

DEBBIE DINGELL

6TH DISTRICT, MICHIGAN

102 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-4071

HOUSE COMMITTEE ON
ENERGY AND COMMERCE
SUBCOMMITTEES ON

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THE CORONAVIRUS PANDEMIC

Congress of the United States
House of Representatives
Washington, DC 20515

April 5, 2023

DISTRICT OFFICES:

2006 HOGBACK ROAD
SUITE 7
ANN ARBOR, MI 48105
(734) 481-1100

WOODHAVEN CITY HALL
21869 WEST ROAD
WOODHAVEN, MI 48183
(313) 278-2936

WEBSITE: DEBBIEDINGELL.HOUSE.GOV

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

Dear Mr. Chew,

I would like to thank you for your participation and testimony before the House Energy and Commerce Committee on March 23, 2023. I appreciate your support for comprehensive data privacy legislation to ensure that every American's data is protected, and all social media companies responsibly handle this data.

During your testimony, I asked whether any previous versions of TikTok collected precise geolocation data from U.S. users, highlighting the significant risk that this information poses to vulnerable populations, survivors of domestic violence, children, and individuals seeking medical care. Your response stated that TikTok has not collected this data since 2020. However, according to your privacy policy dated January 1, 2023, TikTok as late as this year was able to collect this information. Your policy at this time stated:

“Location Data. We collect information about your approximate location, including location information based on your SIM card and/or IP address. In addition, we collect location information (such as tourist attractions, shops, or other points of interest) if you choose to add the location information to your User Content. With your permission, we may also collect precise location data (such as GPS).”

In contrast, your current privacy policy, dated March 21, 2023, as well as your response contradicts this timeline stating:

“Location Data. We collect information about your approximate location, including location information based on your SIM card and/or IP address. In addition, we collect location information (such as tourist attractions, shops, or other points of interest) if you choose to add the location information to your User Content. Current versions of the app do not collect precise or approximate GPS information from U.S. users. If you are still using an older version that allowed for collection of precise or approximate GPS

information (last release in August 2020) and you granted us permission to do so, we may collect such information.”

Given this information, I remain concerned that, despite your statements, TikTok was collecting precise geolocation information of users as recently as this year. As a result, I would like clarification over whether TikTok continued to collect precise geolocation data after August 2020, as your January 1, 2023 privacy policy seems to indicate – and want to understand this discrepancy between your statement and TikTok’s publicly available privacy policies. I respectfully request answers to the following questions by April 21, 2023, to clarify what data has been collected, how it is used, and during what timeframe:

1. Does the current version of TikTok collect information about the “precise location” of U.S. users?
2. Does the current version of TikTok collect information about the “approximate location” of U.S. users?
3. What does TikTok mean when it uses the term “precise location” in its privacy policy?
4. What does TikTok mean when it uses the term “approximate location” in its privacy policy?
5. Has TikTok’s definition of either of those terms changed since 2020, and if so, how has it changed?
6. If the current version of TikTok collects the “precise location” of U.S. users, what technology or technologies does it use to do so?
7. If the current version of TikTok collects the “approximate location” of U.S. users, what technology or technologies does it use to do so?
8. What is the most recent version of TikTok released that was capable of collecting precise location information of U.S. users?
9. What is the most recent version of TikTok released that was capable of collecting approximate location information of U.S. users?
10. Did any version of TikTok released after 2020 collect the precise geolocation data of U.S. users?
11. Was your privacy policy, dated January 1, 2023, particular to the most recent version of the TikTok app available at that time, and its ability to collect precise location data?
12. Has TikTok always required affirmative, express consent from the user for the app to collect precise geolocation data?
13. Has any previous version of TikTok collected precise geolocation data without affirmative, express consent from the user?
14. Were U.S. users who declined to share precise location data with TikTok limited in their use of any TikTok tools, functions, or services in any current or previous versions of the application?
15. How many TikTok users were continuing to use previous versions of TikTok that collect precise geolocation data on March 23, 2023? Is this still ongoing?

Companies have a responsibility to mitigate the inherent risks of collecting, using, and sharing consumers’ location data information, especially precise location information. I appreciate your

attention to these important issues. I look forward to your prompt response, and continuing to work with you to ensure that Americans' privacy is protected.

Sincerely,

A handwritten signature in blue ink that reads "Debbie Dingell". The signature is written in a cursive, flowing style.

Debbie Dingell
Member of Congress