

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051
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<https://oversight.house.gov>

November 10, 2021

Mr. Shou Zi Chew
Chief Executive Officer
TikTok
5800 Bristol Parkway, Suite 100
Culver City, CA 90230

Dear Mr. Chew:

The Subcommittee on Economic and Consumer Policy seeks documents and information about TikTok's troubling practice of showing dangerous content to minors, including sex- and drug-related videos and videos peddling COVID-19 misinformation.¹ Despite TikTok's attempts to make its app safe for younger users—for example, by making the accounts of users ages 13 to 15 private by default, creating a separate curated section for users under 13, and deleting millions of minors' accounts from the app—recent studies show that the app is still dangerous for children.²

The Subcommittee is deeply concerned that TikTok risks harming millions of children because of its failure to adequately police the harmful content on its app while it continues to experience rapid growth: TikTok has amassed one billion users in just five years—faster than Facebook and YouTube—and has already surpassed YouTube in viewing time per user.³ Children ages ten to 19 make up a quarter of TikTok's 130 million active users in the United

¹ *How TikTok Serves Up Sex and Drug Videos to Minors*, Wall Street Journal (Sept. 8, 2021) (online at www.wsj.com/articles/tiktok-algorithm-sex-drugs-minors-11631052944); *TikTok's Algorithm Shows Anti-Vaccine Videos to Children as Young as 9, Researchers Say*, Business Insider (Oct. 9, 2021) (online at www.businessinsider.com/anti-vaxx-tiktoks-seen-by-kids-teens-2021-10).

² *TikTok Tightens Privacy Features for Younger Users*, U.S. News and World Report (Jan. 13, 2021) (online at www.usnews.com/news/business/articles/2021-01-13/tiktok-tightens-privacy-features-for-younger-users); *TikTok Deleted over 7 Million Accounts Supposedly Belonging to Minors*, Mashable (June 30, 2021) (online at <https://mashable.com/article/tiktok-transparency-report-minors-user-accounts>).

³ *TikTok's Rapid Growth Shows the Potency of Video*, The Economist (Oct. 7, 2021) (online at www.economist.com/graphic-detail/2021/10/07/tiktoks-rapid-growth-shows-the-potency-of-video); *TikTok Surpasses YouTube in Viewing Time per User*, CNN (Sept. 7, 2021) (online at www.cnn.com/2021/09/07/entertainment/tiktok-youtube/index.html).

States.⁴ Although TikTok's Terms of Service forbid children under the age of 13 from using the full app, minors can easily lie about their age to gain access to all content.⁵

TikTok's algorithm, which determines the content to show each user, is dangerous for minors because it learns users' interests and exploits their vulnerabilities much faster than other social media platforms' algorithms.⁶ TikTok's algorithm can then send children into endless spools of dangerous and inappropriate content.

To better understand the problem, *The Wall Street Journal* recently tested TikTok's "For You" feature, which suggests content based on a user's activity. The media outlet created dozens of automated accounts disguised as 13- to 15-year-old users to determine how long it took for inappropriate content to overtake their video feeds. The study found that the app's algorithm suggested videos containing sexually explicit and drug-related content, even to accounts registered to users as young as 13. In one case, TikTok displayed hundreds of videos about drug use and drugs, including marijuana, psychedelics, and prescription medications, even though the automated account never searched for this content and only expressed interest by lingering on drug-related videos. In another case, an automated account searched for the name of a pornography website and viewed a handful of pornography-related videos. Based on minimal searching and then lingering on certain videos, TikTok showed the account videos discussing rape fantasies and showing roleplaying of relationships between caregivers and children. At one point, more than 90% of the video feed of this automated account was bondage- and sex-related.⁷

According to *The Wall Street Journal's* report, TikTok presented adult content to minors even when the videos or TikTok accounts were labeled as "for adults only." For example, of a string of 200 videos suggested to one fake account registered to a minor, 40% were labeled as "for adults only." TikTok also showed the accounts registered to minors a total of 100 videos from other user accounts that recommended paid pornography sites and sex shops to viewers.⁸

TikTok also spreads dangerous misinformation about COVID-19 among children. In a study conducted by *NewsGuard*, nine children between the ages of nine and 17 created TikTok accounts and tracked how long it took the app to show them COVID-19 misinformation.

⁴ *TikTok's Algorithm Shows Anti-Vaccine Videos to Children as Young as 9, Researchers Say*, Business Insider (Oct. 9, 2021) (online at www.businessinsider.com/anti-vaxx-tiktoks-seen-by-kids-teens-2021-10).

⁵ TikTok, *Terms of Service* (online at www.tiktok.com/legal/terms-of-service?lang=en#terms-us) (accessed Oct. 25, 2021).

⁶ *Inside TikTok's Highly Secretive Algorithm*, Wall Street Journal (July 21, 2021) (online at www.wsj.com/video/series/inside-tiktoks-highly-secretive-algorithm/investigation-how-tiktok-algorithm-figures-out-your-deepest-desires/6C0C2040-FF25-4827-8528-2BD6612E3796).

⁷ *How TikTok Serves Up Sex and Drug Videos to Minors*, Wall Street Journal (Sept. 8, 2021) (online at www.wsj.com/articles/tiktok-algorithm-sex-drugs-minors-11631052944).

⁸ *Id.*

According to the report, in less than one hour, all but one of the children viewed misinformation related to COVID-19, including two-thirds who observed misinformation related to vaccines.⁹

The Subcommittee is also deeply concerned that Tiktok has failed to adequately police itself despite high volumes of inappropriate content on the app, especially given the ease with which children as young as nine can create TikTok accounts. For example, although TikTok's written policies ban content that glorifies eating disorders, *The Wall Street Journal's* experiment found that such videos remain on TikTok's platform. This experiment also found that TikTok failed to respond to complaints of inappropriate sexual content. One account created by *The Wall Street Journal* alerted TikTok to the 1,276 bondage- and sex-related videos in its feed, yet TikTok only removed approximately half of the videos from its app.¹⁰

TikTok recently announced efforts to address the harmful content on its app to which minors are exposed. On September 14, 2021, TikTok revealed that it would begin covering certain disturbing videos with "distressing content" warning labels on users' viewing screens. Users are now required to click "show results" before they can view videos with such labels.¹¹ However, like TikTok's other attempts to protect young users, these warnings do not provide adequate safeguards for minors: children can still easily view the disturbing videos and may be even more interested in viewing videos that are hidden behind the warning labels.

For these reasons, by November 23, 2021, please provide the following documents and information from January 1, 2018, to the present:

1. Documents sufficient to show all controls TikTok has implemented, or will implement, to stop showing minors videos, or videos from accounts, that are labeled for adults only;
2. Documents sufficient to show all steps TikTok has taken to:
 - a. adjust its algorithm or stop showing adult content, including but not limited to drug- and sex-related content, to minors;
 - b. ensure the removal of all videos that glorify eating disorders; and
 - c. ensure the removal of all videos that contain misinformation about COVID-19 or COVID-19 vaccines;

⁹ *Toxic TikTok: Popular Social-Media Video App Feeds Vaccine Misinformation to Kids Within Minutes After They Sign Up*, NewsGuard (online at www.newsguardtech.com/special-reports/toxic-tiktok/) (accessed Oct. 12, 2021).

¹⁰ *How TikTok Serves Up Sex and Drug Videos to Minors*, Wall Street Journal (Sept. 8, 2021) (online at www.wsj.com/articles/tiktok-algorithm-sex-drugs-minors-11631052944).

¹¹ *TikTok Adds Warnings to Search Results for "Distressing Content"*, Engadget (Sept. 14, 2021) (online at www.engadget.com/tiktok-will-warn-users-in-search-results-for-distressing-content-120042064.html); *TikTok, New Resources to Support Our Community's Well-Being* (Sept. 14, 2021) (online at <https://newsroom.tiktok.com/en-us/new-resources-to-support-well-being>).

3. All documents, research, analyses, policies, and communications regarding any of the following topics:
 - a. the amount of adult content, including but not limited to drug- and sex-related content, shown to accounts registered to minors;
 - b. videos on TikTok that include misinformation on COVID-19 or COVID-19 vaccines;
 - c. methods for increasing the amount of time minors spend viewing content on TikTok;
 - d. harms to minors from viewing content on TikTok; and
 - e. TikTok's algorithm, as it relates to minors;
4. Documents sufficient to show the categories of videos that TikTok has labeled, or plans to label, as including "distressing content" or "sensitive content," and TikTok's methods for identifying such videos;
5. All communications between TikTok's Government Affairs Office and state and federal regulators about the use of TikTok by minors, and all documents provided by TikTok's Government Affairs Office to state and federal regulators related to the use of TikTok by minors;
6. All documents and communications related to complaints received from consumers, law enforcement agencies, and other third parties regarding content viewed by minors on TikTok; and
7. Documents sufficient to show all state and federal investigations related to the use of TikTok by minors, and a copy of all documents that have been produced in connection with those investigations.

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. An attachment to this letter provides additional instructions for responding to the Committee's requests. If you have any questions regarding this request, please contact Subcommittee staff at (202) 225-5051.

Mr. Shou Zi Chew
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Sincerely,

A handwritten signature in black ink, appearing to read "Raja Krishnamoorthi", written over a horizontal line.

Raja Krishnamoorthi
Chairman
Subcommittee on Economic and Consumer Policy

Enclosure

cc: The Honorable Michael Cloud, Ranking Member
Subcommittee on Economic and Consumer Policy

Responding to Oversight Committee Document Requests

1. In complying with this request, produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Committee.
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The Committee's preference is to receive documents in electronic form (i.e., CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions.
5. Documents produced in electronic format should be organized, identified, and indexed electronically.
6. Electronic document productions should be prepared according to the following standards:
 - a. The production should consist of single page Tagged Image File ("TIF"), files accompanied by a Concordance-format load file, an Opticon reference file, and a file defining the fields and character lengths of the load file.
 - b. Document numbers in the load file should match document Bates numbers and TIF file names.
 - c. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - d. All electronic documents produced to the Committee should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD,

INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION,
BEGATTACH.

7. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.
8. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
9. When you produce documents, you should identify the paragraph(s) or request(s) in the Committee's letter to which the documents respond.
10. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
11. The pendency of or potential for litigation shall not be a basis to withhold any information.
12. In accordance with 5 U.S.C. § 552(d), the Freedom of Information Act (FOIA) and any statutory exemptions to FOIA shall not be a basis for withholding any information.
13. Pursuant to 5 U.S.C. § 552a(b)(9), the Privacy Act shall not be a basis for withholding information.
14. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production.
15. In the event that a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document: (a) every privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the privilege(s) asserted.
16. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control.
17. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

18. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
19. All documents shall be Bates-stamped sequentially and produced sequentially.
20. Two sets of each production shall be delivered, one set to the Majority Staff and one set to the Minority Staff. When documents are produced to the Committee, production sets shall be delivered to the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2105 of the Rayburn House Office Building.
21. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committee.

Definitions

1. The term “document” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
2. The term “communication” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic

message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, or otherwise.

3. The terms “and” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information that might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neutral genders.
4. The term “including” shall be construed broadly to mean “including, but not limited to.”
5. The term “Company” means the named legal entity as well as any units, firms, partnerships, associations, corporations, limited liability companies, trusts, subsidiaries, affiliates, divisions, departments, branches, joint ventures, proprietorships, syndicates, or other legal, business or government entities over which the named legal entity exercises control or in which the named entity has any ownership whatsoever.
6. The term “identify,” when used in a question about individuals, means to provide the following information: (a) the individual’s complete name and title; (b) the individual’s business or personal address and phone number; and (c) any and all known aliases.
7. The term “related to” or “referring or relating to,” with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is pertinent to that subject in any manner whatsoever.
8. The term “employee” means any past or present agent, borrowed employee, casual employee, consultant, contractor, de facto employee, detailee, fellow, independent contractor, intern, joint adventurer, loaned employee, officer, part-time employee, permanent employee, provisional employee, special government employee, subcontractor, or any other type of service provider.
9. The term “individual” means all natural persons and all persons or entities acting on their behalf.