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**By Email**

June 26, 2025

Washington Public Disclosure Commission  
Evergreen Plaza, 711 Capitol Way S #206  
Olympia, Washington 98504

Re: TikTok Inc. (Case No. 157884)

On behalf of our client, TikTok Inc. (“TikTok” or “the Company”), we are making this submission in advance of the Brief Adjudicative Proceeding scheduled on July 1, 2025, in connection with a complaint filed by Conner Edwards<sup>1</sup> against TikTok. For the reasons stated below, the Public Disclosure Commission (“The Commission”) should dismiss this matter.

## **I. Summary of the Argument**

TikTok is an entertainment platform that millions of people visit every day to watch, share, and create entertaining, joyful content. Political advertising is not part of TikTok’s business model. In fact, TikTok has a longstanding policy prohibiting political advertising.

TikTok classifies relevant political TikTok accounts as Government, Politician, and Political Party Accounts (“GPPAs”) and applies a number of policies that help prevent misuse of certain features. Political candidates are required to register as such with TikTok through the application’s verification feature to facilitate steps to block them from placing political advertising. Moreover, TikTok’s publicly available advertising policies make clear to candidates that they can’t buy ads, whether or not they register as GPPAs. In the one political advertisement relating to Jason Moon, the user violated TikTok’s policy by not notifying TikTok that he was a political candidate, and by trying to run a political advertisement. An error by a human content moderator reviewing the flag permitted the content to be posted after the initial automated review and recall.

TikTok is committed to transparency and championing compliance efforts in these matters, and to address the root causes of the current issue, the Company is taking continuous improvement and remediation activities to enhance compliance with its policy prohibiting political advertisements, as detailed further below. For these reasons, the Commission should dismiss this matter.

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<sup>1</sup> TikTok, Inc. is the registered lobbyist employer, but Mr. Edwards’ initial request to review records that prompted the complaint was sent to ByteDance, not TikTok, mailboxes.

**II. Factual Background***A. TikTok Policies*

The nature of paid political ads is not something the Company believes fits the TikTok platform experience.<sup>2</sup> So, as a matter of policy, TikTok does not sell or produce political content in advertising on its platform. In fact, TikTok's advertising policy explicitly prohibits political advertising, paid political promotion, or fundraising by politicians and political parties on its platform.<sup>3</sup> In addition to the prohibition on political content in TikTok's advertising policy, the Civic and Election Integrity section of TikTok's Community Guidelines clearly indicates that TikTok does not allow paid political promotion, political advertising, or fundraising by politicians and political parties.<sup>4</sup> These Community Guidelines create a welcoming, safe, and entertaining experience, and they include rules for what is allowed on TikTok. The Guidelines apply to everyone and everything on its platform, and to address evolving risks and harms, the guidelines are regularly updated.

TikTok's longtime ban on political advertising includes both paid ads on the platform and creators being paid directly to make branded content. Examples of what is not allowed include: Referencing, promoting, or opposing candidates or nominees for public office, political parties, or elected or appointed government officials; Advocacy for or against past, current, or proposed referenda, ballot measures, and legislative, judicial, or regulatory outcomes or processes (this includes ads that promote or attack government policies or track records); referencing, promoting, or selling merchandise that features prohibited individuals, entities, or content, including campaign slogans, symbols, or logos; and references to an election, including voter registration, voter turnout, and appeals for votes, such as ads that encourage people to vote.<sup>5</sup> In addition to its paid political advertising policy, it prohibits advertising of any kind by political figures.<sup>6</sup> In fact, the types of advertisers that are not allowed to advertise on the platform specifically include candidates or nominees for public office, political parties, elected or appointed government officials.<sup>7</sup> Just as political advertising doesn't fit with the Company's goal of making TikTok a place that brings people together, neither does campaign fundraising. Solicitations for campaign fundraising by GPPAs are not permitted on the platform. That includes content like a video from a politician asking for donations, or a political party directing people to a donation page on their website.

No GPPA is permitted to use promotional tools available on the platform, like Promote, which is an advertising tool that will display a user's video as an ad for the time that they promote their video. In fact, Promote guidelines, which are publicly available, specifically note

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<sup>2</sup> See TikTok Policy for Advertisements, available at <https://newsroom.tiktok.com/en-us/understanding-our-policies-around-paid-ads>.

<sup>3</sup> See TikTok Policy for Advertisements, available at <https://ads.tiktok.com/help/article/tiktok-ads-policy-politics-religion-and-culture>.

<sup>4</sup> See TikTok Community Guidelines, available at <https://www.tiktok.com/community-guidelines/en?lang=en>.

<sup>5</sup> See TikTok Policy for Advertisements, available at <https://ads.tiktok.com/help/article/tiktok-ads-policy-politics-religion-and-culture>.

<sup>6</sup> See TikTok Policy for Political Accounts, available at <https://newsroom.tiktok.com/en-us/updates-our-policies-for-political-accounts>.

<sup>7</sup> See TikTok Policy for Advertisements, available at <https://ads.tiktok.com/help/article/tiktok-ads-policy-politics-religion-and-culture>.

that GPPAs are not eligible to use Promote.<sup>8</sup> TikTok enforces these bans by prohibiting political content in an ad, and by applying restrictions at an account level. To enable the application of relevant policies that help prevent misuse of relevant features, TikTok requires GPPAs in the U.S., which include candidates and elected officials at the state and local levels, to have a verified badge, which is the blue check mark symbol that appears next to the username on a TikTok account.<sup>9</sup> Adding the verified badge is the responsibility of the user.<sup>10</sup> To obtain a verified badge, GPPAs must complete a TikTok verification application in the TikTok app or through a Verification Request.<sup>11</sup>

By accessing or using the TikTok application, users agree to comply with TikTok's Terms of Service and Community Guidelines,<sup>12</sup> and when using the Promote feature of the TikTok application, the user agrees to TikTok's Advertising Policy, including its prohibitions. To create a safe and authentic experience for our users, the Company holds advertisers to a high standard for the content they promote on TikTok's platforms. This means advertisers are responsible for complying with all applicable laws, rules and regulations that apply to the targeted region. Additionally, advertisers must comply with the Company's Terms of Service, Community Guidelines, and all of TikTok's advertising policies. The Company reviews ads and advertiser accounts to ensure advertisers follow TikTok's advertising policies. Ad content or advertisers that do not comply with the Company's advertising policies may face actions, such as ad rejection or suspension.<sup>13</sup>

#### B. *Moon and Fortunato Expenditures*

In its June 11, 2025, memorandum, the Commission references expenditures by Jason Moon, a candidate for Washington State House of Representatives in 2024, and Philip Fortunato, a candidate for the Washington State Senate in 2022, to TikTok. We address these expenditures below.

TikTok has identified two \$24 expenditures by Jason Moon during the user's candidacy for the Washington State Legislature. According to the Company's records, only one of these \$24 payments was used for the Promote feature on a video by Mr. Moon on TikTok. The second \$24 dollar payment, according to the Company's records, was a "top up" on the account that was not ultimately used. In other words, the user put \$24 into his account two times, but only applied one \$24 payment to use the Promote feature. TikTok uses the same content moderation practices for GPPAs as it does for other TikTok accounts, meaning it will remove violative content in line with its Community Guidelines and policies,<sup>14</sup> and in this case, TikTok has

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<sup>8</sup> See TikTok Policy for Government, Politician, and Political Party Accounts, available at <https://support.tiktok.com/en/using-tiktok/growing-your-audience/government-politician-and-political-party-accounts>.

<sup>9</sup> See TikTok Policy for Political Accounts, available at <https://newsroom.tiktok.com/en-gb/updating-policies-for-political-accounts>.

<sup>10</sup> See TikTok Policy for Political Accounts, available at <https://newsroom.tiktok.com/en-us/updating-our-policies-for-political-accounts>.

<sup>11</sup> See TikTok Policy for Verified Accounts, available at <https://support.tiktok.com/en/using-tiktok/growing-your-audience/how-to-tell-if-an-account-is-verified-on-tiktok#4>.

<sup>12</sup> See TikTok Terms of Service, available at <https://www.tiktok.com/legal/page/us/terms-of-service/en>.

<sup>13</sup> See TikTok Policies, available at <https://ads.tiktok.com/help/article/advertising-on-tiktok-first-things-to-note?lang=en>.

<sup>14</sup> See TikTok Policy, available at <https://support.tiktok.com/en/safety-hc/account-and-user-safety/content-violations-and-bans>.

removed the monetized portion of the content from the platform, and the Promote function on the user's account has been placed on suspension indefinitely.

In this one case, the user violated TikTok's policies and misused the platform.<sup>15</sup> Specifically, the user did not follow the required verification process for GPPPA accounts. The user impermissibly used the Promote feature for political content. Nevertheless, the Company has automated content moderation controls in place to identify impermissible uses of the Promote feature, even without the GPPPA label. The Company's automated review process initially and correctly flagged the user's promoted video for review. However, an error by a human content moderator reviewing the flag permitted the initial content to be posted after the automated review and recall.

With respect to Philip Fortunato, the Company has not been able to identify an ad by that candidate or his subcontractor, Washington Social Consulting. To accurately confirm account data, including status, as well as relevant advertising activities, TikTok requires the username / account handle. Because the PDC has not provided sufficient information that these expenditures were made for political advertising in the state, these expenditures should not be considered by the Commission for the purpose of this hearing.

### **III. Legal Analysis**

TikTok does not meet the definition of a commercial advertiser under RCW § 42.17A.005(10).<sup>16</sup> Specifically, TikTok does not “sell the service” of communicating messages or producing material “for the purpose” of “appealing for votes or for financial or other support in any election campaign.” Quite the contrary, TikTok's policies expressly prohibit the provision of any such service to its users. As indicated, TikTok prohibits political advertising, paid political promotion, or fundraising by politicians and political parties on its platform as a matter of policy. In this case, the user violated TikTok's policies and misused the platform by using the Promote Feature for a political advertisement. The *misuse* of the platform by certain users, in violation of TikTok's policies, does not change the nature of the advertising services that TikTok offers on its platform. We note that the Commission and Washington Attorney General have adjudicated multiple violations of the provisions at issue by other entertainment platforms, whose policies differ fundamentally from TikTok—most notably because they *permit* the sale of political advertising.

Because TikTok is not a commercial advertiser under RCW § 42.17A.005(10), it is not required to maintain or provide public inspection of commercial advertiser books of account or related materials, pursuant to Washington law.

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<sup>15</sup> By accessing or using the TikTok application, users agree to comply with TikTok's Terms of Service and Community Guidelines. See TikTok's Terms of Service, available at <https://www.tiktok.com/legal/page/us/terms-of-service/en>. The Civic and Election Integrity section of the Company's Community Guidelines clearly indicates that TikTok does not allow paid political promotion, political advertising, or fundraising by politicians and political parties. See TikTok Community Guidelines, available at <https://www.tiktok.com/community-guidelines/en?lang=en>.

<sup>16</sup> RCW 42.17A.005(10) defines a “commercial advertiser” as any person that “sells the service of communicating messages or producing material for broadcast or distribution to the general public or segments of the general public whether through brochures, fliers, newspapers, magazines, television, radio, billboards, direct mail advertising, printing, paid internet or digital communications, or any other means of mass communications used for the purpose of appealing, directly or indirectly, for votes or for financial or other support in any election campaign.”

#### IV. Policy Analysis

TikTok's public policies prohibiting political advertisements and enforcement of these policies demonstrate TikTok's good faith measures to comply with the Washington statute. The Commission should not seek to enforce the statute in unique cases like this where a third party misuses a platform that does not otherwise sell political advertising space.

#### V. TikTok's Remediation and Mitigation Steps

TikTok takes compliance with its policies very seriously, and it implements the following continuous improvement efforts to ensure future user compliance with its policies and Terms of Service.

##### 1. GPPPA Education

- **Creation of GPPPA Awareness Document:** In addition to TikTok's help center article relating to GPPPA's,<sup>17</sup> TikTok developed and launched in Q1 of 2025 a publicly available TikTok Onboarding Packet for Government, Politician, and Political Party Accounts,<sup>18</sup> which provides GPPPA's with an easy-to-review reference guide highlighting topics, such as TikTok's GPPPA verification requirement, Community Guidelines, and GPPPA policies. The document also contains significant education on political advertising, including TikTok's prohibition on political advertising and campaign fundraising, as well as GPPPA's ineligibility to use monetization features, which would include Promote. The document also includes a list of helpful links to educate GPPPA on the use of TikTok's platform.
- **Proactive Education and Awareness Activities:** The TikTok Public Policy team regularly engages with Governments, Politicians, and Political Parties. TikTok employees reach out to GPPPA's that have joined the platform to recommend account verification and to offer TikTok education & training regarding its GPPPA policies<sup>19</sup> relating to political advertising restrictions. To proactively educate relevant stakeholders such as public officials, TikTok regularly conducts direct outreach to politicians, political parties, and government officials in Washington State to provide educational materials regarding TikTok's GPPPA policies and political advertising prohibitions.

In addition, TikTok will continue conducting targeted outreach to individual lawmakers on the platform to provide a comprehensive overview of TikTok's advertising and verification policies. These communications will focus on educating lawmakers about TikTok's strict prohibition of paid political advertising for accounts related to GPPPA. In these exchanges, the Company

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<sup>17</sup> See TikTok Policy for Government, Politician, and Political Party Accounts, available at <https://support.tiktok.com/en/using-tiktok/growing-your-audience/government-politician-and-political-party-accounts>.

<sup>18</sup> See TikTok Onboarding Packet, available at <https://bytedance.us.larkoffice.com/file/E2o6btR6qo8Cj8xIl6vuV4Jvs1b>.

<sup>19</sup> See TikTok Policy for Government, Politician, and Political Party Accounts, available at <https://support.tiktok.com/en/using-tiktok/growing-your-audience/government-politician-and-political-party-accounts>.

shares detailed educational materials outlining our policies, the reasoning behind them, and the steps TikTok takes to enforce these guidelines.

The Company's approach includes clear examples of how TikTok ensures compliance, the types of content permissible for political accounts, and the verification requirements for GPPAs. This outreach aims to foster transparency, address any questions or misconceptions, and emphasize TikTok's commitment to maintaining a safe and authentic platform. By integrating these efforts into our broader stakeholder engagement strategy, the Company seeks to enhance understanding among Washington lawmakers and support robust enforcement of our advertising policies.

## 2. Targeted Human Content Moderator Training

- **Enhance Guidance Document:** TikTok has updated its global moderation guidance for political content to specifically incorporate the subject violation to ensure that moderators know how to approach this type of political ad in the future.
- **Perform Targeted Training:** TikTok has also developed and conducted targeted training to human content moderators to ensure that moderators can properly review and adjudicate such ads going forward. Targeted training has been issued globally to both in-house and vendor content moderators. In addition, comprehensive political advertising training is regularly refreshed and issued globally to both in-house and vendor content moderators, which reinforces TikTok's political advertising prohibitions.

## 3. Continual Technical Enhancements

- **Improve GPPA identification:** In 2025, TikTok will continue improving its automated capabilities to further enhance its ability to identify GPPAs on the platform, which will mitigate the risk of politicians and political parties appearing in ads or improperly utilizing monetization features in violation of our political ads policy. Such enhancements would enable TikTok to more consistently enforce its existing policy because accounts belonging to politicians and political parties are not eligible to advertise nor are they eligible to appear in ads on the platform.<sup>20</sup>
- **Enhance Promote Terms and User Interface:** TikTok is actively exploring enhancements to its TikTok Promote Terms and user interface design to increase users' awareness and acknowledgement about TikTok's prohibition on allowing political advertisements.
- **Continuously Improve Automated Moderation Technology:** Ensuring the safety of users and advertisers is an ongoing commitment of TikTok. Similar to TikTok's approach to organic content moderation, TikTok places considerable emphasis on proactive moderation of all advertisements. All advertisements and advertiser accounts are reviewed against the Advertising Policies at the pre-

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<sup>20</sup> TikTok Policy, available at <https://newsroom.tiktok.com/en-us/updating-our-policies-for-political-accounts>.

posting, posting and post-posting stage through a combination of automated and human moderation. When an ad or account is taken down for policy violations, the Company may use that information to help improve its automated moderation systems, which supports the Company's ongoing efforts to strengthen content moderation and uphold the Company's policies. TikTok continually reviews and strengthens its systems to identify new patterns and quickly and accurately remove ads that violate its policies. By upholding strict policies, leveraging advanced detection mechanisms, and continuously improving our systems, TikTok strives to foster an advertising experience that is trustworthy, enjoyable, and aligned with the values of our vibrant TikTok community.<sup>21</sup>

**VI. Conclusion**

TikTok is not a commercial advertiser, has clear policies prohibiting political advertising, and is taking numerous steps to further its enforcement of these policies. For the foregoing reasons, the Commission should dismiss this matter.

Respectfully submitted,



Robert K. Kelner  
Alexandra Langton

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<sup>21</sup> See TikTok Community Guidelines, available at <https://www.tiktok.com/transparency/en-us/community-guidelines-enforcement-2024-3>.