, and vibrant experience, we maintain a set of [Community Guidelines](#)<sup>6</sup> that include rules and standards for using TikTok. The guidelines apply to everyone and everything on our platform. They are informed by international legal frameworks, industry best practices, and input from our community, safety and public health experts, and our regional Advisory Councils. We evolve them to address emerging risks and potential harms that may occur from new behaviors.

We also have eight guiding [Community Principles](#)<sup>7</sup> that help embody our [commitment to human rights](#)<sup>8</sup>. Our principles are centered on balancing expression with harm prevention, embracing human dignity, and ensuring our actions are fair. They shape our day-to-day work and guide how we approach difficult enforcement decisions.

Following the events that took place on October 7th, we immediately mobilized significant resources and personnel to help maintain the safety of our community and integrity of our platform. We quickly launched a command center and stepped up additional dedicated resources from within our global teams to help prevent violent, hateful, or misleading content from spreading. We do not allow any hateful behavior, hate speech, or promotion of hateful ideologies on the platform, including antisemitism and Islamophobia. We also implemented multiple proactive safety strategies to quickly identify and take action on content or accounts that violate TikTok’s Community Guidelines.

In addition to launching our command center, TikTok has taken the following actions to respond to this crisis:

- Evolving our proactive automated detection systems in real-time as we identify new threats; this enables TikTok to automatically detect and remove graphic and violent content so that neither moderators nor TikTok community members are exposed to it.
- Adding more moderators who speak Arabic and Hebrew to review content related to these events. As we continue to focus on moderator care, TikTok is deploying additional well-being resources for frontline moderators through this time.
- Continuing to enforce our policies against violence, hate, and harmful misinformation by taking action to remove violative content and accounts. For example, consistent with our policies, we remove content that supports the attacks or mocks victims affected by the violence. If we identify content that is posted depicting a person who has been taken hostage, we will do everything we can to protect that individual’s dignity and remove content that violates our Community Guidelines. TikTok does not tolerate attempts to incite violence or spread hateful ideologies. Our policies prohibit content praising violent and hateful organizations and individuals, and those organizations and individuals are not allowed on the platform. TikTok also blocks hashtags that promote violence or otherwise violate our Community Guidelines.

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<sup>6</sup> <https://www.tiktok.com/community-guidelines/en/overview/>

<sup>7</sup> <https://www.tiktok.com/community-guidelines/en/community-principles/>

<sup>8</sup> <https://www.tiktok.com/transparency/upholding-human-rights/>

- Adding opt-in screens over content that could be shocking or graphic and which falls within public interest exceptions, to help prevent unexpected viewing of such content. We recognize that some content that may otherwise violate our Community Guidelines can be in the public interest, and we allow this content to remain on the platform for documentary, educational, and counterspeech purposes.
- Making temporary adjustments to policies that govern TikTok features in an effort to proactively prevent them from being used for hateful or violent behavior in the region. For example, TikTok added additional restrictions on the ability to livestream as a temporary measure given the heightened safety risk in the context of the current hostage situation.
- Cooperating with law enforcement agencies globally consistent with TikTok’s Law Enforcement Guidelines, which are informed by legal and human rights standards. We are aware of the specific and imminent risks to human life involved in the kidnapping of hostages and work with law enforcement to ensure the safety of the victims in accordance with emergency procedures.
- Engaging with experts across industry and civil society, such as Tech Against Terrorism and our Advisory Councils, to further safeguard and secure our platform during these difficult times.
- Launching a new anti-hate and discrimination task force within our Trust and Safety team to develop an aggressive plan to further crack down on hateful behavior, with a particular focus on antisemitism and Islamophobia. As part of this effort, we invested more resources to proactively identify new and emerging trends before they gained visibility, and partnered with experts to strengthen training for moderators to address implicit bias and the unique aspects of hateful ideologies.
- Launching our #SwipeOutHate campaign in the U.S., encouraging our community to stand together against hate by reporting it in-app. The videos have already received millions of views.
- Launching Comment Care Mode, a new set of comment filters, to everyone in the U.S., Israel, and Palestine, as we continue to test the feature globally.
- Ramping up our efforts to onboard partners to our Community Partner Channel - a direct avenue for trusted flaggers around the world, including in the conflict region, to report content to us for review, which sits alongside our in-app reporting function. Since December, we have onboarded eight new organizations, including in Australia, Mexico and Denmark, representing communities affected by the war.

We continue to diligently and robustly enforce our Community Guidelines. From the start of the war through to the end of last year, we have removed more than 1.5 million videos and suspended more than 46,000 livestreams in Israel and Palestine for violating our Community Guidelines, including content promoting Hamas, hate speech, terrorism and misinformation. Globally, in the same time period, we have removed tens of millions of pieces of content and have prevented teen accounts from viewing more than 1.5 million videos containing violence or graphic content. We also remain vigilant against deceptive behaviors; from October 7 through to

the end of last year, we have removed more than 169 million fake accounts globally, and we have removed about 1.2 million bot comments on content tagged with hashtags related to the conflict.

### **18. What investments has your company made in anti-CSAM technology?**

TikTok has a zero-tolerance approach to content that violates our youth safety policies, especially online child sexual exploitation and abuse (“CSEA”) and the sharing of child sexual abuse material (“CSAM”). Any content, including animation or digitally created or manipulated media, that depicts abuse, harm, exploitation, or endangerment of minors is a violation of our Community Guidelines and will be removed when detected. To help identify CSAM, we use multiple technologies, including our own systems and hash-matching software like Microsoft’s PhotoDNA, Google’s Content Safety API, and YouTube’s CSAI Match. With our partners, we have built hash databases – hubs of unique digital codes that have been linked to known CSAM. This means that should someone attempt to upload CSAM to TikTok that matches a unique fingerprint from a database, or if we’ve identified new or suspected CSAM, that content will be removed, reported to the [National Center for Missing & Exploited Children \(“NCMEC”\)](#)<sup>9</sup> and to relevant law enforcement authorities. The account that shared the content will also be permanently banned.

At TikTok, we believe that collaboration is critical to solving today’s most pressing challenges, including tackling CSAM. We work with leading youth safety organizations such as the [Family Online Safety Institute \(“FOSI”\)](#)<sup>10</sup>, [Technology Coalition](#)<sup>11</sup>, [NCMEC](#)<sup>12</sup>, [Internet Watch Foundation \(“IWF”\)](#)<sup>13</sup>, [WePROTECT Global Alliance](#)<sup>14</sup>, and dedicated child safeguarding units in national and international law enforcement agencies. These partnerships provide opportunities to collaborate, learn and share best practices with our peers and to make critical progress toward our shared goal of ending online child sexual abuse. More information can be found [here](#)<sup>15</sup>. TikTok also participates in NCMEC’s [Take It Down](#)<sup>16</sup> service, which is a free service that can help process requests to remove or stop the online sharing of nude, partially nude, or sexually explicit images or videos taken when someone is under 18 years old.

TikTok is investing in language analysis and other technical tools to understand evolving predator behaviors across all regions, including the U.S. We are building models to detect grooming and predator behaviors across the TikTok platform, as well as feature-specific models trained to better detect unique behaviors within a particular feature (e.g., DM, Live). We expect to launch these models in H2 2024. We also continuously refresh our keywords with new terms to reflect evolving behaviors and develop new strategies to help reduce the risk of predatory interactions.

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<sup>9</sup> <https://www.missingkids.org/home>

<sup>10</sup> <https://www.fosi.org/>

<sup>11</sup> <https://www.technologycoalition.org/>

<sup>12</sup> <https://www.missingkids.org/home>

<sup>13</sup> <https://www.iwf.org.uk/>

<sup>14</sup> <https://www.weprotect.org/>

<sup>15</sup> <https://www.tiktok.com/transparency/en-us/protecting-teens/>

<sup>16</sup> <https://takeitdown.ncmec.org/>



We also build age-appropriate experiences and controls that enable teens to have a safe space to create, share, discover, and connect. We’re dedicated to partnering with families in this work as we share their interests in supporting teens as they start to explore the online world independently.

**19. Have you read the Fifth Circuit’s opinion in *Missouri v. Biden*, No. 23-30445?**

TikTok is familiar with the Fifth Circuit’s opinion in *Missouri v. Biden*, No. 23-30445.

**20. Do you dispute any factual findings in the Fifth Circuit’s opinions or the district court’s opinions?**

The Fifth Circuit’s opinion in *Missouri v. Biden*, No. 23-30445, does not make any factual findings regarding TikTok. The district court’s opinion notes that TikTok participated in the “Election Integrity Partnership” ahead of the November 2020 election, *Missouri v. Biden*, No. 3:22-CV-01213 (W.D. La. July 4, 2023), which is accurate.

**21. Does your platform continue to receive requests from federal agencies to censor or promote certain content?**

TikTok is committed to being a platform for free expression and not being manipulated by any government. The content people see on TikTok is generated by our community and subject to our publicly available Community Guidelines and Advertising Policies, and recommendations are based on the content people have previously engaged with.

TikTok does provide formal processes for governmental requests to remove or restrict content from the platform. We honor valid law enforcement requests through the proper channels and where otherwise required by law. When TikTok receives such requests from government authorities, we review and take action upon content in line with our Community Guidelines, Terms of Service, and applicable law. However, TikTok does not remove or limit the distribution of content solely because someone—whether it be a user, a member of the general public, or a government official—asks. If we believe the content at issue in a request doesn’t violate the standard laid out in our Community Guidelines but violates applicable law, we may restrict the availability of the reported content in the country where it is considered to be illegal. If we believe that a request isn’t legally valid or does not violate our Community Guidelines, Terms of Service, or applicable law, we will reject the request. Twice a year, we disclose such requests, as well as actions taken in response to those requests, in our [Government Removal Requests Reports](#)<sup>17</sup>.

Separate and apart from content moderation, TikTok also responds to law enforcement requests, including requests for disclosure or preservation of user information. We evaluate these requests pursuant to our publicly available [Law Enforcement Guidelines](#)<sup>18</sup> and provide information in

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<sup>17</sup> <https://www.tiktok.com/transparency/en-us/government-removal-requests-2023-1/>

<sup>18</sup> <https://www.tiktok.com/legal/page/global/law-enforcement/en>

response to valid legal process or in emergency circumstances. Twice a year, we publish information about law enforcement requests, as well as actions taken in response to those requests, in our [Information Requests Reports](#)<sup>19</sup>.

## **22. What steps do your platforms take to verify and enforce age restrictions?**

TikTok’s goal of providing an age-appropriate experience to its users begins with an industry-standard neutral age gate that is consistent with the Federal Trade Commission’s (“FTC”) guidance for age verification under the Children’s Online Privacy Protection Act (“COPPA”). If an individual selects a birthdate that indicates that they are under the age of 13 when creating a TikTok account in the U.S., they are directed to TikTok’s under 13 experience, where they can watch a curated library of age-appropriate videos. In addition to being restricted to only certain approved content, users in the under 13 experience cannot access many of the features and functions that are available to users on the 13+ experience. For example, they are not able to post videos on the platform, comment on videos, message other users, maintain a profile or followers, receive ads, or be directed off the TikTok platform.

Beyond age gate, TikTok uses technologies and human moderators, as well as user and third party reporting, to detect and remove users in the 13+ experience who are suspected to be under 13. An account in the 13+ experience that is flagged as being potentially under 13 is routed to a dedicated team of trained moderators who would review the account to determine if it should be banned for not meeting the minimum age requirement. If the moderator makes a determination that the account belongs to a suspected underage user, the account would be removed from the 13+ experience.

## **23. In cases where a child’s safety is at risk, how does your company collaborate with law enforcement? What information or assistance is provided?**

If a minor’s safety is at risk, law enforcement receives guidance through our [Law Enforcement Guidelines](#)<sup>20</sup> and we have provided training on how to utilize our [emergency request process and form](#)<sup>21</sup>. After submitting this form, requests are received by our 24/7 on-call Emergency Response Team specialists who evaluate the request. If the request meets our standards of being imminent, specific and credible, TikTok will produce user data to help locate or identify the individuals at issue. For example, during our presentation at the National Law Enforcement Training on Child Exploitation conference, our Law Enforcement Outreach team was approached by members of the Georgia Bureau of Investigations (“GBI”) regarding a pressing issue involving Child Sexual Abuse Material (“CSAM”). Recognizing the urgency of the situation, our team swiftly mobilized our Emergency Response Team (“ERT”) and Child Safety Team to provide assistance. Through collaborative efforts and the seamless coordination of resources, TikTok was able to furnish the GBI with crucial information essential for their investigation. This timely support facilitated swift action by the GBI and the Atlanta Police

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<sup>19</sup> <https://www.tiktok.com/transparency/en-us/information-requests-2023-1/>

<sup>20</sup> <https://www.tiktok.com/legal/page/global/law-enforcement/en>

<sup>21</sup> [https://law-enforcement-tiktok-uscan.zendesk.com/hc/en-us/requests/new?ticket\\_form\\_id=4416470231707](https://law-enforcement-tiktok-uscan.zendesk.com/hc/en-us/requests/new?ticket_form_id=4416470231707)

Department (“APD”), leading to the successful location and recovery of the child within a remarkably short timeframe, just one day after our involvement. Outside of emergencies, TikTok proactively engages with law enforcement through its Law Enforcement Outreach team, which provides training, assistance, and points of contact to law enforcement authorities across the country. In the last year, our LE Outreach team provided such training and support to the numerous child safety focused organizations, task forces, and law enforcement agencies, including ICAC Commanders, HSI NYO Trafficking and Child Exploitation Task Force, DOJ SMART Unit (Sex Offenders Monitoring, Apprehending, Registering, and Tracking), as well as numerous engagements at conferences and at the state level.

Upon identification of imminent risk (i.e., sextortion or on-going abuse cases), TikTok’s Child Safety Team completes a CyberTip Report submission to NCMEC in by utilizing their ESP escalation function to prioritize the report. Additionally, TikTok’s Law Enforcement Outreach Team is also made aware of the referral, allowing them to interface with local law enforcement directly. If the user is within the United States, the Emergency Response team is also notified and will review and assess the request immediately. It is common practice that ERT will review and assess the request within the minute of receiving the request.

**24. Do you believe there is any expressive value in CGI or AI generated CSAM?**

CGI or AI-generated CSAM is abhorrent and TikTok condemns such content and those individuals who generate such content in the strongest possible terms. Such content violates TikTok’s Community Guidelines. TikTok proactively and aggressively works to prevent such content from appearing on its platform and to quickly remove any such content that appears on its platform notwithstanding the significant efforts and substantial resources it devotes to moderating such content. TikTok has also developed features to enable the reporting of potential CSAM.

**25. Do you believe that CGI or AI generated CSAM is protected by the First Amendment to the U.S. Constitution?**

CSAM is not protected by the First Amendment. All CSAM is abhorrent and TikTok condemns such content and those individuals who generate such content in the strongest possible terms. Such content violates TikTok’s Community Guidelines. TikTok proactively and aggressively works to prevent such content from appearing on its platform and to quickly remove any such content found on its platform. TikTok has also developed features to enable the in-app reporting of potential CSAM.

**26. What measures does your platform take to ensure that children only see age-appropriate advertisements?**

TikTok has policies in place on advertisements for users under the age of 18.

**27. Will you commit to setting up a compensation fund for those who have been harmed by your platform?**

TikTok disagrees with the assertion that its platform is harmful to users. TikTok evaluates user complaints on a case-by-case basis and will continue to do so, consistent with its commitment to partnering with our community to help ensure people have a safe and positive experience on the platform.

**28. Do you believe that the First Amendment to the U.S. Constitution precludes Congress from enacting a law to ban TikTok on U.S. devices?**

Yes.

**29. BuzzFeed and Forbes have repeatedly reported instances where ByteDance has accessed the data of U.S. citizens. Do you dispute the veracity of these reports?**

As TikTok has stated publicly, TikTok has historically stored U.S. user data collected by the TikTok app in its own data centers in the U.S. and Singapore. These data centers in the U.S. and Singapore have served as the default storage location for the core databases that support the TikTok platform.

TikTok has also been clear that as a global company with a global workforce, access to U.S. user data has historically been made available to employees based on their job function and demonstrated need to perform their roles. In 2020, TikTok set a goal to limit data access across regions, and as detailed below, has made significant progress on this commitment. TikTok has been working earnestly since the launch of Project Texas on a phased initiative to strengthen TikTok’s data protection policies and protocols, further protect our users, and build confidence in our systems and controls in the United States. This includes the creation of a standalone entity called TikTok U.S. Data Security Inc. (“USDS”). USDS is a special purpose subsidiary tasked with managing all business functions that require access to “protected U.S. user data” and safeguarding the systems that deliver the TikTok app experience in the U.S. Our approach under this initiative is to set controls to block transfer of “protected U.S. user data” outside of the U.S.-based Oracle and USDS Infrastructure, nor will it be accessible by non-USDS employees, with limited exceptions explained in more detail below.

Since January of 2023, new protected U.S. user data has been stored in the Oracle Cloud in an environment controlled by USDS. We’ve taken steps to limit access to protected U.S. user data in the Oracle environment, unless authorization is given by USDS pursuant to limited exceptions, such as for legal and compliance purposes. Traffic from the Oracle Cloud now goes through Oracle controlled gateways to prevent protected U.S. user data from being transferred to or accessed by employees of TikTok or ByteDance.

In March 2023, TikTok began the process of deleting historic protected U.S. user data globally; once that process is complete, we will have completed our process to end all access to protected U.S. user data outside of USDS except under limited circumstances stipulated in our draft

national security agreement, subject to any further changes prior to finalization of such agreement.

TikTok has been clear that there are certain, limited exceptions to the definition of protected data. These exceptions are in place to help ensure interoperability of TikTok as a global platform and were determined as part of TikTok’s extensive, multi-year discussions with CFIUS that have occurred under two Administrations. Exceptions include categories such as business metrics, interoperability data, and certain creator data, if a creator voluntarily signs up for a commercial program to be supported by TikTok in reaching new audiences and monetizing content. As part of Project Texas, we have also designed and operationalized a controlled mechanism to enable TikTok to respond to global government and litigation demands for documents relating to users.

**30. Forbes has reported that TikTok has used user data to surveil U.S. journalists. Do you dispute the veracity of these reports?**

As the company has disclosed previously, in late 2022 the company learned that certain employees had accessed TikTok user data in an unsuccessful and misguided attempt to trace the source of leaks of confidential TikTok information. The company has seen no evidence that live, real-time user data or precise location data was accessed as part of these efforts.

**31. Do you condemn the actions by the Chinese Communist Party in perpetrating a genocide of the Uyghur people?**

TikTok provides a global entertainment app experience and is not a political organization. We are committed to respecting the human rights of all people impacted by our platform, regardless of their ethnicity, orientation, background, or life experience. As a global entertainment company, TikTok has a responsibility to ensure that our community is treated with fundamental dignity and respect on our platform. A wide variety of content can be found on TikTok, including videos criticizing the actions by the Chinese government against the Uyghur people.

**32. TikTok is wholly owned by ByteDance, correct?**

The ultimate parent company of TikTok Inc. is ByteDance Ltd., a privately-owned holding company established in the Cayman Islands. ByteDance Ltd. is majority owned by investors around the world, and the rest of the shares are owned by the founding team and employees around the world. ByteDance Ltd.’s Board of Directors is comprised of five individuals, three of whom are American.

**33. Project Texas is undertaken at the direction of ByteDance?**

The TikTok operating companies are subsidiaries of ByteDance Ltd. In response to national security concerns raised by CFIUS, TikTok launched an initiative to build a secure environment for protected U.S. user data, to ensure the platform remains free from outside influence, and to implement additional safeguards on our content recommendation and moderation tools.

**34. ByteDance can hire and fire TikTok directors?**

As the ultimate parent company of TikTok Inc., ByteDance Ltd. has the ability to appoint and remove directors of TikTok Inc.

**35. If ByteDance asked a TikTok director to divulge American user data and that director refused, ByteDance could remove them?**

First, such a request would violate company policies.

Furthermore, TikTok has imposed data access policies to help ensure that adequate safeguards are in place to protect personal information. If a person has no business need to access protected U.S. user data, they are not afforded such access under the terms of those policies. In addition to these safeguards, TikTok Inc.’s U.S. subsidiary, USDS, is undertaking efforts that are unprecedented among our peer group to build a secure environment for protected U.S. user data, which include protections against the types of transfers contemplated by the question.

**36. If ByteDance ordered a TikTok director to conceal ByteDance’s ability to access TikTok data and that director refused, ByteDance could remove them?**

As we have explained, ByteDance employees do not have access to TikTok protected U.S. user data. Similar to the previous question, such would violate company policies and be unethical.

TikTok has imposed data access policies to help ensure that adequate safeguards are in place to protect personal information. If a person has no business need to access protected U.S. user data, they are not afforded such access under the terms of those policies. In addition to these safeguards, TikTok Inc.’s U.S. subsidiary, USDS, is undertaking efforts that are unprecedented among our peer group to build a secure environment for protected U.S. user data.

**37. Do you dispute that ByteDance is subject to China’s National Security Law, which requires all organizations to support, assist, and cooperate with national intelligence efforts?**

TikTok does not offer the TikTok app for download in mainland China. TikTok Inc. has not been asked by the Chinese government for U.S. user data. TikTok discloses on a regular basis in its [Information Requests Reports](#)<sup>22</sup> the volume and type of requests for user information received from governments and law enforcement agencies, and whether the data was disclosed or presented.

TikTok Inc.’s ultimate parent company is ByteDance Ltd., a privately-held, global holding company incorporated in the Cayman Islands and subject to the law of the Cayman Islands. ByteDance Ltd. owns many businesses, some of which operate in China. ByteDance is obligated to comply with China's laws insofar as they relate to the ByteDance business just as it is obligated to comply with the laws of the United States. Other U.S. companies doing business in

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<sup>22</sup> <https://www.tiktok.com/transparency/en-us/information-requests-2023-1/>



China would likewise be required to comply with Chinese laws insofar as they are doing business in China.

TikTok does not make the app available for download in mainland China. Additionally, we’ve taken steps to limit to only USDS personnel access to protected U.S. user data in the Oracle environment, unless authorization is given by USDS pursuant to limited exceptions. Traffic from the Oracle Cloud now goes through Oracle controlled gateways to prevent protected U.S. TikTok user data from being transferred to or accessed by employees of TikTok or ByteDance. TikTok believes that these cutting-edge measures are unprecedented among our peer group and will provide many layers of protection for U.S. user data.

Project Texas, as we have described elsewhere, safeguards protected U.S. user data by taking steps to limit access only to USDS personnel, subject to limited exceptions.

**38. What is your understanding of ByteDance’s obligations under China’s National Security and Intelligence Laws?**

ByteDance is obligated to comply with China’s laws insofar as they relate to the ByteDance business just as it is obligated to comply with the laws of the United States. Other U.S. companies doing business in China would likewise be required to comply with Chinese laws insofar as they are doing business in China.

Project Texas, as we have described elsewhere, safeguards protected U.S. user data by taking steps to limit access only to USDS personnel, subject to limited exceptions.

## **TikTok's Responses to Questions for the Record from Senator Tillis Submitted March 7, 2024**

- 1. Twenty-one is the minimum age to purchase highly regulated adult products such as alcohol, tobacco, and nicotine. Nevertheless, there is a proliferation of user-generated content posted on social media sites featuring underage use of these products.**

**Recently, some have proposed banning these age-restricted products due in part to the user-generated content being available on your respective platforms. Surely, banning these products cannot be the answer. However, we must do more – your company must do more – to shield underage audiences from exposure to this content.**

**Therefore, as the content moderator of these platforms, what policies do you have in place, and what more can you do, to prevent this type of user-generated content from reaching underage audiences? How do you respond to requests to pull this content from your sites when deemed inappropriate for underage audiences?**

Youth safety and well-being is our priority. Per our Community Guidelines, we do not allow content that may put young people at risk of exploitation, or psychological, physical, or developmental harm. This includes child sexual abuse material ("CSAM"), youth abuse, bullying, dangerous activities and challenges, exposure to overtly mature themes, and consumption of alcohol, tobacco, drugs, or regulated substances. If we become aware of youth exploitation on our platform, we will ban the account, as well as any other accounts belonging to the person that we also discover.

While adults make personal choices about how they engage with alcohol, drugs, and tobacco, we recognize that there are risks connected to using these substances. Therefore, we do not allow showing or promoting recreational drug use, or the trade of alcohol, tobacco products, and drugs. We also recognize that using these substances can put young people at a heightened risk of harm, so we do not allow content showing or promoting young people possessing or consuming alcohol, tobacco products, and drugs. Content is also age-restricted from teens, and is ineligible for anyone's For You feed, if it shows adults consuming excessive amounts of alcohol or tobacco products.

Any advertisements on the platform must also adhere to our Community Guidelines as well as our Advertising Guidelines. We do not allow ad content and landing pages to display or promote tobacco, tobacco-related products such as cigars, tobacco pipes, rolling papers, or e-cigarettes, or smoking-related behavior in real life, including but not limited to alternatives that imitate the act of smoking. We also do not allow ad content and landing pages to display or promote illegal drugs, controlled drugs, prescription drug abuse, recreational drugs, drug paraphernalia, or



accessories or supplies any of such, including the use of them. In general, we do not allow ad content and landing pages to display, facilitate, or promote services or activities considered illegal in a given jurisdiction.

We provide options for our community to report content that they believe violates our Community Guidelines and Advertising Guidelines. Videos can be reported using [our online form](#)<sup>1</sup>, or within the TikTok app by:

1. Going to the video you need to report.
2. Pressing and long holding on the video.
3. Selecting **Report**, tapping on **'Illegal activities and regulated goods'** and then submitting report under **'Drugs and controlled substances'**

Once videos are reported, we use a combination of human and machine moderation to review our content for Community Guideline violations, and take appropriate action. We will update the reporting individual on the status and progress of the report in their Inbox.

We also have resources within our [Safety Center](#)<sup>2</sup> to share information on [treatment, support and recovery resources](#)<sup>3</sup>.

2. **Public reports conclude that drug cartels use social media like TikTok, META, X, Snapchat, and others to plan, organize, and communicate in real-time. These communications coincide directly with criminal activity.**

**What are your companies doing to crack down on cartel coordination? Specifically, in the recruitment of children to commit crimes or assist in the sale/distribution of illicit drugs?**

TikTok's Community Guidelines prohibit the sale, trade, promotion, use and the depiction of drugs, including controlled substances, for both organic and paid content. Additionally, we do not promote content that discusses controlled substances (such as adult humor) in our For You feed to help ensure that it is an appropriate and comfortable place for all audiences. We also work to ensure TikTok does not enable activities that violate laws or regulations. We do not allow individuals or organizations on our platform who promote, engage in, or seek to recruit others for violent or illegal activities. We remove these individuals and organizations from our platform, including criminal organizations, such as cartels. We also remove content that promotes or enables criminal activities to prevent such behavior from being normalized, glorified, imitated, or facilitated.

We use a combination of image- and text-based AI to detect designated cartels (tools which we also use for drug and firearm detection). TikTok does not publicly disclose details about our strategies (such as keyword lists, images, or hashes), as these can be used by bad actors to

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<sup>1</sup> <https://www.tiktok.com/legal/report/feedback>

<sup>2</sup> <https://www.tiktok.com/safety/en-us/>

<sup>3</sup> <https://www.tiktok.com/safety/en-us/substance-support/>

circumvent our safety strategies. Once organizations are identified, we work to identify and detect symbols, slogans, logos, and other indicators associated with groups such as cartel groups that we then remove from the platform. We remove any content – including video, audio, livestream, images, comments, links or other text – that violates our Community Guidelines, and we will suspend or ban accounts involved in severe or repeated violations.

TikTok has also established a subsidiary, TikTok U.S. Data Security Inc. ("USDS"), to control access to protected U.S. user data, content recommendation, and moderation systems. Within USDS we have teams which proactively investigate potential serious criminal conduct for law enforcement referrals. We have teams focused on illegal and regulated activities, which investigate issues in the U.S. market and identify solutions to any threats in collaboration with our policy, product, and operations teams. These teams rely on leads such as keywords, emojis, coded language, hashtags, audios, and examples of content/accounts.

We may also proactively report accounts to relevant legal authorities under certain circumstances, including where there are immediate risks of harm. For example, we forward suspected illicit drug activity content to law enforcement when it poses specific, credible and imminent threats to users or the community. In addition, this team routinely discloses relevant user data in response to valid legal requests from law enforcement agencies at the federal, state, and local levels. As an example, we have followed up on federal law enforcement leads and removed accounts for violating drug trade policies. We also take action on other accounts we surface as part of investigating these leads. This can and has led to removing dozens of other drug related accounts.

In addition to these strategies, we also have a variety of product-related features in place to protect our community:

- Accounts under the age of 16 are not allowed to use our direct messaging service, reducing the risk that they would be contacted for recruitment or promotion purposes.
- U.S. users can include URLs to external websites, but those URLs aren't clickable. That creates meaningful friction in spreading dis/misinformation and other material that violates our Community Guidelines.
- We also have a running list of websites that are blocked on platform, including those that lead to recruitment or promotional sites.

**3. What steps does your platform take to proactively remove, delist, and ban any posts, users, websites, and advertisements associated with the sale and distribution of fentanyl and other illicit drugs?**

As mentioned in our response to your Question 2, TikTok implements a multi-faceted approach to combat illegal drugs on our platform. Our Community Guidelines prohibit the sale, trade, promotion, use and the depiction of drugs includes controlled substances like fentanyl, for both organic and paid content. We also do not promote content that discusses controlled substances (such as adult humor) in our For You feed to help ensure that it is an appropriate and comfortable place for all audiences.

TikTok uses a combination of technology and human moderation to detect and remove violating content and accounts, including illegal drug-related content. Our systems work to detect weapons and suspicious accounts, as well as illicit activities on audio and livestreams. Our moderation system also uses advanced technology to identify and flag comments for evidence of solicitation or promotion of criminal activities including the sale, trade, promotion, use, or the depiction of drugs. This work is supported by third parties with expertise in various issue areas.

Our USDS teams referenced in Question 2 proactively investigate threats related to fentanyl as well and work across functions to identify solutions. We also regularly consult external experts to inform our policy development and stay on top of evolving issues. We have worked with organizations like LegitScript and Song for Charlie to spread awareness about the Fentanyl crisis and help us expand how we care for our community. We have also engaged with the Drug Enforcement Administration's ("DEA") to raise awareness of the dangers of fentanyl. For example, TikTok has received information and resources from the DEA including drug-related emojis and keywords, such as fentanyl precursors, which have subsequently been incorporated into TikTok's moderator training materials. TikTok has also engaged with the DEA on Operation Overdrive, an initiative to actively combat drug-related violence and overdoses.

**4. One area of growing concern is the sale and distribution of fake or counterfeit vaping devices online, particularly in connection with so-called Delta-8 THC. Counterfeit vapes, many coming from China, have unsafe and even potentially deadly chemicals. They have caused hospitalizations and death. What are your platforms doing to combat this problem?**

While adults make personal choices about how they engage with alcohol, drugs, and tobacco, we recognize that there are risks connected to using these substances. We do not allow showing or promoting recreational drug use, or the trade of alcohol, tobacco products, and drugs. We also recognize that using these substances can put young people at a heightened risk of harm. We do not allow showing or promoting young people possessing or consuming alcohol, tobacco products, and drugs. We define tobacco products to include vaping products, smokeless or combustible tobacco products, synthetic nicotine products, E-cigarettes, and other Electronic Nicotine Delivery Systems.

In terms of advertisements, we do not allow ad content and landing pages to display or promote tobacco, tobacco-related products such as cigars, tobacco pipes, rolling papers, or e-cigarettes, or smoking-related behavior in real life, including but not limited to alternatives that imitate the act of smoking. Additionally, alcohol, tobacco, and e-cigarettes are prohibited from being sold on our platform. This includes, but is not limited to, products containing or derived from alcohol, tobacco, nicotine, vaping substances, smokeless or combustible tobacco items, synthetic nicotine products, smoking equipment and accessories, E-cigarettes, and other Electronic Nicotine Delivery Systems.

**5. What are the main impediments your platform encounters in identifying all fentanyl and illicit drug advertisements posted to your platform(s) automatically? Please describe any circumstances in which you do not or cannot apply detection technologies against content transmitted on your platform(s).**

TikTok uses a combination of advanced technology and human moderation to detect and remove violating content and accounts, including illegal drug-related content. That said, bad actors may attempt to circumvent our protections and policies through the use of evolving signals and coded language, or by utilizing less explicit content and communicating through comments, user profiles, direct messages, or through the sharing of links and off-platform redirection.

We remain agile to combat illegal activity on the platform and respond to any quickly evolving situations. As mentioned in our response to Question 2 and Question 3, we have teams dedicated to investigating issues involving illegal and regulated activities in the U.S. market, and identifying solutions to any threats in collaboration with our policy, product, and operations teams. We also regularly consult external experts to inform our policy development and stay on top of evolving trends and issues (e.g., working with the DEA to identify including drug-related emojis and keywords, such as fentanyl precursors, and incorporating them into TikTok's moderator training materials).

**6. How many posts, users, websites, and advertisements have you removed, delisted, and banned per year for the sale and distribution of fentanyl and other illicit drugs? How many per year? Have you seen an increase in illicit drugs being advertised to children on your platform(s)?**

Per our Community Guidelines, TikTok does not allow content showing or promoting recreational drug use, or the trade of alcohol, tobacco products, and drugs. We also do not allow content showing or promoting young people possessing or consuming alcohol, tobacco products, and drugs. These policies apply to everything on our platform.

TikTok removes videos that violate these Community Guidelines. TikTok removed over 96 million videos in 2022 and over 50 million videos in H1 2023 for violations of the Illegal Activities and Regulated Goods policy, which includes removals for violations of the subpolicy on Drugs, Controlled Substances, Alcohol, and Tobacco. We updated our policies in March 2023, and similar data is now captured in a slightly broader policy on [Regulated Goods and Commercial Activities](#)<sup>4</sup>. In H2 2023 we removed over 107 million videos for violations of our updated Regulated Goods and Commercial Activities policy, which includes removals for violations of our new subpolicy on Alcohol, Tobacco, and Drugs. We aim to provide more granular data on removals under our subpolicies within future [Community Guidelines Enforcement Reports](#)<sup>5</sup>, but historically, removals for violations of our alcohol, tobacco, and drug-related subpolicies represented 30-40% of the video removal figures provided.

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<sup>4</sup> <https://www.tiktok.com/community-guidelines/en/regulated-commercial-activities/>

<sup>5</sup> <https://www.tiktok.com/transparency/en/community-guidelines-enforcement-2023-3/>

Violating TikTok's Community Guidelines can also lead to enforcement actions on accounts. We will ban accounts or users if they engage in: (1) a single severe content violation, (2) repeated content violations within a 90-day period, (3) circumvention, or (4) the operation of accounts dedicated to activity that violates our rules. Account bans for Community Guidelines violations may occur for multiple reasons, such as a video violation and multiple comment violations. TikTok removed over 18 million accounts in 2022 and over 14 million accounts in 2023 for violating our Community Guidelines, including our drug-related policies. Note that these numbers do not include accounts removed under suspicion of being under the age of 13. This data is publicly available in our [Community Guidelines Enforcement Reports](#)<sup>6</sup>.

In terms of advertisements, TikTok does not allow ad content and landing pages to display or promote illegal drugs, controlled drugs, prescription drug abuse, recreational drugs, drug paraphernalia, or accessories or supplies any of such, including the use of them. In 2023, we rejected 10,184 advertisements, suspended 346 advertiser accounts, and removed 5,336 URLs within advertisements for violating our policies on drugs (note that not all advertisements contain URLs).

**7. Are there any other roadblocks or impediments that you face in addressing fentanyl and illicit drug advertisements on your platform(s), and working with law enforcement on such matters? If yes, what are they? If no, how many cases have been transmitted to law enforcement and DEA?**

As mentioned in our response to Question 2, we do have teams that coordinate with law enforcement to address this issue. These teams proactively investigate potential serious criminal conduct for law enforcement referrals. We may proactively report accounts to relevant legal authorities under certain circumstances, including where there are immediate risks of harm (e.g., suspected illicit drug activity when it poses specific, credible and imminent threats to users or the community). In addition, TikTok routinely discloses relevant user data in response to valid legal requests from law enforcement agencies at the federal, state, and local levels.

TikTok has also engaged with the DEA and DOJ on information sharing efforts. For example, TikTok has received information and resources from the DEA including drug-related emojis and keywords, such as fentanyl precursors, which have subsequently been incorporated into TikTok's moderator training materials. TikTok has also engaged with the DEA on Operation Overdrive, an initiative to actively combat drug-related violence and overdoses.

Additionally, TikTok has a robust law enforcement outreach team that is dedicated to meaningful engagement with law enforcement officers at all levels. Since 2021, this team has trained over 13,000 U.S. law enforcement officers on our platform and company. We maintain an open dialogue for questions and answers through this program, and provide resources and contacts for questions and emergencies.

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<sup>6</sup> <https://www.tiktok.com/transparency/en/community-guidelines-enforcement-2023-3/>

**8. How do you work with organizations, advocates, and experts focused on drug prevention and addiction recovery to adapt your products and operations to keep up with the illicit drug crisis — including working with parents that have lost children due to lethal drugs bought online?**

TikTok regularly consults external experts to inform our policy development and stay on top of evolving issues. We have worked with organizations like LegitScript and Song for Charlie to spread awareness about the Fentanyl crisis, including on our platform, and to help expand how we care for our community. As mentioned in Question 2, we have also engaged with the DEA to raise awareness of the dangers of fentanyl and to receive information to incorporate into our moderator training materials.

TikTok also prioritizes user education, and we recently rolled out a [Substance Support Safety Center](#)<sup>7</sup> to provide information about the harmful effects of substances, what to do if someone feels pressured to take substances, and direct contact information for the Substance Abuse and Mental Health Services Administration and Crisis Text Line. For example, our Substance Support page highlights the DEA’s *One Pill Can Kill* campaign, which offers information on fake pills that are marketed as legitimate prescription pills and may be deadly.

**9. What are the total number of meetings that your company has had with parents to address online safety concerns? Can you provide the total number of meetings over the last three years? Please separate this last question’s answer by number per year.**

While our teams around the world regularly engage in these conversations, we do not collect information about the number of such meetings in a centralized manner and are unable to provide a detailed response.

**10. In 2022, then National Center for Missing & Exploited Children (NCMEC) received over 32 million reports of Child Sexual Abuse Material (CSAM). Reports of online sex crimes to the CyberTipline are growing exponentially year by year. Out of those 32 million reports, how many did your platform submit to NCMEC?**

As represented on NCMEC’s website, [we submitted roughly 288,000 reports](#)<sup>8</sup> in 2022, and were alone among our peers in receiving [only one request from NCMEC](#)<sup>9</sup> that year.

**11. There is concern that this number is going to fall dramatically this year because of the adoption of end-to-end encryption, not because the problem is going away. How will your company track and address this issue moving forward?**

TikTok has not adopted end-to-end encryption.

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<sup>7</sup> <https://www.tiktok.com/safety/en/substance-support/>

<sup>8</sup> <https://www.missingkids.org/content/dam/missingkids/pdfs/2022-reports-by-esp.pdf>

<sup>9</sup> <https://www.missingkids.org/content/dam/missingkids/pdfs/2022-notifications-by-ncmec-per-esp.pdf>

**12. Has your platform seen an increase of suspected online child sexual exploitation-CSAM over the past few years? If so, what do you believe is the driving factor on why it's happening on your platform?**

TikTok has seen an increase in reporting since the platform launched, while also seeing an increase in the numbers of people joining the TikTok community. As we have matured, we have also worked to improve our detection systems and community tools.

**13. What are some new tools or strategies that your platform has implemented to identify CSAM? How closely does your platform work with NCMEC?**

TikTok has a zero-tolerance approach to content that violates our youth safety policies, especially online child sexual exploitation and abuse ("CSEA") and the sharing of child sexual abuse material ("CSAM"). Any content, including animation or digitally created or manipulated media, that depicts abuse, harm, exploitation, or endangerment of minors is a violation of our Community Guidelines and will be removed when detected. To help identify CSAM, we use multiple technologies, including our own systems and hash-matching software like Microsoft's PhotoDNA, Google's Content Safety API, and YouTube's CSAI Match. With our partners, we have built hash databases – hubs of unique digital codes that have been linked to known CSAM. This means that should someone attempt to upload CSAM to TikTok that matches a unique fingerprint from a database, or if we've identified new or suspected CSAM, that content will be removed, reported to the National Center for Missing & Exploited Children ("NCMEC") and to relevant law enforcement authorities. The account that shared the content will also be permanently banned.

At TikTok, we believe that collaboration is critical to solving today's most pressing challenges, including tackling CSAM. We work with leading youth safety organizations such as the [Family Online Safety Institute \("FOSI"\)](#)<sup>10</sup>, [Technology Coalition](#)<sup>11</sup>, [NCMEC](#)<sup>12</sup>, [Internet Watch Foundation \("IWF"\)](#)<sup>13</sup>, [WePROTECT Global Alliance](#)<sup>14</sup>, and dedicated child safeguarding units in national and international law enforcement agencies. These partnerships provide opportunities to collaborate, learn and share best practices with our peers and to make critical progress toward our shared goal of ending online child sexual abuse. More information can be found [here](#).

TikTok has a close operational relationship with NCMEC, which includes monthly meetings to calibrate trends and current issues. As a result of these conversations, an API reporting tool was developed to streamline and scale CyberTip submissions. TikTok also participates in NCMEC's [Take It Down service](#),<sup>15</sup> which is a free service that can help process requests to remove or stop the online sharing of nude, partially nude, or sexually explicit images or videos taken when someone is under 18 years old.

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<sup>10</sup> <https://www.fosi.org/>

<sup>11</sup> <https://www.technologycoalition.org/>

<sup>12</sup> <https://www.missingkids.org/home>

<sup>13</sup> <https://www.iwf.org.uk/>

<sup>14</sup> <https://www.weprotect.org/>

<sup>15</sup> <https://takeitdown.ncmec.org>

We also build age-appropriate experiences and controls that enable teens to have a safe space to create, share, discover, and connect. We're dedicated to partnering with families in this work as we share their interests in supporting teens as they start to explore the online world independently.

**14. What resources or help does your platform provide to victims of CSAM? Does your platform work with local victim groups and professionals?**

TikTok has developed a [safety center for survivors of sexual abuse](#)<sup>16</sup> that provides resources for help and information in more than 30 countries. The resources can be accessed either by going directly to the safety center or by search terms/keywords associated with abuse through an in-app response that redirect our community members to supportive resources. The pages also links to [StopNCII.org](#), which allows people to report non-consensual sexual images (also referred to as image-based sexual abuse). StopNCII translates those images to hashes and shares them with TikTok and other companies to remove them from the app. TikTok also participates in NCMEC's [Take It Down service](#).<sup>17</sup>

**15. What are the top technical hurdles your company faces in combatting CSAM?**

TikTok has a zero-tolerance approach to content that violates our youth safety policies, especially online child sexual exploitation and abuse ("CSEA") and the sharing of child sexual abuse material ("CSAM"). Any content, including animation or digitally created or manipulated media, that depicts abuse, harm, exploitation, or endangerment of minors is a violation of our Community Guidelines and will be removed when detected. To help identify CSAM, we use multiple technologies, including our own systems and hash-matching software like Microsoft's PhotoDNA, Google's Content Safety API, and YouTube's CSAI Match. With our partners, we have built hash databases – hubs of unique digital codes that have been linked to known CSAM. This means that should someone attempt to upload CSAM to TikTok that matches a unique fingerprint from a database, or if we've identified new or suspected CSAM, that content will be removed, reported to the National Center for Missing & Exploited Children ("NCMEC") and to relevant law enforcement authorities. The account that shared the content will also be permanently banned.

As a result of rapidly evolving technology in this space, including that utilized by bad actors, significant investments are needed to advance platforms' ability to detect and swiftly remove this content. Additionally, data deletion requirements can limit our available training data. Industry solutions for CSAM detection are more widely standardized for images and for previously discovered content (e.g., PhotoDNA). Establishing industry solutions for video detection and for new content detection would be highly impactful given the nature of our platform, but development of such solutions would be subject to technical challenges associated with higher complexity media types as well as training data sensitivity.

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<sup>16</sup> <https://www.tiktok.com/safety/en/sexual-assault-resources/>

<sup>17</sup> <https://takeitdown.ncmec.org>



**16. There seem to be competing views on how to regulate algorithms. Some suggest that more transparency is needed, while others want more privacy. Can you provide your perspective on whether more or less transparency is needed when it comes to algorithms?**

There is no single answer to this question as algorithms are used by companies across industries and in myriad ways to deliver value to customers and address potential risks and harms. TikTok has a commitment towards transparency for how our algorithms work (see our explainer videos on how our recommendation system works<sup>18</sup> and why a specific video was recommended<sup>19</sup>) and also a commitment towards strengthening the security and privacy of our users<sup>20</sup>. We've also launched a [Research API](https://www.tiktok.com/transparency/en-us/research-api/)<sup>21</sup> that we've built as part of our efforts to stay accountable. The API provides researchers with access to public data on content and accounts on our platform in a way that preserves individual user privacy.

**17. Do you believe that large companies and platforms like yours can use algorithms to stifle innovation or small businesses?**

Algorithms are one of many basic technology tools that individuals or organizations of any size can use to be competitive in their respective markets.

**18. What do you believe is the role of government in regulating algorithms? What, if any, unintended consequences would there be if Congress gets involved?**

Algorithms are one of many basic technology tools that individuals or organizations of any size can use. The intended and unintended outcomes of those uses are in flux as the technologies powering development of algorithms continues at a rapid pace. Congress may want to consider looking to global policymaking processes that have prioritized education before legislation. Regulatory efforts that focus on mitigating material harms in high-risk use cases, some of which are already covered by existing regulations, appear to be resulting in an appropriate balance of responsible innovation by technology creators along with safety, security, and privacy for consumers.

**19. Are you aware of your platform using surveillance advertisements to target children (anyone under the age of 18) with specific ads? If so, in your opinion, how can this be mitigated?**

We are unsure what you mean by "surveillance advertisements," but TikTok does not currently allow advertisements in the TikTok under 13 experience. In the U.S. 13+ experience, TikTok places a number of targeting and content restrictions on ads that can be served to minors. For example, teens aged 13-15 cannot see personalized ads on TikTok based on their activities off TikTok. TikTok does not allow ad content and landing pages that are aimed at minors or feature

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<sup>18</sup> <https://www.tiktok.com/transparency/en-us/recommendation-system/>

<sup>19</sup> <https://newsroom.tiktok.com/en-us/learn-why-a-video-is-recommended-for-you>

<sup>20</sup> <https://www.tiktok.com/transparency/en-us/security-privacy/>

<sup>21</sup> <https://www.tiktok.com/transparency/en-us/research-api/>

content which is likely to appeal to minors or to encourage minors to buy goods or services. TikTok also does not allow ad content to promote inappropriate behaviors involving minors, such as underage drinking, underage gambling, or underage smoking.

In addition, TikTok's policies require advertisers to exclude users under the age of 18 from certain types of advertising content. For example, financial services-related ads, such as those related to loans or to the exchange, management, or investment of funds, may not be targeted to users under 18 years of age. Likewise, ads for pharmaceuticals, healthcare, and medicines may not be targeted to users under 18 years of age. As another example, ads that promote dating apps may not target users under 18. The full list of content prohibited to users under 18 years of age is detailed in TikTok's Advertising Policies (<https://ads.tiktok.com/help/article/tiktok-advertising-policies-ad-creatives-landing-page?>).

**20. Beyond surveillance advertisements, are there any other algorithmic-based practices being implemented that are particularly detrimental to children? In your opinion, how can this be mitigated?**

We are unsure what you mean by "surveillance advertisements", but user safety, and especially the safety of younger users, is a primary consideration in regulating content that is shown in the For You Feed. TikTok's Community Guidelines prohibit a range of content, including nudity, violent extremism, drugs, and depiction of suicide or self-harm. We proactively remove content that violates our Community Guidelines. For example, in 2023 Q3, we removed more than 136 million violative videos globally, which accounts for just under 1% of total published videos over that period. The vast majority (96%) were removed proactively, before they were reported to us.

Some content categories that do not violate TikTok's Community Guidelines are nevertheless rendered ineligible for recommendation to the For Your Feed because they may not be suitable for all users, such as content that is determined to be disturbing and graphic. To further enhance minor safety, we age restrict certain content such as disordered eating and body image and make it unavailable to minors under the age of 18.

TikTok also has implemented measures to disperse certain content - such as content somewhat suggesting extreme dieting or fitness - that may be fine if seen occasionally but may be problematic if viewed in close or continuous succession.

**21. Are you aware of any surveillance advertisements or algorithms that are used to target children, specifically to promote drugs and the sale of narcotics?**

We are unsure what you mean by "surveillance advertisements", but TikTok does not allow ad content and landing pages to display or promote illegal drugs, controlled drugs, prescription drug abuse, recreational drugs, drug paraphernalia, or accessories or supplies any of such, including the use of them. Ads for pharmaceuticals, healthcare, and medicines must target 18+ users and

comply with all applicable laws and regulations of the target country. You can learn more on our [website](#)<sup>22</sup>.

**22. A Chinese government-affiliated entity owns 1% of ByteDance. On your website, you explain that this is a “common arrangement for companies operating news and information platforms in China.”**

**It seems that the question is not whether this is a common or legal practice, but whether this is an appropriate practice. Do you consider the Chinese Government’s ownership in your controlling parent company appropriate?**

TikTok’s parent company, ByteDance Ltd., has China-based subsidiaries including Beijing Douyin Information Services Co., Ltd. The 1% stake in that entity does not give the Chinese government any right to influence the operations of TikTok. Please see the corporate structure diagram at ByteDance.com, which illustrates the structural separation between Beijing Douyin Information Services, Co. Ltd. and all TikTok entities.

TikTok has imposed data access policies to help ensure that adequate safeguards are in place to protect personal information. If a person has no business need to access protected U.S. user data, they are not afforded such access under the terms of those policies. In addition to these safeguards, TikTok Inc.’s U.S. subsidiary, USDS, is undertaking efforts that are unprecedented among our peer group to build a secure environment for protected U.S. user data.

**23. Forbes recently reported that ByteDance has started hiring healthcare and science professionals for its new AI for Drug Design and Science teams. Forbes suggests that U.S. data could be used for product feedback, marketing development, and spending patterns.**

**All of this data could then be fed to Chinese pharmaceutical companies, weapons manufacturers, etc. What U.S. user data from TikTok is available to ByteDance for its medical and scientific research?**

This team does not use TikTok user data for its research.

**24. Last March, TikTok announced that Project Texas was underway. This project is an effort to store U.S. user data in the United States through Texas based company, Oracle. What is the status of Project Texas and has TikTok finished deleting all old U.S. data from non-oracle servers?**

TikTok Inc.’s U.S. subsidiary, USDS, is undertaking efforts that are unprecedented among our peer group to build a secure environment for protected U.S. user data, protect the platform from

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<sup>22</sup> <https://ads.tiktok.com/help/article/tiktok-advertising-policies-ad-creatives-landing-page-prohibited-content?lang=en>

outside influence, and implement safeguards on our content recommendation and moderation tools.

Since January of 2023, new protected U.S. user data has been stored in the Oracle Cloud in an environment controlled by USDS. We've taken steps to limit to only USDS personnel access to protected U.S. user data in the Oracle environment, unless authorization is given by USDS pursuant to limited exceptions, such as for legal and compliance purposes. Traffic from the Oracle Cloud now goes through Oracle controlled gateways to prevent protected U.S. user data from being transferred to or accessed by employees of TikTok or ByteDance. TikTok continues to delete historical protected U.S. user data from our global data centers, helping to ensure that protected U.S. user data is stored in Oracle's Cloud and controlled by USDS. We have completed the first round of deletion from TikTok servers in our global data centers. In order to provide additional assurance and validation of our team's work, we have also begun independent validation efforts to confirm the comprehensiveness of the data deletions.

**25. What influence does ByteDance or its employees have on recommendation algorithms? Do Chinese Communist Party Officials provide guidance on what algorithms should be in place?**

Chinese Communist Party officials do not provide guidance on what algorithms TikTok should use to operate the TikTok platform. Moreover, TikTok has policies that prohibit personnel from taking any action in the course of their work for or with TikTok to advance the political agenda of a third party through the promotion, recommendation, moderation, or filtering of content.

**26. Can the Chinese Communist Party lawfully require TikTok to hand over U.S. private user data through ByteDance?**

TikTok does not offer the TikTok app for download in mainland China. TikTok Inc. has not been asked by the Chinese government for U.S. user data. TikTok discloses on a regular basis in its Information Requests Reports the volume and type of requests for user information received from governments and law enforcement agencies, and whether the data was disclosed or presented. See TikTok's [Information Requests Report](#)<sup>23</sup>.

TikTok Inc.'s ultimate parent company is ByteDance Ltd., a privately-held, global holding company incorporated in the Cayman Islands and subject to the law of the Cayman Islands. ByteDance Ltd. owns many businesses, some of which operate in China. ByteDance is obligated to comply with China's laws insofar as they relate to the ByteDance business just as it is obligated to comply with the laws of the United States. Other U.S. companies doing business in China would likewise be required to comply with Chinese laws insofar as they are doing business in China.

TikTok does not make the app available for download in mainland China. Additionally, we've taken steps to limit to only USDS personnel access to protected U.S. TikTok user data in the

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<sup>23</sup> <https://www.tiktok.com/transparency/en-us/information-requests-2023-1/>



Oracle environment, unless authorization is given by USDS pursuant to limited exceptions. Traffic from the Oracle Cloud now goes through Oracle controlled gateways to prevent protected U.S. TikTok user data from being transferred to or accessed by employees of TikTok or ByteDance. TikTok believes that these cutting-edge measures are unprecedented among our peer group and will provide many layers of protection for U.S. user data.

Project Texas, as we have described elsewhere, safeguards protected U.S. user data by taking steps to limit access only to USDS personnel, subject to limited exceptions.

**27. At the hearing, you said that TikTok is investing \$2 billion in online safety measures across your platform. How much of that funding is going to operations in the United States? What are the percentage amounts for other countries?**

As a privately held company, TikTok does not disclose revenue or detailed budget breakdowns.