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Is TikTok a U.S. national security threat?

ESSAY BY



Igor Khrestin

Bradford M. Freeman Managing Director
of Global Policy
George W. Bush Institute



Igor Khrestin, Bradford M. Freedom Managing Director of Global Policy at the Bush Institute, provides insight on the possibility of the U.S. government banning the popular social media app TikTok.

Last week, a bipartisan group of senators **unveiled legislation** (<https://www.warner.senate.gov/public/index.cfm/pressreleases?ID=A60981F5-0DB9-45E9-BF96-150C22E45B61>) intended to give the U.S. Department of Commerce the ability to more closely regulate – or ban entirely – the popular social media application TikTok. The White House has already **endorsed** (<https://www.whitehouse.gov/briefing-room/statements-releases/2023/03/07/statement-from-national-security-advisor-jake-sullivan-on-the-introduction-of-the-restrict-act/>) and called for the quick passage of the bill, known as the Restricting the Emergence of Security Threats that Risk Information and Communications Technology, or the RESTRICT Act.

The TikTok debate is emblematic of the power of social media to shape the current political discourse in the United States. TikTok has over 1 billion **active users** (<https://wallaroomedia.com/blog/social-media/tiktok-statistics/>) worldwide, including over 100 million in the United States. While more popularly known for short viral videos, last year, Pew Research **found** (<https://www.pewresearch.org/fact-tank/2022/10/21/more-americans-are-getting-news-on-tiktok-bucking-the-trend-on-other-social-media-sites/>) that over a quarter of Americans aged 18 to 29 get all of their news from TikTok.

What makes TikTok unique from other apps like Twitter or Facebook is the fact that TikTok is owned by a Chinese company called ByteDance. More troublingly, the Chinese government is a **“golden share” investor** (<https://www.reuters.com/markets/deals/exclusive-fretting-about-data-security-chinas-government-expands-its-use-golden-2021-12-15/>) in

ByteDance, with the goal of ultimately keeping control of TikTok's algorithm, the lifeblood of its influence and reach. This is what led TikTok to be specifically targeted under the RESTRICT Act, which identified China as a "foreign adversary" and singles out entities that are "owned, directed, or controlled" by these adversaries. Further adding fuel to the fire, FBI Director Christopher Wray **testified** (<https://www.reuters.com/technology/fbi-chief-says-tiktok-screams-us-national-security-concerns-2023-03-08/>) this week that TikTok "screams national security concerns" because of the Chinese government's purported ability to access U.S. users' data or conduct "influence operations" through the application. For these and other reasons, TikTok has already been **banned** (<https://www.nbcnews.com/tech/tech-news/tiktok-ban-biden-government-college-state-federal-security-privacy-rcna63724>) from U.S. government-issued devices.

All these signs point to a heap of new trouble for TikTok, despite the **strenuous denials** (<https://www.forbes.com/sites/emilybaker-white/2022/09/14/tiktok-china-ties-senate-hearing/?sh=4dddf08b3ff5>) from its top officials of any privacy or national intelligence threats or the fact that TikTok has been engaged in a **two-year negotiation** (<https://www.cnbc.com/2023/02/16/senators-urge-cfius-to-wrap-up-tiktok-probe-with-strict-restrictions.html>) with the Committee on Foreign Investment in the U.S. (CFIUS) to alleviate some of these concerns. In the course of these negotiations, TikTok already **said** (<https://newsroom.tiktok.com/en-us/delivering-on-our-us-data-governance>) it is routing "100% of its U.S. traffic" through Oracle, a trusted U.S.-based third party. That has clearly not been enough to mollify any of its critics.

However, even if the RESTRICT Act is signed into law and the app is subsequently banned from Apple or Google stores for U.S. users, the fundamental policy problem it represents will hardly be solved. A social media tool used for communication among millions of Americans would be extinguished by administrative fiat, raising

uncomfortable questions about our commitment to free speech and our government's far-reaching regulatory powers to constrain it. (In fact, TikTok already **successfully** (<https://www.npr.org/2020/12/07/944039053/u-s-judge-halts-trumps-tiktok-ban-the-2nd-court-to-fully-block-the-action>)) Banning TikTok would also likely carry a political blowback from young people that are its primary users, which Commerce Secretary Gina Raimondo recently **admitted** (<https://www.washingtonpost.com/politics/2023/03/09/is-banning-tiktok-bad-politics-some-us-officials-think-so/>). Finally, CFIUS – the process specifically designed to address national security concerns – is being unnecessarily short-circuited by overwhelming political pressure to act against China and its interests during these turbulent times in bilateral relations.

Whether TikTok would allow the Chinese government to access or harvest data of ordinary Americans or be used as a trojan horse for the Chinese Communist Party to influence operations during a Taiwan crisis are valid national security concerns that require discussion and action. However, our reaction to them needs to be measured and consistent with our values of individual freedom and the rule of law. The last thing we want to do is engage in wholesale censorship and government overreach, which is precisely what the Chinese government preaches and practices.