



The Daily Dish

What To Do With TikTok?

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The video-sharing app TikTok has become a flashpoint at the intersection of Congress' bipartisan dislike of Big Tech and its comparably bipartisan aggressiveness toward China. The Biden Administration has proposed that ByteDance (TikTok's parent) sell TikTok or use of the app will be banned in the United States. There are a number of issues swirling around the notion of a ban. AAF's Joshua Levine has a measured, disciplined [walk through the issues](#). This is the Jackson Pollock version.

National security should be the premier issue, either because of the data TikTok collects on its users or the potential to influence debates in the United States, or both. The leadership of the communist party in China and the leadership of ByteDance greatly overlap, raising concerns even further. Normally I would be skeptical of such claims, but I have never seen a more prominent push by the U.S. intelligence community than the concern over TikTok. That said, simply selling TikTok does not better secure the data it collects or stop the launching of another app to replicate the capability. Perhaps it really is time for Congress to get serious and settle on a data privacy framework for the United States?

There is also the concern that TikTok is being singled out because of animosity toward China. This is a dangerous slippery slope. At what point does one conclude that a firm is "too" influenced by China and its communist leadership? How many companies and products will be divested or banned, and to what effect?

The show trial, I mean [hearing](#), with the CEO of TikTok quickly departed the national security and China issues and focused on offensive content found on TikTok. This is another dangerous slippery slope. Granted, the content *was* offensive, but where does the line get drawn? Who draws it? Does it only apply to TikTok? Is a TikTok ban unconstitutional on First Amendment grounds if it is focused on the content the app delivers to users? If the United States is going to change the rules surrounding content on platforms and apps, it should do so across the board and in legislation that focuses on content moderation. If

Congress wants the internet to be a safer place for children to browse, it should settle on a single approach to [online safety for kids](#). The sale of TikTok accomplishes neither.

TikTok issues are hard because global issues are always hard, and China issues even harder. TikTok issues are hard because appropriate use of the public commons is a perennial problem. TikTok issues are hard because commercial regulation is hard. TikTok issues are hard because regulating a global public commons driven by commercial aims is really hard.