

**Congress of the United States**  
Washington, DC 20510

May 12, 2023

The Honorable Joseph Biden  
President  
White House  
1600 Pennsylvania Avenue, NW  
Washington D.C. 20500

Dear President Biden:

We write to urge you to act immediately on the 2020 national security order to force the sale of the assets in the United States of the Chinese-owned social media app TikTok.

In March, Mr. Shou Zi Chew, TikTok's Chief Executive Officer, testified before the House Committee on Energy and Commerce. Mr. Chew's testimony was revealing and only served to confirm the long-held judgment of Congress and our constituents that TikTok and its parent company ByteDance present a continuing national security risk to the United States.

As public servants, we bear a profound responsibility to protect the well-being of future generations by mitigating potential hazards. In the digital realm, this entails equipping users with the knowledge required to navigate online risks. Additionally, we must empower parents with the tools to effectively monitor and comprehend their child's online activities without compromising their child's future. TikTok must not be used as a tool of foreign surveillance and indoctrination on our country's pride and joy—our children.

The calls for the TikTok app to be banned have only increased since Mr. Chew's testimony. This includes calls to pass legislation to accomplish this result. However, the U.S. government already possesses the existing authorities necessary to address the national security issues stemming from TikTok.

As you know, upon the conclusion of a 2020 national security review and referral by the Committee on Foreign Investment in the United States ("CFIUS"), the President found credible evidence that ByteDance, through TikTok, could impair the national security of the United States. In response to this finding, the U.S. Attorney General was directed to take the steps necessary to enforce the divestment of ByteDance's property interests and rights in the United States. This includes all property rights and interests that are used to enable or support TikTok's U.S. operations, as well as any U.S. user data obtained or derived from the TikTok app's use in the United States.

It has now been over 33 months since CFIUS issued this directive, and yet, Attorney General Garland has failed to act. Each day that passes, more Americans, including young Americans, are put at risk as the number of Americans using TikTok continues to grow. In fact, Mr. Chew testified that nearly 150 million Americans regularly use the app. The scope and quantity of

Americans' personal data that is exposed to potential surveillance and exploitation by the Chinese Communist Party ("CCP") is staggering. Furthermore, the CCP's "national security laws" create the potential for American TikTok users to be targeted by disinformation campaigns initiated by the Chinese state, a fact that Mr. Chew did not dispute during the hearing.

It is imperative that we prevent the CCP from preying on our children and youth.

Mr. President, it is critical that the national security order to sell TikTok's U.S. assets is enforced. We note that on the morning of the March hearing, the Chinese government threatened it would "firmly oppose" such a sale. The United States must not ignore this transparent threat to influence our nation's prerogatives and jurisdiction.

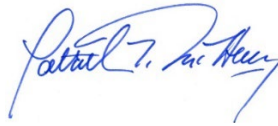
We urge you to stand up to China and enforce this directive now. Congress stands ready to support you in doing so. However, in the absence of decisive presidential action, Congress will take the steps necessary to address the national security risks presented by TikTok.

Thank you for your attention to this vitally important matter.

Sincerely,



Tim Scott  
Ranking Member  
Senate Committee on Banking, Housing,  
and Urban Affairs



Patrick McHenry  
Chairman  
House Committee on Financial Services