Congress seems more determined to ban TikTok than ever

TikTok’s CEO, Shou Zi Chew, seemed to arrive at the Capitol well-prepared.

Taking his seat before dozens of House Energy and Commerce Committee members Thursday, he opened a packet of notes, diligently indexed with sticky notes. In the packet, there appeared to be a sheet matching the names and faces of the lawmakers preparing to question him — many of whom had already made up their minds over whether the app was safe for Americans.

“Your platform should be banned,” Chair Cathy McMorris-Rodgers (R-WA) said in her opening statement Thursday. “I expect today you’ll say anything to avoid this outcome.”

For more than three years, TikTok has been operating under the looming threat of a nationwide ban. But what was once a GOP-led campaign admonishing the popular video-sharing app as a threat to national security has now evolved into a government-wide, bipartisan effort to ban it outright.

Over the last few months alone, Republicans and Democrats have rallied behind legislation barring TikTok from operating in the US. Intelligence officials have called the app “a tool” of the Chinese government, and the Biden administration has reportedly backed the company into a corner. If TikTok doesn’t agree to find an American replacement for its Beijing-based owner, ByteDance, it will be banned.

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But at this point, there has been little evidence in support of the accusations haunting the company. In a promise to lawmakers Thursday, Chew said, “TikTok has never shared, or received a request to share, US user data with the Chinese government. Nor would TikTok honor such a request if one were ever made.”

To Chew, the concerns raised over TikTok’s alleged relationship with the Chinese government rely more on speculation than fact. “I think a lot of risks that are pointed out are hypothetical and theoretical risks,” he said. “I have not seen any evidence. I am eagerly awaiting discussions where we can talk about evidence, and then we can address the concerns that are being raised.”

Few members of Congress seemed sympathetic to that argument, though — and it’s the potential for future abuse by foreign actors that has seemingly scared lawmakers most. Congress has been caught on its back foot before, introducing data protection bills in the aftermath of American-made social media scandals, like the *Wall Street Journal’s* reporting on the Facebook Files.

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“These tools are very, very powerful,” Sen. Mark Warner (D-VA), chair of the Senate Intelligence Committee, told *The Verge* on Wednesday, describing how social media can be used to enable foreign influence operations. “I’m not saying that they’re doing it right now. But why would we wait until President Xi and China says, ‘I’m ready to pull the trigger and invade Taiwan’?”

Earlier this month, Warner introduced the RESTRICT Act, a bipartisan-backed bill that would authorize the Secretary of

Commerce with the power to investigate and ban the use of technologies derived from adversarial countries. At least 18 senators spanning both parties and the Biden administration have come out in support of the bill.

Still, there's a growing coalition of House Democrats opposing legislation that could ban TikTok. Rep. Jamaal Bowman (D-NY) held a press conference with around 30 TikTok influencers opposing a federal ban. It was one of the first times any lawmaker had come out so publicly in TikTok's favor. Surrounded by activist signs calling for Congress to #KeepTikTok, Bowman attributed much of the app's criticism to xenophobia.

"Usually, if there's a matter of national security concern, they hold a bipartisan Congressional briefing on that particular issue," Bowman said Wednesday. "We have not received a bipartisan Congressional briefing on the national security risk of TikTok."

Even without overwhelming evidence of its potential to harm national security, TikTok's reputation is not spotless. A number of reports have detailed instances in which ByteDance workers wrongfully accessed American user data, including the IP addresses of American journalists. TikTok admitted to the latter scandal, claiming that the employees "misused their authority."

But it was not lost on Chew that American companies have made similar mistakes in the past. "With a lot of respect, American social companies don't have a good track record with data privacy and user security," Chew said. "Just look at Facebook and Cambridge Analytica, for one example."

In Cambridge Analytica's case, Facebook settled with the Federal Trade Commission for $5 billion. The scandal kickstarted legislative debate over a federal data privacy network. Years later, Congress has yet to approve any

meaningful data protections governing US or foreign-owned social media companies.

As of today, however, a TikTok ban is closer than ever before.

https://www.theverge.com/2023/3/23/23653950/congress-tiktok-ban-hearing-aftermath-china-influence-privacy