



June 16, 2023

Senator Richard Blumenthal
706 Hart Senate Office Building
Washington, DC 20510

Senator Marsha Blackburn
357 Dirksen Senate Office Building
Washington, DC 20510

Dear Senators Blumenthal and Blackburn,

Thank you for your letter dated June 6, 2023. We appreciate the opportunity to address the questions set forth in your letter and provide clarity around mischaracterizations in recent media reports about TikTok. Please see below for responses to your questions.

Sincerely,
TikTok Inc.

TikTok Inc.
5800 Bristol Pkwy, Suite 100
Culver City, CA 90230

Responses to Questions

1. Under what conditions does TikTok currently store information or personal data about American users on servers located in China, or allow employees that are based in China or associated with ByteDance to access that data?

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 separate company tasked with managing all business functions that require access to certain user data identified by the U.S. Government as needing additional protection (defined as "protected data") and ensuring that the content you see in the U.S version of the app is free from outside manipulation. Under Project Texas, "protected data" will not be allowed to be transferred 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.

As of June 2022, 100% of all U.S. user traffic is routed to the Oracle Cloud and USDS Infrastructure in the United States, and as of January 2023, all new protected data is stored exclusively within the environment and only USDS personnel can access it unless there is a limited exception. In March 2023, TikTok began the process of deleting historic protected data globally; once that process is complete, it will effectively end all access to protected data outside of TikTok USDS except under limited circumstances stipulated in our draft national security agreement, subject to any further changes prior to finalization of such agreement.

Under Project Texas, we have set up controlled gateways for all data coming into the environment and all data going out. These gateways are currently monitored by USDS, and they will soon be controlled and monitored by Oracle.

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 negotiations with CFIUS that have occurred under two Administrations. Exceptions include categories such as public data, 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 are also designing a trusted path to enable TikTok to respond to global government and litigation demands for documents relating to users.

TikTok believes that the Forbes article cited in your letter was referencing certain creator data such as signed contracts and related documents for U.S. creators who enter into a commercial relationship with TikTok—information that is collected outside of the standard app experience.

Like most companies, we enter into commercial relationships with businesses and individuals, and collect and retain certain information to comply with applicable audit, accounting, tax, and other regulations.

2. At the time that Mr. Beckerman testified in October 2021 that “U.S. user data is stored in the United States,” what American data was stored by, or accessible to, China or ByteDance?

Please see response to Question 1.

3. Is there anything from Mr. Beckerman’s testimony in October 2021 or your testimony in March 2023 that TikTok believes merits correction?

We understand that a recent Forbes article reported that TikTok has stored financial information of U.S. TikTok creators in China and that, as result, our executives’ congressional testimony about the storage of U.S. TikTok user data in Singapore and Virginia allegedly was inaccurate. The Forbes reporter conflated two categories of data, and we stand by the statements made by our company executives to Congress. We appreciate this meaningful opportunity to offer clarity. We were asked about, and our testimony focused on, the protected user data collected in the app—not creator data. Creators are individuals who, unlike typical users, want to build audiences for their content and seek monetization opportunities. To do so, they enter into contracts to engage in commercial activity with our company, have public accounts, and potentially earn revenue. Forbes appears to be referencing the signed contracts and related documents of these U.S. creators.

4. Why did you and Mr. Beckerman previously testify that TikTok does not store user data in China when *Forbes* and *New York Times* reports have clearly found otherwise?

The Forbes article conflates how TikTok handles two different categories of data: protected data and data that falls under an exception as outlined in Question 1. Had TikTok been given a meaningful opportunity to explain the difference before the story was published, TikTok would have pointed out that our testimony focused on the protected data of U.S. users.

TikTok believes Forbes was referencing signed contracts and related documents for U.S. creators who have public accounts and enter into a commercial relationship with TikTok, but we have no way of knowing because, as has been a pattern with Forbes, we are not provided with information and documents they rely upon to make their allegations.

5. Did TikTok notify CFIUS that it continued to store U.S. user data on servers in China, and if so, when?

TikTok has open and candid discussions with CFIUS about matters pertaining to U.S. user data and looks forward to continuing this confidential process.

6. For how long has the user data related to the TikTok Creator Fund referenced in the *Forbes* report been stored in China and why did TikTok store that data in China?

Please see response to Question 1. The tools that TikTok uses to manage creator accounts globally are not user data repositories.

7. Detail the scope of the U.S. user information stored on servers in China related to the TikTok Creator Fund or any other programs. The *Forbes* report references “sensitive financial information, including social security numbers and tax IDs.”

Please see response to Question 1.

8. According to the *New York Times* report, U.S. TikTok user data shared on Lark was stored on servers in China as recently as late 2022. For how long was that user data being stored in China and is any Lark data from U.S. users still stored or retained on servers in China?

Lark is a business collaboration and productivity platform used by TikTok and ByteDance. Lark has broad similarities to Microsoft Teams and Slack. Lark's “all-in-one” suite of productivity tools includes word processing, spreadsheets, and chat, among other features, and the employees have access to those features.

It is important to understand that Lark is not a database; it is a collaboration tool that our global workforce uses for internal messaging and management functions, as well as to provide around-the-clock support with troubleshooting account issues, like potential account lockouts and improper follow or like counts. We have been open about the fact that our global workforce uses internal tools such as Lark to manage core business processes that, in some cases, require access to user data.

As part of Project Texas, all communication involving protected U.S. user data will be housed within, controlled, monitored, and accessible only by USDS.

9. China’s National Intelligence Law requires organizations and citizens to “support, assist and cooperate with the state intelligence work.” Can ByteDance or TikTok be compelled to share U.S. user data stored in China to Beijing?

As a global entertainment platform, TikTok spans most major markets, but is not available in mainland China. TikTok is provided in the United States by TikTok Inc., which is incorporated in California and subject to U.S. laws and regulations. Like many global technology companies, TikTok has product development and engineering teams all over the world collaborating to deliver the best product experience for the TikTok community. TikTok has not been asked for U.S. user data by the Chinese government or the CCP. TikTok has not provided such data to the Chinese government or CCP, nor would TikTok do so. TikTok discloses on a regular basis in its [Transparency Reports](#) requests for user information that TikTok receives from governments and law enforcement agencies.

10. Has TikTok taken any steps to investigate whether data related to the TikTok Creator Fund or any other U.S. user data stored in China or accessible to ByteDance employees was shared with officials of the Chinese Communist Party or the Chinese government?

Please see our responses to previous questions. TikTok has not been asked for this data by the Chinese government or the CCP. TikTok has not provided such data to the Chinese government or CCP, nor would TikTok do so.

11. Has TikTok and/or ByteDance deleted the U.S. user data referenced in the *New York Times* and *Forbes* reports from its servers in China? Do you intend to maintain those as backup to the cloud infrastructure, as well?

In March 2023, TikTok began the process of deleting older protected data of U.S. users from systems outside the Oracle cloud environment; once that process is complete, it will effectively end all access to protected data outside of TikTok USDS except under limited circumstances stipulated in our draft national security agreement, subject to any further changes prior to finalization of such agreement.

12. Are TikTok employees still using Lark for internal messaging and management functions? Is ByteDance still involved in the development and maintenance of this data sharing tool?

Please see response to Question 8. For Lark and email we will be performing similar data deletion efforts as for our storage databases.

13. The *New York Times* report mentioned the sharing between employees on Lark of sexually explicit images of children as young as 3 years old. We previously wrote to TikTok to ask a series of questions about how the company handles the moderation of such content. What protocols do you use to ensure the appropriate handling and reporting of these unlawful materials?

TikTok has a zero-tolerance policy for child sexual exploitation, and takes a uniform response to any content that involves sexual assault of a minor, sexual solicitation or exploitation of a minor, fetishizing a minor, normalization of pedophilia, grooming behaviors, or child sexual abuse material of any kind. Once identified, TikTok promptly removes this content from the platform. As appropriate, TikTok also reports the content and associated user to our internal Child Safety Team or Emergency Response Team, as well as to NCMEC and/or law enforcement. TikTok also automatically bans users who are identified as posting content involving child sexual exploitation, per TikTok's Terms of Service, which do not allow users who have been convicted of crimes against children to have an account. Furthermore, any self-disclosed user information to the effect that the account holder is a pedophile or minor sex offender will result in the account being deleted.

In line with industry best practices, TikTok requires mandatory training for all trust and safety employees on how to appropriately handle content they suspect to be child sexual abuse material. Employees are instructed to never share visuals of this type of content and to instead report video IDs to our specialized child safety team, which will investigate the content and make reports to NCMEC.

TikTok is not certain what specific information was given to the *New York Times*, so we are unable to comment on the specific case, but as noted above, the company is committed to best practices for global user safety on TikTok.

14. What oversight, involvement, or role does TikTok have with other products offered by ByteDance to users in the United States, such as Lemon8 or CapCut?

TikTok, CapCut, and Lemon8 are separate products that are managed by different teams. Effective June 1, TikTok CEO Shou Chew also oversees Lemon8 globally, including in the U.S.