

# United States Senate

WASHINGTON, DC 20510

August 9, 2021

Shou Zi Chew  
Chief Executive Officer  
TikTok  
5800 Bristol Parkway  
Culver City, CA 90032

Dear Mr. Shou Zi Chew:

We write to express our serious concerns regarding reports of TikTok's updated privacy policy which allows for the collection of user data, including facial and voice biometrics. We request more information to ensure consumers' data privacy is protected.

We were alarmed by reports highlighting TikTok's recent change to its U.S. privacy policy, impacting the application's nearly 130 million users.<sup>1</sup> The updated policy appears to enable TikTok to automatically collect biometric data, including certain physical and behavioral characteristics from video content posted by its users.<sup>2</sup> The policy states that TikTok "may collect biometric identifiers and biometric information" from its users' content, such as "faceprints and voiceprints," but does not provide any additional information on what constitutes a faceprint or voiceprint.<sup>3</sup> In addition, the policy contains few details on how the data is used and with whom it is shared.<sup>4</sup>

The coronavirus pandemic led to an increase in online activity, which has magnified the need to protect consumers' privacy. This is especially true for children and teenagers, who comprise more than 32 percent of TikTok's active users and have relied on online applications such as TikTok for entertainment and for interaction with their friends and loved ones.<sup>5</sup>

Protecting consumers' privacy is a top priority. Given the seriousness of this issue, we request that you provide answers to the following questions by August 25, 2021:

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<sup>1</sup> McCluskey, Megan (July 26 2021). "What TikTok Could Do With 'Faceprints' and 'Voiceprints'." Retrieved from: <https://time.com/6071773/tiktok-faceprints-voiceprints-privacy/>; Hoffman, Samantha (July 22 2021). "The U.S.-China Data Fight Is Only Getting Started." Retrieved from: <https://foreignpolicy.com/2021/07/22/data-tiktok-china-us-privacy-policies/>; Perez, Sarah (June 03 2021). "TikTok Just Gave Itself Permission to Collect Biometric Data on US Users, including 'faceprints and Voiceprints'." Retrieved from: <https://techcrunch.com/2021/06/03/tiktok-just-gave-itself-permission-to-collect-biometric-data-on-u-s-users-including-faceprints-and-voiceprints/?guccounter=1>.

<sup>2</sup> McCluskey, Megan (July 26 2021). "What TikTok Could Do With 'Faceprints' and 'Voiceprints'." Retrieved from: <https://time.com/6071773/tiktok-faceprints-voiceprints-privacy/>.

<sup>3</sup> TikTok (June 2021). "Privacy Policy." Retrieved from: <https://www.tiktok.com/legal/privacy-policy?lang=en>.


<sup>4</sup> TikTok (June 2021). "Privacy Policy." Retrieved from: <https://www.tiktok.com/legal/privacy-policy?lang=en>.

<sup>5</sup> Brandon Doyle (June 14 2021) "TikTok Statistics – Updated June 2021" Retrieved from: <https://wallaroomedia.com/blog/social-media/tiktok-statistics/>; McCluskey, Megan (July 26 2021). "What TikTok Could Do With 'Faceprints' and 'Voiceprints'." Retrieved from: <https://time.com/6071773/tiktok-faceprints-voiceprints-privacy/>.

1. What constitutes a “faceprint” and “voiceprint”? Please provide definitions of these terms and describe how this data will be used. Will it be shared with third parties? How long is this data retained?
2. Is TikTok collecting this data for users under the age of 18?
3. Your privacy policy states that TikTok may collect image and audio information for “content and ad recommendations.”<sup>6</sup> Please provide a description of TikTok’s process for recommending content and advertisements.
4. Does TikTok make any inferences about its users based on faceprints and voiceprints? If so, please describe those in detail.
5. Does TikTok use machine learning to determine a user’s age, gender, race, ethnicity, or other characteristics observed from faceprints and voiceprints? If so, what steps has TikTok taken to audit the machine learning process for accuracy and bias?
6. Please provide a list of all the entities (including parent organizations) that have access to the data collected by TikTok.

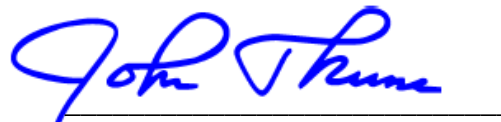
We look forward to your prompt responses.

Sincerely,



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Amy Klobuchar  
United States Senator



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John Thune  
United States Senator

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<sup>6</sup> TikTok (June 2021). “Privacy Policy.” Retrieved from: <https://www.tiktok.com/legal/privacy-policy?lang=en>.