

Congress of the United States
Washington, DC 20515

October 27, 2022

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

Dear Mr. Chew:

We write to TikTok as concerned Members of Congress, seeking further information about the social media platform's preparation for, and response to, the spread of misinformation and disinformation, or the potential incitement to violence on your platform in advance of the 2022 and 2024 United States Elections. We have already seen how videos with disinformation have spread on this platform in our country and other countries during election cycles and continue to be concerned with the company's ability to react efficiently and effectively to misinformation and disinformation, or to any potential incitement of violence.¹

We commend TikTok for taking down over 347,225 videos in 2020 in the United States for "election misinformation, disinformation, or manipulated media."² We understand that as a video-based platform TikTok has its own set of challenges for content moderation and monitoring, as well as enforcing community guidelines. The video medium makes certain content more difficult to detect, monitor, fact-check, and moderate.

Following the 2020 election cycle, TikTok released a report on what the company believed it could improve for the next election.³ This included proactively detecting disinformation, preventing repeat offenders from circumventing the rules, educating creators and brands on political ads, and launching their in-app election guide sooner.⁴ Of these four goals, only two were mentioned in the recent "Our Commitment to Election Integrity" report: launching their in-app guide sooner and improved training for creators.⁵ While we appreciate the steps that TikTok has taken to outline their plan, we feel that a number of questions were left unanswered by the initial report and the subsequent report on misinformation.

A study from NYU Stern Center for Business and Human Rights claims that although TikTok has enacted policies regarding election misinformation, TikTok's "haphazard enforcement has failed to slow the spread" of election deniers.⁶ The study found that the terms and hashtags that were banned were quite random — "election fraud," for example, was not a searchable term, but "ballot trafficking" was allowed.⁷ Users have taken advantage of this believed TikTok inconsistency and have found creative ways to circumvent TikTok's bans since the 2020 election. Some methods include simply changing hashtags from "#StopTheSteal" to "#StopTheSteall" which have allowed millions of users to view election misinformation videos this year, until TikTok was notified and took down the posts.⁸ With the perceived lack of

¹ <https://www.nytimes.com/2022/08/14/business/media/on-tiktok-election-misinformation.html>

² <https://newsroom.tiktok.com/en-us/tiktoks-h-2-2020-transparency-report>

³ <https://newsroom.tiktok.com/en-us/tiktoks-h-2-2020-transparency-report>

⁴ <https://newsroom.tiktok.com/en-us/tiktoks-h-2-2020-transparency-report>

⁵ <https://newsroom.tiktok.com/en-us/our-commitment-to-election-integrity>

⁶ <https://bhr.stern.nyu.edu/tech-big-lie>

⁷ <https://bhr.stern.nyu.edu/tech-big-lie>

⁸ ¹ <https://www.nytimes.com/2022/08/14/business/media/on-tiktok-election-misinformation.html>

strong enforcement, bad actors have already begun to use TikTok to spread distrust and doubt in our upcoming midterm elections, including preemptive claims of voter fraud.⁹ We believe that TikTok needs to be more transparent about how the platform's automated and human systems flag and remove content, and the effectiveness of their systems, especially regarding content related to the midterm elections.

Although we appreciate the heightened focus on the 2022 and 2024 elections, we believe that TikTok needs to commit to taking action on election and political misinformation year-round. We do not think that major social media apps, including TikTok, should focus on disinformation only during the leadup to elections. As mentioned by the recent report from the Bipartisan Policy Center, in order to fully support our democracy, social media platforms need to incorporate their election efforts into their permanent plans and community guidelines.¹⁰ Over 120 civil rights and democracy groups have called on the major social media companies to "consistently enforce civic integrity policies during both election and non-election cycles."¹¹ We now know from whistleblowers that it was an active decision for social media companies to remove disinformation security measures after the November 2020 election, even though there were continued threats to our democracy and to the legitimacy of our elections.¹² The events of January 6th prove that social media platforms need continued infrastructure to combat threats, misinformation, and disinformation on their platforms.

Thank you for your time and attention on this matter. We request a briefing on election integrity and misinformation on your platform before the midterm elections. We would also appreciate answers to the following questions:

- As a video-only social media platform, what is TikTok doing regarding detection and enforcement that is different from other mixed content platforms?
- How will your company be more transparent on its enforcement of its community guidelines regarding election integrity, and transparent with the public about actions it has taken?
- Will your company commit to sharing data and metrics on the effectiveness of your enforcement systems in relation to US elections and political speech?
- How will TikTok address mis-and-disinformation made by political actors or verified accounts, and how will they be treated differently, if at all, compared to ordinary users?
- Will TikTok commit to keeping these election integrity plans in place beyond election day and keeping Congress fully informed about potential changes?

Sincerely,



Adam B. Schiff

Member of Congress



Lori Trahan

Member of Congress

⁹ <https://www.commoncause.org/wp-content/uploads/2022/05/Coalition-letter-for-2022-mid-terms-1.pdf>

¹⁰ <https://bipartisanpolicy.org/report/how-to-protect-elections-online/>

¹¹ <https://www.commoncause.org/wp-content/uploads/2022/05/Coalition-letter-for-2022-mid-terms-1.pdf>

¹² <https://www.washingtonpost.com/technology/2021/10/22/jan-6-capitol-riot-facebook/>