

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051

MINORITY (202) 225-5074

<http://oversight.house.gov>

January 30, 2020

Mr. Zhou Yahui
New Grindr LLC
Interim Chief Executive Officer
PO Box 93723
Los Angeles, CA 90093

Dear Mr. Yahui:

The Subcommittee on Economic and Consumer Policy is investigating extremely troubling reports about the underage use of dating applications.

According to recent reports, numerous dating apps fail to effectively screen out underage users, creating dangerous and inappropriate situations. This problem is exacerbated by policies that permit, and in some cases encourage, underage users to falsely claim that they are 18 years old in order to gain access to these apps.¹

Our concern about the underage use of dating apps is heightened by reports that many popular free dating apps permit registered sex offenders to use them, while the paid versions of these same apps screen out registered sex offenders.²

Protection from sexual predators should not be a luxury confined to paying customers. Unfortunately, this concern is far from hypothetical. On June 17, 2019, Joseph Meili pled guilty in Missouri to third degree child molestation after he was charged with sodomy, statutory rape, and kidnapping an 11-year-old girl he met through a dating app.³ The United Kingdom has discovered dozens of instances of pedophiles using dating apps to abuse and prey on children, some as young as eight years old.⁴

The Subcommittee is also concerned about a recent report from the Norwegian Consumer Council, that dating apps are inappropriately selling or sharing intensely personal and sensitive

¹ *Tinder Dating Among Teens: When Swipe-Right Culture Goes to High School*, Fatherly (May 16, 2019) (online at www.fatherly.com/love-money/tinder-dating-teens-use-app-for-sex-relationships/).

² *Tinder Lets Known Sex Offenders Use the App. It's Not the Only One*, BuzzFeed News, (Dec. 2, 2019) (online www.buzzfeednews.com/article/hillaryflynn/tinder-lets-known-sex-offenders-use-the-app-its-not-the).

³ *No Jail Time for Man Who Admitted to Molesting an 11-Year-Old Girl*, USA Today (June 20, 2019) (online at www.usatoday.com/story/news/nation/2019/06/21/joseph-meili-gets-probation-no-jail-molesting-missouri-girl-11/1521339001/).

⁴ *Revealed: Dozens of Children as Young as Eight Raped on Dating Apps*, Daily Mail (Feb. 10, 2019) (online at www.dailymail.co.uk/news/article-6687797/Dozens-children-young-eight-raped-dating-apps.html).

information. American consumers may not receive adequate notification of the commercial use of their sensitive personal information, such as sexual orientation and preferences, gender identity, drug and alcohol use, tobacco product consumption, employment, political views, and more.⁵

To assist the Subcommittee's investigation, I request that you produce, by February 13, 2020, the following documents and information for the period of January 2018 to the present for each of your products and services:

1. The number of active monthly users, including the amount users pay for your product or service, and the age distribution of your users;
2. All policies and procedures referring or relating to how you determine and verify the age of users and potential users of your product or service;
3. All policies and procedures referring or relating to whether you allow registered sex offenders or those convicted of violent crimes to use your product or service, including how you determine if users or potential users are registered sex offenders or have been convicted of violent crimes and what actions you take when you discover that they are;
4. All consumer complaints referring or relating to the use of your product or service by individuals under the age of 18, statutory rape, or sexual assault or rape, and all documents and communications referring or relating thereto;
5. All policies and procedures referring or relating to the information that you collect about users, including what information you request from users before or when they begin using your product or service and whether providing that information is required or optional;
6. A screenshot flow showing what a consumer sees when signing up to use your product or service, indicating which consumer actions are optional and which are required;
7. All documents and communications referring or relating to the use of your product or service by individuals under the age of 18, including your knowledge of minors falsely stating that they are 18 in order to gain access to your product or service and adults falsely lowering their age to interact with minors;
8. All privacy policies;
9. A screenshot flow showing what a consumer sees when reviewing and agreeing to your privacy policy;

⁵ *Out of Control: How Consumers are Exploited by the Online Advertising Industry*, Norwegian Consumer Council (Jan. 20, 2020) (online at <https://fil.forbrukerradet.no/wp-content/uploads/2020/01/2020-01-14-out-of-control-final-version.pdf>).

10. A list of all:
 - a. categories of data that you collect about users of your product or service (e.g., sexual orientation, drug use, political views, etc.); and
 - b. third parties, or related entities, to whom you sell or share consumer data, including which categories of data you share with each and the number of users about whom each category of information is shared to each third party or related entity; and
11. All contracts with third parties or related entities to which you sell or share consumer data;
12. A description of your policies and practices relating to whether you read or otherwise review messages between users, and if so, the manner in which you do so and the purposes for doing so;
13. A list identifying all your:
 - a. advertising buys, including the dates that advertisements or instances were active, where they were placed, the amount you paid, and the target audience; and
 - b. all influencers and celebrities you engaged, including the dates of the engagement and the amounts you spent; and
14. All documents and communications with law enforcement agencies referring or relating to investigations involving the use of your product or service, redacting all personally identifiable information about victims and witnesses.

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. An attachment to this letter provides additional instructions for responding to the Committee’s request. If you have any questions regarding this request, please contact Subcommittee staff at (202) 225-5051.

Sincerely,



Raja Krishnamoorthi
Chairman
Subcommittee on Economic and Consumer Policy

Enclosure

cc: The Honorable Michael Cloud, Ranking Member

Responding to Committee Document Requests

1. In complying with this request, produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Committees.
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The Committees' preference is to receive documents in electronic form (i.e., CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions.
5. Documents produced in electronic format should be organized, identified, and indexed electronically.
6. Electronic document productions should be prepared according to the following standards:
 - a. The production should consist of single page Tagged Image File ("TIF"), files accompanied by a Concordance-format load file, an Opticon reference file, and a file defining the fields and character lengths of the load file.
 - b. Document numbers in the load file should match document Bates numbers and TIF file names.
 - c. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - d. All electronic documents produced to the Committees should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD,

INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION,
BEGATTACH.

7. Documents produced to the Committees should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.
8. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
9. When you produce documents, you should identify the paragraph(s) or request(s) in the Committees' letter to which the documents respond.
10. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
11. The pendency of or potential for litigation shall not be a basis to withhold any information.
12. In accordance with 5 U.S.C. § 552(d), the Freedom of Information Act (FOIA) and any statutory exemptions to FOIA shall not be a basis for withholding any information.
13. Pursuant to 5 U.S.C. § 552a(b)(9), the Privacy Act shall not be a basis for withholding information.
14. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production.
15. In the event that a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document: (a) every privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the privilege(s) asserted.
16. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control.
17. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

18. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
19. All documents shall be Bates-stamped sequentially and produced sequentially.
20. Two sets of each production shall be delivered, one set to the Majority Staff and one set to the Minority Staff. When documents are produced to the Committee on Oversight and Reform, production sets shall be delivered to the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2105 of the Rayburn House Office Building. When documents are produced to the Committee on Financial Services, production sets shall be delivered to the Majority Staff in Room 2129 of the Rayburn House Office Building and the Minority Staff in Room 4340 of the O'Neill House Office Building. When documents are produced to the Permanent Select Committee on Intelligence, production sets shall be delivered to Majority and Minority Staff in Room HVC-304 of the Capital Visitor Center.
21. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committee.

Definitions

1. The term "document" means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a

part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.

2. The term “communication” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, or otherwise.
3. The terms “and” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information that might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neutral genders.
4. The term “including” shall be construed broadly to mean “including, but not limited to.”
5. The term “Company” means the named legal entity as well as any units, firms, partnerships, associations, corporations, limited liability companies, trusts, subsidiaries, affiliates, divisions, departments, branches, joint ventures, proprietorships, syndicates, or other legal, business or government entities over which the named legal entity exercises control or in which the named entity has any ownership whatsoever.
6. The term “identify,” when used in a question about individuals, means to provide the following information: (a) the individual’s complete name and title; (b) the individual’s business or personal address and phone number; and (c) any and all known aliases.
7. The term “related to” or “referring or relating to,” with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is pertinent to that subject in any manner whatsoever.
8. The term “employee” means any past or present agent, borrowed employee, casual employee, consultant, contractor, de facto employee, detailee, fellow, independent contractor, intern, joint adventurer, loaned employee, officer, part-time employee, permanent employee, provisional employee, special government employee, subcontractor, or any other type of service provider.
9. The term “individual” means all natural persons and all persons or entities acting on their behalf.