



September 25, 2020

By Email

Alan Butler, Interim Executive Director and General Counsel
Caitriona Fitzgerald, Interim Associate Director and Policy Director
John Davisson, Senior Counsel
Electronic Privacy Information Center
1519 New Hampshire Avenue NW
Washington, D.C. 20036

Dear Mr. Butler, Ms. Fitzgerald, and Mr. Davisson:

I am writing in response to your September 18, 2020 letter requesting information regarding a potential partnership between TikTok Inc. and Oracle Corporation (“Oracle”) and the processing of personal information from residents of the District of Columbia that could result from such transaction. As a preliminary matter, TikTok Inc. is committed to protecting the privacy and data security of its users in the United States, including residents of the District of Columbia.

On September 19, 2020, one day after your letter was transmitted, the Department of the Treasury (“Treasury”) announced in a press release that the President had “reviewed a deal among Oracle, Walmart, and TikTok Global.” The Treasury Department press release stated that “[a]pproval of the transaction is subject to a closing with Oracle and Walmart and necessary documentation and conditions to be approved by” the Committee on Foreign Investment Review in the United States (“CFIUS”). As Treasury’s statement indicates, the review and approval of a proposed transaction is pending with the U.S. government. Providing adequate privacy and security protections for U.S. users, including those in the District of Columbia, in connection with that potential transaction will remain a priority for TikTok Inc. In the event the transaction is approved, TikTok Inc. is committed to helping ensure that any transfer and processing of personal data collected from residents of the District of Columbia in connection with such transaction complies with applicable law and the representations made to such users in TikTok’s Privacy Policy and Privacy Policy for Younger Users. Because CFIUS’s review of a proposed transaction remains pending, however, EPIC’s demands and its threat to file litigation under the

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D.C. Consumer Protection Procedures Act based on the proposed partnership are premature. Further, if the transaction is approved and closes, we are confident that such claims, if they are asserted, will be entirely without merit.

This letter is not intended to be a recital of all law or facts pertaining to this matter or all of TikTok Inc.'s possible defenses, claims, or arguments. Accordingly, nothing in this letter should be construed as a waiver of any rights or defense by TikTok Inc., all of which are expressly reserved.

Sincerely,

A handwritten signature in black ink that reads "Erich Andersen". The signature is written in a cursive, slightly slanted style.

Erich Andersen