

ORAL ARGUMENT SCHEDULED FOR SEPTEMBER 16, 2024

Case No. 24-1130
Consolidated With No. 24-1113

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

TIKTOK INC. and BYTEDANCE LTD.

Petitioners,

v.

MERRICK B. GARLAND, in his official capacity as Attorney General of
the United States,

Respondent.

(continued on inside cover)

**ON PETITION FOR REVIEW OF THE PROTECTING AMERICANS
FROM FOREIGN ADVERSARY CONTROLLED APPLICATIONS
ACT (H.R. 815)**

**ADDENDUM TO OPENING BRIEF OF CREATOR PETITIONERS
VOLUME 1 of 4 (Add. 1–173)**

Ambika Kumar
Tim Cunningham
Xiang Li
DAVIS WRIGHT TREMAINE LLP
920 Fifth Avenue, Suite 3300
Seattle, Washington 98104
(206) 757-8030
ambikakumar@dwt.com
timcunningham@dwt.com
xiangli@dwt.com

Jeffrey L. Fisher
O'MELVENY & MYERS LLP
2765 Sand Hill Road
Menlo Park, California 94025
(650) 473-2633
jlfisher@omm.com

(continued on inside cover)

Attorneys for Creator Petitioners

BRIAN FIREBAUGH, CHLOE JOY SEXTON, TALIA CADET,
TIMOTHY MARTIN, KIERA SPANN, PAUL TRAN, CHRISTOPHER
TOWNSEND, and STEVEN KING,

Petitioners,

v.

MERRICK B. GARLAND, in his capacity
as United States Attorney General,

Respondent.

BASED Politics Inc.,

Petitioner,

v.

MERRICK B. GARLAND, in his official capacity as Attorney General of
the United States,

Respondent.

Elizabeth A. McNamara
Chelsea T. Kelly
DAVIS WRIGHT TREMAINE LLP
1251 Avenue of the Americas
New York, New York 10020
(212) 489-8230
lizmcnamara@dwt.com
chelseakelly@dwt.com

James R. Sigel
Adam S. Sieff
DAVIS WRIGHT TREMAINE LLP
50 California Street, Suite 2300
San Francisco, California 94111
(415) 276-6500
jamessigel@dwt.com
adamsieff@dwt.com

Joshua Revesz
O'MELVENY & MYERS LLP
1625 Eye Street NW
Washington, DC 20006
(202) 383-5261
jrevesz@omm.com

Attorneys for Creator Petitioners

TABLE OF CONTENTS

	<u>PAGE</u>
Protecting Americans from Foreign Adversary Controlled Applications Act, Pub. L. No. 118-50, Division H	1
Declaration of Talia Cadet	8
Declaration of Brian Firebaugh	18
Declaration of Steven King	28
Declaration of Timothy Martin	35
Declaration of Chloe Joy Sexton	44
Declaration of Kiera Spann.....	52
Declaration of Christopher Townsend	63
Declaration of Paul Tran.....	73
Declaration of Ambika Kumar.....	81



H. R. 815

One Hundred Eighteenth Congress
of the
United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Wednesday,
the third day of January, two thousand and twenty-four*

An Act

Making emergency supplemental appropriations for the fiscal year ending September 30, 2024, and for other purposes.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. ORGANIZATION OF ACT INTO DIVISIONS.

(a) DIVISIONS.—This Act is organized into the following divisions:

- (1) DIVISION A.—Israel Security Supplemental Appropriations Act, 2024.
- (2) DIVISION B.—Ukraine Security Supplemental Appropriations Act, 2024.
- (3) DIVISION C.—Indo-Pacific Security Supplemental Appropriations Act, 2024.
- (4) DIVISION D.—21st Century Peace through Strength Act.
- (5) DIVISION E.—FEND off Fentanyl Act.
- (6) DIVISION F.—Rebuilding Economic Prosperity and Opportunity for Ukrainians Act.
- (7) DIVISION G.—Other Matters.
- (8) DIVISION H.—Protecting Americans from Foreign Adversary Controlled Applications Act.
- (9) DIVISION I.—Protecting Americans' Data from Foreign Adversaries Act of 2024.
- (10) DIVISION J.—SHIP Act.
- (11) DIVISION K.—Fight CRIME Act.
- (12) DIVISION L.—MAHSA Act.
- (13) DIVISION M.—Hammas and Other Palestinian Terrorist Groups International Financing Prevention Act.
- (14) DIVISION N.—No Technology for Terror Act.
- (15) DIVISION O.—Strengthening Tools to Counter the Use of Human Shields Act.
- (16) DIVISION P.—Illicit Captagon Trafficking Suppression Act.
- (17) DIVISION Q.—End Financing for Hamas and State Sponsors of Terrorism Act.
- (18) DIVISION R.—Holding Iranian Leaders Accountable Act.
- (19) DIVISION S.—Iran-China Energy Sanctions Act of 2023.
- (20) DIVISION T.—Budgetary Effects.

SEC. 2. REFERENCES.

Except as expressly provided otherwise, any reference to “this Act” contained in any division of this Act shall be treated as referring only to the provisions of that division.

H. R. 815—61

Fusion Development Strategy programs of the People's Republic of China, including the following:

- (1) A brief summary of each such identified field and its relevance to the military power and national security of the People's Republic of China.
- (2) The implications for the national security of the United States as a result of the leadership or dominance by the People's Republic of China in each such identified field and associated supply chains.
- (3) The identification of at least 10 entities domiciled in, controlled by, or directed by the People's Republic of China (including any subsidiaries of such entity), involved in each such identified field, and an assessment of, with respect to each such entity, the following:
 - (A) Whether the entity has procured components from any known United States suppliers.
 - (B) Whether any United States technology imported by the entity is controlled under United States regulations.
 - (C) Whether United States capital is invested in the entity, either through known direct investment or passive investment flows.
 - (D) Whether the entity has any connection to the People's Liberation Army, the Military-Civil Fusion program of the People's Republic of China, or any other state-sponsored initiatives of the People's Republic of China to support the development of national champions.
- (c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—
 - (1) the Committee on Foreign Affairs of the House of Representatives;
 - (2) the Committee on Armed Services of the House of Representatives;
 - (3) the Committee on Foreign Relations of the Senate; and
 - (4) the Committee on Armed Services of the Senate.

DIVISION H—PROTECTING AMERICANS FROM FOREIGN ADVERSARY CONTROLLED APPLICATIONS ACT

SEC. 1. SHORT TITLE.

This division may be cited as the “Protecting Americans from Foreign Adversary Controlled Applications Act”.

SEC. 2. PROHIBITION OF FOREIGN ADVERSARY CONTROLLED APPLICATIONS.

(a) IN GENERAL.—

(1) PROHIBITION OF FOREIGN ADVERSARY CONTROLLED APPLICATIONS.—It shall be unlawful for an entity to distribute, maintain, or update (or enable the distribution, maintenance, or updating of) a foreign adversary controlled application by carrying out, within the land or maritime borders of the United States, any of the following:

H. R. 815—62

(A) Providing services to distribute, maintain, or update such foreign adversary controlled application (including any source code of such application) by means of a marketplace (including an online mobile application store) through which users within the land or maritime borders of the United States may access, maintain, or update such application.

(B) Providing internet hosting services to enable the distribution, maintenance, or updating of such foreign adversary controlled application for users within the land or maritime borders of the United States.

(2) APPLICABILITY.—Subject to paragraph (3), this subsection shall apply—

(A) in the case of an application that satisfies the definition of a foreign adversary controlled application pursuant to subsection (g)(3)(A), beginning on the date that is 270 days after the date of the enactment of this division; and

(B) in the case of an application that satisfies the definition of a foreign adversary controlled application pursuant to subsection (g)(3)(B), beginning on the date that is 270 days after the date of the relevant determination of the President under such subsection.

(3) EXTENSION.—With respect to a foreign adversary controlled application, the President may grant a 1-time extension of not more than 90 days with respect to the date on which this subsection would otherwise apply to such application pursuant to paragraph (2), if the President certifies to Congress that—

(A) a path to executing a qualified divestiture has been identified with respect to such application;

(B) evidence of significant progress toward executing such qualified divestiture has been produced with respect to such application; and

(C) there are in place the relevant binding legal agreements to enable execution of such qualified divestiture during the period of such extension.

(b) DATA AND INFORMATION PORTABILITY TO ALTERNATIVE APPLICATIONS.—Before the date on which a prohibition under subsection (a) applies to a foreign adversary controlled application, the entity that owns or controls such application shall provide, upon request by a user of such application within the land or maritime borders of United States, to such user all the available data related to the account of such user with respect to such application. Such data shall be provided in a machine readable format and shall include any data maintained by such application with respect to the account of such user, including content (including posts, photos, and videos) and all other account information.

(c) EXEMPTIONS.—

(1) EXEMPTIONS FOR QUALIFIED DIVESTITURES.—Subsection

(a)—

(A) does not apply to a foreign adversary controlled application with respect to which a qualified divestiture is executed before the date on which a prohibition under subsection (a) would begin to apply to such application; and

H. R. 815—63

(B) shall cease to apply in the case of a foreign adversary controlled application with respect to which a qualified divestiture is executed after the date on which a prohibition under subsection (a) applies to such application.

(2) EXEMPTIONS FOR CERTAIN NECESSARY SERVICES.—Subsections (a) and (b) do not apply to services provided with respect to a foreign adversary controlled application that are necessary for an entity to attain compliance with such subsections.

(d) ENFORCEMENT.—

(1) CIVIL PENALTIES.—

(A) FOREIGN ADVERSARY CONTROLLED APPLICATION VIOLATIONS.—An entity that violates subsection (a) shall be subject to pay a civil penalty in an amount not to exceed the amount that results from multiplying \$5,000 by the number of users within the land or maritime borders of the United States determined to have accessed, maintained, or updated a foreign adversary controlled application as a result of such violation.

(B) DATA AND INFORMATION VIOLATIONS.—An entity that violates subsection (b) shall be subject to pay a civil penalty in an amount not to exceed the amount that results from multiplying \$500 by the number of users within the land or maritime borders of the United States affected by such violation.

(2) ACTIONS BY ATTORNEY GENERAL.—The Attorney General—

(A) shall conduct investigations related to potential violations of subsection (a) or (b), and, if such an investigation results in a determination that a violation has occurred, the Attorney General shall pursue enforcement under paragraph (1); and

(B) may bring an action in an appropriate district court of the United States for appropriate relief, including civil penalties under paragraph (1) or declaratory and injunctive relief.

(e) SEVERABILITY.—

(1) IN GENERAL.—If any provision of this section or the application of this section to any person or circumstance is held invalid, the invalidity shall not affect the other provisions or applications of this section that can be given effect without the invalid provision or application.

(2) SUBSEQUENT DETERMINATIONS.—If the application of any provision of this section is held invalid with respect to a foreign adversary controlled application that satisfies the definition of such term pursuant to subsection (g)(3)(A), such invalidity shall not affect or preclude the application of the same provision of this section to such foreign adversary controlled application by means of a subsequent determination pursuant to subsection (g)(3)(B).

(f) RULE OF CONSTRUCTION.—Nothing in this division may be construed—

(1) to authorize the Attorney General to pursue enforcement, under this section, other than enforcement of subsection (a) or (b);

H. R. 815—64

(2) to authorize the Attorney General to pursue enforcement, under this section, against an individual user of a foreign adversary controlled application; or

(3) except as expressly provided herein, to alter or affect any other authority provided by or established under another provision of Federal law.

(g) DEFINITIONS.—In this section:

(1) CONTROLLED BY A FOREIGN ADVERSARY.—The term “controlled by a foreign adversary” means, with respect to a covered company or other entity, that such company or other entity is—

(A) a foreign person that is domiciled in, is headquartered in, has its principal place of business in, or is organized under the laws of a foreign adversary country;

(B) an entity with respect to which a foreign person or combination of foreign persons described in subparagraph (A) directly or indirectly own at least a 20 percent stake; or

(C) a person subject to the direction or control of a foreign person or entity described in subparagraph (A) or (B).

(2) COVERED COMPANY.—

(A) IN GENERAL.—The term “covered company” means an entity that operates, directly or indirectly (including through a parent company, subsidiary, or affiliate), a website, desktop application, mobile application, or augmented or immersive technology application that—

(i) permits a user to create an account or profile to generate, share, and view text, images, videos, real-time communications, or similar content;

(ii) has more than 1,000,000 monthly active users with respect to at least 2 of the 3 months preceding the date on which a relevant determination of the President is made pursuant to paragraph (3)(B);

(iii) enables 1 or more users to generate or distribute content that can be viewed by other users of the website, desktop application, mobile application, or augmented or immersive technology application; and

(iv) enables 1 or more users to view content generated by other users of the website, desktop application, mobile application, or augmented or immersive technology application.

(B) EXCLUSION.—The term “covered company” does not include an entity that operates a website, desktop application, mobile application, or augmented or immersive technology application whose primary purpose is to allow users to post product reviews, business reviews, or travel information and reviews.

(3) FOREIGN ADVERSARY CONTROLLED APPLICATION.—The term “foreign adversary controlled application” means a website, desktop application, mobile application, or augmented or immersive technology application that is operated, directly or indirectly (including through a parent company, subsidiary, or affiliate), by—

(A) any of—

(i) ByteDance, Ltd.;

H. R. 815—65

(ii) TikTok;

(iii) a subsidiary of or a successor to an entity identified in clause (i) or (ii) that is controlled by a foreign adversary; or

(iv) an entity owned or controlled, directly or indirectly, by an entity identified in clause (i), (ii), or (iii); or

(B) a covered company that—

(i) is controlled by a foreign adversary; and

(ii) that is determined by the President to present a significant threat to the national security of the United States following the issuance of—

(I) a public notice proposing such determination; and

(II) a public report to Congress, submitted not less than 30 days before such determination, describing the specific national security concern involved and containing a classified annex and a description of what assets would need to be divested to execute a qualified divestiture.

(4) **FOREIGN ADVERSARY COUNTRY.**—The term “foreign adversary country” means a country specified in section 4872(d)(2) of title 10, United States Code.

(5) **INTERNET HOSTING SERVICE.**—The term “internet hosting service” means a service through which storage and computing resources are provided to an individual or organization for the accommodation and maintenance of 1 or more websites or online services, and which may include file hosting, domain name server hosting, cloud hosting, and virtual private server hosting.

(6) **QUALIFIED DIVESTITURE.**—The term “qualified divestiture” means a divestiture or similar transaction that—

(A) the President determines, through an interagency process, would result in the relevant foreign adversary controlled application no longer being controlled by a foreign adversary; and

(B) the President determines, through an interagency process, precludes the establishment or maintenance of any operational relationship between the United States operations of the relevant foreign adversary controlled application and any formerly affiliated entities that are controlled by a foreign adversary, including any cooperation with respect to the operation of a content recommendation algorithm or an agreement with respect to data sharing.

(7) **SOURCE CODE.**—The term “source code” means the combination of text and other characters comprising the content, both viewable and nonviewable, of a software application, including any publishing language, programming language, protocol, or functional content, as well as any successor languages or protocols.

(8) **UNITED STATES.**—The term “United States” includes the territories of the United States.

SEC. 3. JUDICIAL REVIEW.

(a) **RIGHT OF ACTION.**—A petition for review challenging this division or any action, finding, or determination under this division

H. R. 815—66

may be filed only in the United States Court of Appeals for the District of Columbia Circuit.

(b) **EXCLUSIVE JURISDICTION.**—The United States Court of Appeals for the District of Columbia Circuit shall have exclusive jurisdiction over any challenge to this division or any action, finding, or determination under this division.

(c) **STATUTE OF LIMITATIONS.**—A challenge may only be brought—

(1) in the case of a challenge to this division, not later than 165 days after the date of the enactment of this division; and

(2) in the case of a challenge to any action, finding, or determination under this division, not later than 90 days after the date of such action, finding, or determination.

DIVISION I—PROTECTING AMERICANS’ DATA FROM FOREIGN ADVERSARIES ACT OF 2024

SEC. 1. SHORT TITLE.

This division may be cited as the “Protecting Americans’ Data from Foreign Adversaries Act of 2024”.

SEC. 2. PROHIBITION ON TRANSFER OF PERSONALLY IDENTIFIABLE SENSITIVE DATA OF UNITED STATES INDIVIDUALS TO FOREIGN ADVERSARIES.

(a) **PROHIBITION.**—It shall be unlawful for a data broker to sell, license, rent, trade, transfer, release, disclose, provide access to, or otherwise make available personally identifiable sensitive data of a United States individual to—

(1) any foreign adversary country; or

(2) any entity that is controlled by a foreign adversary.

(b) **ENFORCEMENT BY FEDERAL TRADE COMMISSION.**—

(1) **UNFAIR OR DECEPTIVE ACTS OR PRACTICES.**—A violation of this section shall be treated as a violation of a rule defining an unfair or a deceptive act or practice under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) **POWERS OF COMMISSION.**—

(A) **IN GENERAL.**—The Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this section.

(B) **PRIVILEGES AND IMMUNITIES.**—Any person who violates this section shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act.

(3) **AUTHORITY PRESERVED.**—Nothing in this section may be construed to limit the authority of the Commission under any other provision of law.

(c) **DEFINITIONS.**—In this section:

(1) **COMMISSION.**—The term “Commission” means the Federal Trade Commission.

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

BRIAN FIREBAUGH, CHLOE
JOY SEXTON, TALIA CADET,
TIMOTHY MARTIN, KIERA
SPANN, PAUL TRAN,
CHRISTOPHER TOWNSEND,
and STEVEN KING,

Petitioners,

v.

MERRICK B. GARLAND, in his
capacity as United States Attorney
General,

Respondent

DECLARATION OF TALIA CADET IN SUPPORT OF
PETITIONERS' BRIEF ON THE MERITS

I, Talia Cadet, declare as follows:

1. I make this declaration from personal knowledge.
2. I live in Capitol Heights, Maryland and work as the chief digital officer at a lobbying firm in Washington, D.C.
3. I started using TikTok in 2020 as a form of entertainment and connection during the isolation of the Covid-19 pandemic. I found the platform to be a joyful and creative space, and was inspired by how some

Addendum - 8

creators used the platform to uplift others and represent voices that are not always heard. I was able to learn about so many things on the app. For example, TikTok is where I fell in love with #BlackBookTok and reading, planned amazing vacations to Las Vegas, New Orleans, and South Africa, and renewed my enthusiasm for living in the DC Metropolitan area. I love watching content on TikTok—it really is an incredible source of knowledge curated specifically for things that interest me.

4. After about two years, I decided to try creating some videos of my own. These videos often focus on one of my favorite things—books. I love to review books and promote Black authors and independent authors. *See Multimedia Upload at Cadet Video A.*¹ I find it very exciting that I can help others discover books while helping diverse authors to increase their following. In addition to reviewing books, I often review and discuss Black-owned businesses in the D.C. area and nationwide.

¹ In compliance with the Court's June 3, 2024 Procedures Regarding Submission of Audio or Video Files, the Petitioners have uploaded to the Court's Box.com file repository a set of TikTok videos as part of the record. A public link to this particular video is available here:

https://www.tiktok.com/@taliacadet/video/7244248168416759082?_r=1&_t=8n90vITp2OE.

See Multimedia Upload at Cadet Video B.² I really enjoy connecting with small and minority business owners and using my platform to help amplify their voices.

5. Additionally, some of my videos focus on my life, including reviewing my international vacations, tips for fun events around the D.C. area, and my goals for each month. These videos provide me a creative outlet, and I love seeing my followers' responses to and interactions with these videos. The community on TikTok is so welcoming that I have even felt comfortable sharing more vulnerable topics with my followers. For example, when I was diagnosed with a specific corneal disease, I shared my journey on TikTok—and several of my followers with the same diagnosis told me that seeing my videos helped them feel less anxious about the process. See Multimedia Upload at Cadet Video C.³ I have also used TikTok to talk about celibacy and self-care—topics that are important to me but not always easy to talk about on other platforms.

² A public link to this video is available here:

https://www.tiktok.com/@taliacadet/video/7298069835827940654?_r=1&t=8n91IyCmhVm.

³ A public link to this video is available here:

https://www.tiktok.com/@taliacadet/video/7283145948199521579?_r=1&t=8n91Lfef70g.

*See Multimedia Upload at Cadet Video D.*⁴

6. Around the fall of 2022, I noticed that my TikTok content was resonating with the public and starting to go viral. In response, I started posting more frequently, hoping to grow community on TikTok. I have now amassed over 129,000 TikTok followers, and last year, made about 15 percent of my annual income from brand deals on the app and the Creator Rewards program. This year, I stand to make more. As a first-time homeowner living in an expensive metropolitan area, this supplemental income has given me some financial freedom to enjoy my life and have new experiences.

7. My success on TikTok has also afforded me some incredible and life-changing opportunities. For example, I have been asked to host in-person author talks in my community and in other cities, several for diverse authors. I have also been approached by companies to collaborate with them—for example, Hulu asked me to promote a new series adapting a book that I enjoyed. I have also worked on paid partnerships with some of my favorite Black woman-owned brands, and have even

⁴ A public link to this video is available here:

https://www.tiktok.com/@taliacadet/video/7188524395273620782?_r=1&t=8n91OInCY2h.

been featured in national news media outlets.

8. But even more important to me than the income and other opportunities has been the strong community I created on TikTok. It has been so impactful to connect with book lovers across the country as well as diverse and independent authors and Black-owned and women-owned businesses who are making a difference. I love being able to use my platform to amplify their voices, as well as my own. As a Black woman in her thirties, I know the importance of seeing yourself reflected in culture—and TikTok has created a platform for increased representation. I love following and connecting with other creators who share some of my background and look like me—as well as being a role model for other young Black women on the app. In my experience, TikTok is truly for anyone looking to see people who look and live like them, entertain and educate themselves, and become a better person.

9. I work hard to foster, maintain, and grow this community on TikTok; and enjoy taking advantage of TikTok's tools to do so. For example, I create videos in the TikTok app and also use CapCut to edit my vlogs (video blogs) for posting on TikTok. I enjoy using these products because they feel intuitive and are easy to use to express myself

creatively. CapCut makes it easy to edit videos because the interface is similar to the process in TikTok, so the process feels familiar.

10. I also host a weekly TikTok LIVE every Tuesday night that I call “Talia Talk Tuesdays,” in which my followers tune in for a live conversation with me discussing a list of fun and/or topical issues for the day—everything from what I’m reading and what businesses I’m supporting to sports and entertainment news. During these events, my followers can send in questions and comments that I can respond to in real time. I look forward to this event every week because it gives me a chance to deepen my connection with my followers over topics that are important and entertaining. Thanks to events like these, as well as my consistent posting of TikTok videos, I frequently meet some of my followers in real life—both in Washington, DC and in other U.S. cities and abroad. For example, I met followers in Mexico and South Africa when I was traveling for vacation. That is a testament to the global reach and impact of TikTok. In fact, I am aware that almost ten percent of my TikTok followers live abroad.

11. The kinds of comments that I have received from my TikTok followers remind me every day why I create videos. For example,

followers have told me that my TikTok videos: (1) inspired them and their friends to start a book club; (2) encouraged them to buy products from Black-owned businesses or read books by independent authors that I reviewed; (3) helped them make new friends in DC by following my monthly DC event guides; (4) inspired them as fellow plus-size women; and (5) encouraged them to travel solo after seeing me do it. This is the greatest form of inspiration for me, and makes me so excited to keep creating content on TikTok.

12. I have tried using other social media platforms and have not found the same success or community. For example, while I have over 129,000 TikTok followers, I only have about 9,700 on Instagram, and about 4,100 subscribers to my newsletter. I have found that my success on TikTok has helped fuel some interest in my Instagram account, as well as enabled me to create a weekly newsletter for my fans—but nothing comes close to the organic reach of TikTok to get my content seen by new users who are likely to find it interesting. For example, by using TikTok hashtags like #BlackBookTalk, I am able to instantly tap into a community of followers likely to be interested in my videos reviewing new works by Black authors. Neither Instagram nor the other social media

apps that I have used have had anywhere near the same effect as TikTok.

13. I also find that the nature of my expression is different on TikTok than it is on other apps. The main “For You Page” on TikTok allows longer videos than the main feeds on Instagram (“Reels”) or Facebook (“Stories”), which allows me to have the time to really delve into the details of a good book review or thoughtfully engage in a discussion about celibacy and self-care. For example, Instagram has a 90-second time limit for videos created in Reels, so I could not use this feature to create my longer-form videos. This long-form style of social media encourages me to be a more real and less filtered version of myself and to truly express myself—more so than on the other apps. My experience as a TikTok user is also different than on other apps—on TikTok, I am able to easily discover and learn new things while also personalizing and curating my feed in a manner unique to me.

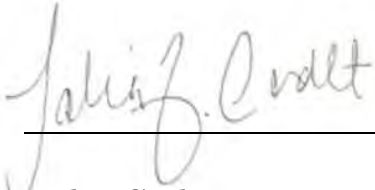
14. A ban on TikTok threatens everything I have built on the platform. There is so much to lose—community, representation, information, livelihoods and freedom of expression. I could not reconstitute my following on other platforms in part because a number of my TikTok followers have told me that they do not use the other leading

social media apps like Facebook or Instagram. Also, despite having posted some similar content on these other apps, I have not seen the same rates of growth and engagement. I am also concerned because, if this can happen to TikTok and its 170 million users, what is next? This law sets a dangerous precedent for the government telling us how to and with whom we can communicate. I cannot stand for that, which is why I'm a part of this lawsuit.

15. Even if TikTok was sold to a U.S. company, I would lose access to my international content and followers, which would limit my reach and shrink my world. I am an avid traveler and have used TikTok in other countries to plan trips and review international destinations and would lose this resource. I do not believe that the experience on the app—that I have come to know and love and which has been fundamental to the community that I built—would stay the same if TikTok was sold to another owner. I have seen how social media products change with new ownership, fundamentally altering both the algorithm and the user experience. For example, when Twitter changed to X, in my opinion, the quality of the advertising decreased and the user experience declined. I have no reason to believe that TikTok would be any different.

I declare under penalty of perjury that the foregoing is true and correct.

Signed in Capitol Heights, Maryland this 18th day of June, 2024.



Talia Cadet

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

BRIAN FIREBAUGH, CHLOE
JOY SEXTON, TALIA CADET,
TIMOTHY MARTIN, KIERA
SPANN, PAUL TRAN,
CHRISTOPHER TOWNSEND,
and STEVEN KING,

Petitioners,

v.

MERRICK B. GARLAND, in his
capacity as United States Attorney
General,

Respondent

**DECLARATION OF BRIAN FIREBAUGH IN SUPPORT OF
PETITIONERS' BRIEF ON THE MERITS**

I, Brian Firebaugh, declare as follows:

1. I make this declaration from personal knowledge.

2. I am a first-generation rancher in Hubbard, Texas, where my wife and I own and operate 4F Ranch, where we raise Texas-registered Longhorn cattle for beef and breeding production.

3. After serving in the U.S. Marine Corps from 1999 to 2003, I struggled to find my footing as a civilian. I experienced homelessness and

addiction but eventually obtained treatment through the Department of Veterans' Affairs and got a job working in a hospital. The corporate world, where I spent many hours each day at the hospital, was not for me. From my cubicle, I continued thinking about my lifelong dream to become a rancher.

4. I saved and invested some of the money I earned from the hospital, and in 2015 my wife and I were able to purchase a small plot of land in north Texas. I am the first person in my family to become a rancher, so I was really starting from scratch. In 2020, I had only about 5,000 followers on TikTok and was struggling to develop the business side of the ranch. I was inspired to post about my experiences on the ranch by another TikTok creator who often encouraged people to put energy into their interests and what makes them happy. For me, that is running the ranch, raising cattle, and producing beef.

5. One day, as I was pulling into my driveway, my Longhorns were lying in the road and I could not get through. I decided to start recording, and posted a video on TikTok calling it a "Texas traffic jam." This video generated a lot of views and piqued my interest in creating more content about my ranch. Approximately a year later, I created

another video to dispel the myth that Longhorns are vicious and dangerous—by showing how cuddly one of my cows was and petting her. This video went “viral,” as it was viewed over 72,000 times, which led people to follow me and ask questions about ranching, agriculture, and livestock. *See* Multimedia Upload at Firebaugh Video A.¹ The video and the conversations it sparked fueled an interest in my way of life.

6. From there, I continued to post more content to educate people about maintaining a ranch and raising livestock and to answer my followers’ questions on these topics. *See* Multimedia Upload at Firebaugh Videos B & C.² It was easy to learn to create engaging and interesting videos on TikTok, especially using the tools available in the app. I create all of my videos through TikTok because I find the editing experience much easier than on the other social media apps. As a 43-year-old rancher in central Texas, I don’t have time or interest to learn

¹ In compliance with the Court’s June 3, 2024 Procedures Regarding Submission of Audio or Video Files, the Petitioners have uploaded to the Court’s Box.com file repository a set of TikTok videos as part of the record. A public link to this particular video is available here: <https://www.tiktok.com/@cattleguy/video/6862508558412500230>.

² Public links to these videos are available here:
<https://www.tiktok.com/@cattleguy/video/6995941471702519046>;
<https://www.tiktok.com/@cattleguy/video/7014165019361348870>.

the more complicated editing tools offered on the other platforms—I like TikTok precisely because it is simple to use.

7. Because of the way TikTok’s algorithm learns about each user’s interests and connects them with new videos and creators, many people with an interest in agriculture and ranching—whether well-established in a long line of family ranchers, just starting out, or not even directly tied to ranching but interested in learning about it as a way of life—end up viewing my content. Videos I post on TikTok will sometimes garner millions of views, while the same video on other platforms may end up with just a few hundred views. For example, I have 443,000 TikTok followers, compared to only about 23,000 on Instagram and only 690 subscribers on YouTube. While I have posted content on each platform, I now focus on TikTok because I have been much more successful there.

8. My wife and I began selling beef to the local community, and particularly in the early stages of the COVID-19 pandemic, I observed that people were very cautious about where their food was coming from. So I used the TikTok platform to show that our ranch was focused on healthy local food production for our community. Marketing and

reputation is everything in ranching, and TikTok allowed us to market our beef and products and build goodwill with customers and the ranching community. For example, when we announce a sale or a new product on the app, TikTok pushes that announcement to people who are interested in the life I live and the products we sell. The alternative on other platforms like Facebook is paid advertising, which is expensive and, in my experience, ineffective.

9. My success on TikTok has also allowed me the opportunity to build community by organizing events to help others—for example, dropping beef off to people in Texas struggling with food security. Similarly, after a series of devastating wildfires in the Texas panhandle, I was able to use the app to raise donations of critical cattle feed and antibiotics to send to ranchers in need. *See Multimedia Upload at Firebaugh Videos D & E.*³

10. Being able to connect with the ranching community on TikTok has been incredibly important to me and my family. There are many

³ Public links to these videos are available here:

<https://www.tiktok.com/@cattleguy/video/7342261566936501547?q=cattleguy&t=1718323350765>;

<https://www.tiktok.com/@cattleguy/video/7343825772030725418>.

ranches in Texas and elsewhere run by families who have been in the industry for over a hundred years. They tend to close ranks and be wary of outsiders. But I have been able to use TikTok to build connections with many of these ranchers. For example, I have developed a relationship with the family that runs a historic Texas ranch that was breaking colts during the Civil War. We met through following each other's content on TikTok and then met in person. Having that kind of access to this historical group, and being able to receive and pass along mentorship and guidance, has meant everything to me and would not have been possible without TikTok.

11. In addition to building a valuable community on TikTok, I was also able to quit my job at the hospital and focus full-time on running the ranch and creating more content to drive education about the magnificent breed of Longhorn cattle. I now earn most of my income through selling my ranch products promoted on TikTok. I also occasionally host TikTok LIVE videos, which give viewers the opportunity to "tip" me. The visibility I achieve on TikTok cannot be matched elsewhere. For example, when I post on TikTok about farmers' markets that we will be attending, we get people coming from all over the

state and even other states to see us.

12. My success on TikTok has also led to some other life-changing opportunities for me. Recently, producers of a Netflix game show called “The Trust” contacted me because of my presence on TikTok. I ended up going on the show and winning almost \$80,000. With my winnings from the Netflix show, my wife and I were able to pay for the costs associated with adopting our son. We never would have been able to accomplish that without those winnings, and that has resulted in the greatest gift of our lives.

13. We have chosen to care for our young son at home rather than send him to daycare. We value the time and opportunity to teach him at home about our values and our way of life on the ranch. I love that I get to spend so much time with my son. The money that I have been able to earn through TikTok and selling my products marketed on TikTok have allowed me that opportunity, because otherwise, I would be forced to accept jobs off of the ranch.

14. I am extremely worried about how a ban of TikTok would impact me. Without access to TikTok, I would sell our ranch; we do not have any remotely equivalent means to market our products, and while

we have gained a following through TikTok, we do not have the resources of multi-generation ranchers. I fear needing to get a different job, which would take me out of the house and require me to pay for daycare for our son rather than raising him at home and spending time with him. And I would lose the most important tool for helping my community and learning from and mentoring other ranchers. If you ban TikTok, you ban my way of life.

15. Unfortunately, I have already started to see the effects of the Act since President Biden signed it in April of 2024. I noticed I lost some TikTok followers and saw a decline in the rate of new followers. I have had at least one person who was a dedicated follower tell me that he is now convinced that it is dangerous or harmful to keep his TikTok account because the government saw fit to ban it. I have to plan for the worst, and have had to take some preliminary steps to continue the forward momentum of my ranch and prepare for the possibility that I will lose my livelihood.

16. The existence of other social media platforms such as Instagram and Facebook does not make me any less concerned about the Act. Those platforms are fundamentally different, and I have spent years

learning about TikTok and how it operates. As a result, I make videos with TikTok and my TikTok followers in mind. I choose certain structures and editing tools because I know what will best carry my message and resonate with other users. There would be no way for me to simply transfer it to another platform. I would be set back years, forced to learn how to best express myself on a completely different platform—one that is not my choice.

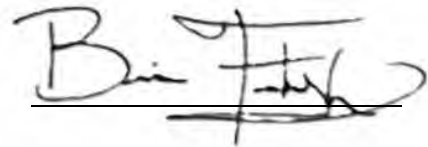
17. I also have followers from all over the world, including other countries with large ranching communities, such as Canada, Australia, New Zealand, and Sweden. I am concerned that the Act will cause me to lose contact with these groups, even if a version of TikTok is permitted to operate in the United States because it would be a separate platform from the one used in other countries.

18. Aside from my viewpoint as a rancher, as a citizen and a veteran, I find it really troubling that the government is forcing this ban on TikTok on the American people, which I believe is a gross violation of our First Amendment rights. Our rights will be violated even if the app is sold. First, because TikTok itself is saying that it won't be possible to simply resume operation of the same app and the same algorithm under

new ownership. Also, the culture of the app will heavily depend on its new owner, and in the event the app gets purchased by a party who is interested, for example, in pushing their own narrative instead of running a successful, unbiased, and accessible social media platform, the unique culture of TikTok will be ruined. It will not be the same app.

I declare under penalty of perjury that the foregoing is true and correct.

Signed in Hubbard, Texas this 18th day of June, 2024.

A handwritten signature in black ink, appearing to read "Brian Firebaugh", written over a horizontal line.

Brian Firebaugh

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

BRIAN FIREBAUGH, CHLOE
JOY SEXTON, TALIA CADET,
TIMOTHY MARTIN, KIERA
SPANN, PAUL TRAN,
CHRISTOPHER TOWNSEND,
and STEVEN KING,

Petitioners,

v.

MERRICK B. GARLAND, in his
capacity as United States Attorney
General,

Respondent

DECLARATION OF STEVEN KING IN SUPPORT OF
PETITIONERS' BRIEF ON THE MERITS

I, Steven King, declare as follows:

1. I make this declaration from personal knowledge.

1. I live in Buckeye, Arizona with my husband.

2. I have a background in healthcare administration and worked for many years running a nursing home and caring for senior citizens.

While I enjoyed this career, I always felt that I was meant to be in a more creative field, such as entertainment—however, this did not feel like a

practical or attainable goal.

3. I started creating videos on TikTok in 2019 and immediately fell in love with the process. TikTok gave me the creative outlet that I had been craving my whole life, and provided me with a powerful platform to connect with and entertain others. My TikTok videos started gaining a lot of audience engagement, and I saw the potential for this hobby to become a career. In order to build and foster this potential, I began posting videos consistently several times a day—often humorous lip-syncing videos or thoughts from my daily life.

4. Eventually, my content grew such a large following that I was able to quit my job in healthcare and become a full-time creator. I now have 6.8 million TikTok followers and feel so fortunate to be able to do what I love every day—creating fun, inspiring, and entertaining content, while connecting with others all over the globe. I post videos on a lot of different topics relevant to my daily life, including, for example, fashion and beauty products, travel, food, my relationship, friendships, and dogs. *See, e.g., Multimedia Upload at King Video A.*¹ It is no exaggeration to

¹ In compliance with the Court's June 3, 2024 Procedures Regarding Submission of Audio or Video Files, the Petitioners have uploaded to the Court's Box.com file repository a set of TikTok videos as

say that TikTok completely changed my life and opened up my world.

5. TikTok has an astonishing ability to create community. The platform encourages authentic expression—in contrast to many other social media apps that promote fakeness or filtering reality to appear perfect. Because of this encouragement, I have been able to be very vulnerable on TikTok and discuss deeply personal stories about my life—in addition to my more entertaining content.

6. For example, I made a series of TikTok videos about my traumatic childhood, explaining how my parents divorced when I was three, and I grew up on welfare. *See, e.g.,* Multimedia Upload at King Videos B & C.² Then, starting at age 12, I was in and out of a boys' home for troubled youth, spent time locked up in a juvenile custody center, and later lived in a group home. The amount of love and support that I received from my TikTok followers in response to these videos was immense and made me feel so grateful to be a part of this community. I

part of the record. A public link to this particular TikTok video is also available here:

<https://www.tiktok.com/@btypep/video/7358586308920560942>.

²Public links to these TikTok videos are also available here:

<https://www.tiktok.com/@btypep/video/6946671894703656198?lang=en>;

<https://www.tiktok.com/@btypep/video/6949560195374648582?lang=en>.

am hopeful that sharing these memories helped educate others about what it is like to live in institutional homes for children.

7. I have also used TikTok to discuss my experience as a gay man living in Arizona, my loving 28-year relationship with my husband, and my sobriety journey. My TikTok followers especially love to ask questions during my TikTok LIVE-streams about my experience coming out as gay and about my marriage. I see it as my responsibility to share my experiences in the hopes that it might help others who may be struggling with certain issues such as embracing their identities and living confident, healthy lives. I have not experienced these same kinds of real and vulnerable conversations on other social media apps—something special about TikTok allows people to be themselves and seek out information that interests them. Additionally, many of the TikTok users asking me questions like these are Gen Z or young millennials—many of whom seem to use TikTok more than Facebook or Instagram.

8. My community on TikTok extends far beyond the United States. For example, I have followers in the United Kingdom, New Zealand, South Africa, and the Philippines. During recent trips to Mexico, Israel, Greece, Morocco, and France, I met many of my fans in

person. I enjoy interacting with my global audience, and meeting some of my fans in person was an incredible experience.

9. I make almost all my income from TikTok, including from the TikTok Creator Rewards Program, LIVE videos, and brand deals. At times, I have earned about \$2,500 for just one LIVE stream. My success on TikTok has also opened up many opportunities for me, such as becoming a published author and being honored at the Cheer Choice Awards, which recognizes creators on social media who are making a positive impact using their platforms.

10. I have not had anywhere near the same success on other social media platforms like Instagram, Facebook, or YouTube, despite posting content on them. While I have approximately 6.8 million followers on TikTok, I only have about 228,000 on Instagram, 137,000 on Facebook, and 16,100 on YouTube. These other apps have not helped my content to go viral in the same way that TikTok has, nor have I been able to establish the same sense of community among my followers. The manner in which TikTok curates content allows for a more real and authentic experience than the other apps, which fosters vulnerability and connection.

11. I also enjoy consuming content on TikTok. For example, I do not watch television, so I get all of my news from TikTok, including both national and global news. I follow certain local and international TikTok creators who are journalists that I trust to produce unbiased and authentic news. I also follow other content creators whom I find creatively inspiring and enjoy using TikTok for entertainment.

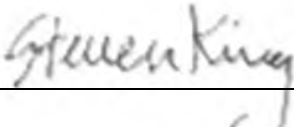
12. If TikTok is banned in the United States, I would immediately lose the career and community that I have worked so hard to build and would probably have to go back to working in healthcare administration. I have not been able to build the same community on other social media platforms, nor have I been able to monetize my content to the same extent. I would be extremely saddened to lose my community and the place where I have come to feel so at home in expressing myself creatively and engaging with others.

13. Even if TikTok was still available in the U.S. but divested from the rest of ByteDance, I would lose my international support and fan base. I love interacting with my international fans and visiting them abroad—it opens my world and exposes me to knowledge and culture outside my own.

14. I do not believe that the TikTok experience would remain the same even if the app were sold. A platform's owner can exert significant control over the user experience. I believe that if TikTok and its algorithm was sold to a U.S. investor, the entire platform will change because the new owner will make decisions that will adversely affect the user experience, just like other apps have done. Right now, TikTok is special and unique precisely because it allows for a free-flowing and authentic user experience, unlike the other apps.

I declare under penalty of perjury that the foregoing is true and correct.

Signed in Buckeye, Arizona this 17th day of June, 2024.



Steven King

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

BRIAN FIREBAUGH, CHLOE
JOY SEXTON, TALIA CADET,
TIMOTHY MARTIN, KIERA
SPANN, PAUL TRAN,
CHRISTOPHER TOWNSEND,
and STEVEN KING,

Petitioners,

v.

MERRICK B. GARLAND, in his
capacity as United States Attorney
General,

Respondent

**DECLARATION OF TIMOTHY MARTIN IN SUPPORT OF
PETITIONERS' BRIEF ON THE MERITS**

I, Timothy Martin, declare as follows:

1. I make this declaration from personal knowledge.
2. I live in Mayville, North Dakota, where I coach football at a state university. I played football as a quarterback at this same university before graduating and becoming a coach.

3. I attended college from 2018 to 2022, and took classes remotely during the Covid-19 pandemic. In 2020, during one of my

Addendum - 35

technology classes, my professor discussed the integration of social media and sports, which inspired me to try creating videos about sports on TikTok.

4. From the moment I made my first video, I found the process to be extremely fun and fulfilling—giving me an outlet for my creativity and allowing me to connect with people around the world over our love of sports. Especially during the isolation of the pandemic, creating TikTok videos was a way for me to express myself and connect with others virtually when I could not do so in person.

5. My TikTok videos primarily cover news in the world of college and professional football, including game recaps, player trades, coaching updates, team rivalries, stadium tours, sports history, and behind-the-scenes stories about teams or players. I also try to use my videos as an opportunity to spread positivity and joy, focusing on building others up and giving them something to look forward to.

6. Since 2020, I have consistently posted these videos on TikTok and have seen my content gain remarkable traction, to the point I now have one million followers on the app and some of my videos receive millions of views.

7. I have tried posting the same content on Instagram and YouTube, but have not had anywhere near the same success. On Instagram, I have approximately 10,200 followers, and on YouTube I have only 9,160 followers. In my experience, TikTok gets my videos in front of the viewers who are most likely to enjoy it—namely, sports fans—which has allowed me to grow a genuine and supportive following and reach many more people than on the other apps. On Instagram and YouTube, my videos do not seem to reach as many people, especially not new viewers and sports fans.

8. TikTok also seems to be able to get my content in front of different user communities. For example, I noticed that recently some Taylor Swift fans have discovered my TikTok account, which I suspect relates to the singer's relationship with Kansas City Chiefs' star, Travis Kelce, and a video I created to introduce football to Swift fans. *See* Multimedia Upload at Martin Video A.¹ Overall, I think of TikTok's

¹ In compliance with the Court's June 3, 2024 Procedures Regarding Submission of Audio or Video Files, the Petitioners have uploaded to the Court's Box.com file repository a set of TikTok videos as part of the record. A public link to this particular TikTok video is also available here: <https://www.tiktok.com/t/ZPRKTW5vu/>.

algorithm as a smart TV, compared to the other apps' algorithms as old flat screen TVs, because TikTok seems to know much better than the other apps where to send my videos to allow them to have the most impact.

9. I really enjoy using the video editing app CapCut to create my TikTok videos. CapCut allows me to easily edit my videos and apply certain unique features that create a fun viewing experience. For example, I developed a signature style for sports commentary videos where I play sports footage in the background while using CapCut's green-screen feature to display my head overlaying the footage while I narrate the scene. *See Multimedia Upload at Martin Video B.*² I also often use CapCut's real-time text feature (which captures the narration and transforms it into readable text) along with my narration so viewers can read along, which is especially helpful for hearing-impaired users. *See Multimedia Upload at Martin Video C.*³ CapCut makes the video

² A public link to this TikTok video is also available here:

<https://www.tiktok.com/@timbosliceoflife12/video/7184163936453856554>

.

³ A public link to this TikTok video is also available here:

<https://www.tiktok.com/@timbosliceoflife12/video/7329317079184608554>

.

editing process extremely user friendly. I do not believe that I could create the exact same effects—or express myself the same way—using a different application.

10. Because of the success of my TikTok videos, I have been able to earn as much as \$4,000 to \$5,000 each month, primarily from the TikTok Creator Rewards Program as well as some brand deals and gifts from TikTok Live. On average, this more than doubles the income that I am able to make as a new college football coach and allows me to continue doing what I love to do without financial stress.

11. The community I have grown on TikTok is even more valuable than the financial rewards. I have made so many wonderful connections through creating sports videos on the app. For example, a lot of former and current collegiate athletes follow my TikTok account, and I have even inspired some of them to start creating their own content. I try to spend at least a little time on TikTok every day liking or commenting on their videos. I also use the app for news about other sports like baseball and some news about politics, which I find to be more unbiased and authentic than on mainstream media.

12. I have a lot of international TikTok followers, and really enjoy engaging with them. For example, about 3.9% of my followers are from the United Kingdom, 3.5% from Canada, and I also have followers in Australia, Germany, and South Africa. I have some followers in Ireland who are very passionate about American football. Because the sport is not really covered in Ireland, these followers rely on my TikTok account to get their football news. They often watch my evening TikTok LIVE, in which I do a real-time video every night where users can interact with me and ask questions about sports news. Recently, these followers were very excited that two American universities will be playing a college football game in Dublin, and we got to discuss the topic over TikTok.

13. My success as a TikTok creator has also given me life-changing opportunities. For example, because of the following that I have amassed on the platform, I was invited to attend March Madness games—college-level basketball end-of-season playoffs—and make behind-the-scenes videos interviewing players in the locker rooms. I was also invited to attend Media Row—a preview of the Super Bowl—as a member of the press and got to meet a number of players from my favorite team, the Philadelphia Eagles. Some of these players and their family

members now follow me on TikTok. Because of the connections that TikTok has afforded me, I hope to be able to continue my career in the sports world whether through coaching or sports broadcasting.

14. A ban on TikTok would be devastating. As a former athlete, I struggled to define myself after I stopped playing sports—but creating content on TikTok gave me a new sense of purpose and helped strengthen my positivity and resilience. Losing TikTok would detrimentally affect me and many other former athletes who also rely on content creation to help them rediscover their voices after they stop playing sports. I would also lose access to the incredible community that has come to mean so much to me and to the supplemental income and opportunities that TikTok has afforded me over the years.

15. I do not believe that I would be able to replicate the same community on other social media platforms, as my experience on those platforms has been so different. Because my videos do not get anywhere near the same reach on YouTube and Instagram, I would also likely need to spend money to promote my content (*i.e.*, through the “promote” feature on Instagram), which would still probably not reach the same audience. In 2020 when former President Trump attempted to ban

TikTok, I asked my followers to follow me on Instagram and other platforms instead, but to this day, I still only have a fraction of the number of TikTok followers on other apps. Without the same community or financial benefits, I may stop creating content on social media entirely.

16. Even if a U.S. version of TikTok was still available, I would lose my international support and fan base. I really enjoy interacting with my international fans and discussing football with people living all over the world. Additionally, I am aware that the National Football League (“NFL”) is trying to promote American football more internationally—especially in some of the countries where my videos are popular, like the United Kingdom—and I love that my content helps to further that goal. It would be very disappointing if I was no longer able to interact with this global community on TikTok.

17. Other college football coaches and I used to use Twitter (now “X”) to communicate, but we have seen this app become a shell of its former self since Elon Musk acquired it. In particular, X no longer allows the public to see who “likes” certain content, and also limits the number of direct messages that unverified accounts can send per day, restricting the ability to communicate and engage. I worry that even if TikTok was

acquired by another company, my experience on the app and my ability to share information, express myself, and create community would be negatively impacted by decisions made by the new owner. Right now, TikTok is the best platform out there for me to express myself, and I don't want that to change.

18. I also worry about the Act as an American who cares about the First Amendment. While I am not very involved in government, my family ancestors include John Adams and John Quincy Adams, and one of my family members has run for political office. I have been raised with a deep respect for American values and freedom of speech, and the Act seems to violate the fundamental principle that Americans should be allowed to express themselves where and how they choose.

I declare under penalty of perjury that the foregoing is true and correct.

Signed in Mayville, North Dakota this 17th day of June, 2024.

A handwritten signature in black ink, appearing to read 'Timothy Martin', written over a horizontal line.

Timothy Martin

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

BRIAN FIREBAUGH, CHLOE
JOY SEXTON, TALIA CADET,
TIMOTHY MARTIN, KIERA
SPANN, PAUL TRAN,
CHRISTOPHER TOWNSEND,
and STEVEN KING,

Petitioners,

v.

MERRICK B. GARLAND, in his
capacity as United States Attorney
General,

Respondent

**DECLARATION OF CHLOE JOY SEXTON IN SUPPORT OF
PETITIONERS' BRIEF ON THE MERITS**

I, Chloe Joy Sexton, declare as follows:

1. I make this declaration from personal knowledge.
2. I live in Memphis, Tennessee with my husband, children, and minor sister, of whom I have legal guardianship.
3. In 2020, I was let go from my job after telling my employer that I was pregnant. At the time, I was also struggling to care for my mother, who was dying of brain cancer, and my seven-year-old sister. I

Addendum - 44

started creating TikTok videos around then as a creative outlet and means to financially support my family.

4. My videos focused on dealing with the grief of seeing a loved one dying from cancer, the joys and struggles of parenting a newborn, and my love of baking. *See, e.g.,* Multimedia Upload at Sexton Video A.¹ I also started talking about my idea of launching a business making giant cookies in all kinds of flavors.

5. While I expected TikTok to be an entertaining creative outlet, I never could have anticipated the overwhelming sense of community and support that I get from interacting with my followers and other TikTok creators during this trying time in my life. My videos went viral, and I eventually amassed over two million followers, including people from all over the world. This community has supported me emotionally, made me laugh when I needed it the most, and given me knowledge to navigate some of my challenges.

¹ In compliance with the Court's June 3, 2024 Procedures Regarding Submission of Audio or Video Files, the Petitioners have uploaded to the Court's Box.com file repository a set of TikTok videos as part of the record. A public link to this TikTok video is also available here:

<https://www.tiktok.com/@chloeluffcakes/video/7332548686473514286>.

6. For example, when my mother eventually passed away, I connected with followers from all over the world, especially women who were dealing with grief in many forms—losing mothers, children, and livelihoods. Some of my European TikTok followers informed me about bereavement therapy, which I found helpful for coping with my grief.

7. When I took guardianship of my little sister, I turned to my TikTok community for everything from how to cut her bangs to how to throw a tea party. In fact, when I threw my little sister a birthday party (her first birthday without our mom), hundreds of my TikTok followers—whom we had never met—showed up, dropping off gifts, decorations, and even brought a horse for pony rides. *See Multimedia Upload at Sexton Video B.*² This event went viral and even caused the famous singer, Kelly Clarkson, to reach out and ask to meet me and my sister. The power that TikTok has to create moments like this never ceases to amaze me.

8. Because of the support I received from my TikTok followers, I was able to open my giant cookie business, Chloe's Giant Cookies. My team and I have now shipped hundreds of thousands of cookies all over

² A public link to this TikTok video is also available here:
<https://www.tiktok.com/@chloebuffcakes/video/7118846290515201326>.

the world and baked custom orders for celebrities. I was even able to publish a cookbook and open a physical bakery for a few years—although I am now focusing more on online orders. I also generate income from the TikTok Creator Rewards program and brand deals on the app.

9. I continue to create TikTok videos documenting my baking process—everything from explaining how I came up with a new flavor to showing the behind-the-scenes of running a local business. These videos have strengthened my TikTok community and generated incredible brand loyalty for my cookies. I have found that the public wants to connect with the stories of the people who make their products instead of just buying from faceless corporations, and TikTok allows me to get my story out there in front of millions of people.

10. I enjoy creating videos in the TikTok app because the process is simple and intuitive. I use TikTok LIVE several times a week, which allows me to interact with my followers in real time and answer customer questions. I enjoy “going live” to share updates on everything from the cookie business to milestones in my children’s lives to coping with grief and figuring out next steps—and to answer questions and receive feedback from my followers in real time. Because of the close-knit

community that I have developed on TikTok, I feel comfortable being vulnerable and expressing myself on the app, which is not the same experience I have had on other social media platforms, where there is more pressure to filter and sanitize one's life to convey an unrealistic image of perfection.

11. The TikTok app also has certain tools that foster community, such as a separate "Friends Page" for users to connect specifically with people whom they follow. This allows me a unique channel to connect more deeply with other bakers and small-business owners and creators. For example, I have used this page to ask for advice on how to find work-life balance as a fellow creator.

12. I have tried posting my TikTok videos on Instagram, but have not had anywhere near the same success. While I have 2.2 million followers on TikTok, I only have about 85,000 on Facebook, and about 50,000 on Instagram, despite posting content on each platform. In fact, for approximately the past year, I have posted the exact same videos on all three platforms, but they have performed much better on TikTok. For example, I posted a video on June 3, 2024 on TikTok about my attempt to make cookie butter, and it got approximately 5.4 million views,

compared to about 500,000 on Instagram and about 1,900 views on Facebook. *See* Multimedia Upload at Sexton Video C.³ I believe this success is related to TikTok's ability to get my content in front of new viewers and specific communities that are most likely to resonate with it—such as mothers and other baking aficionados. Instagram and Facebook, by contrast, seem better suited for sharing my content with people I already know—such as friends, family, and neighbors—instead of exposing it to a diverse group of people I have never met from all over the world.

13. A ban on TikTok would greatly impact me. I would be stripped of the vibrant community of TikTok followers who have consistently supported me throughout grief and the early days of parenthood, as well as celebrated my successes. I worked very hard to build this community, and could not replicate it on other platforms, as I have already tried and failed to do.

³ A public link to this video is available here: <https://www.tiktok.com/t/ZPRK71Cpj/>. A public link to the same video on Instagram is available here: <https://www.instagram.com/p/C7xUJIUA092/>. The same video is also available on my Facebook page here: <https://www.facebook.com/chloesgiantcookies/>.

14. If TikTok was no longer available, I also would have to find another source of income and a different way of communicating to the public about my cookie company. I cannot think of a replacement for the free platform that TikTok provides me for sharing the intimate details of running my small business (as well as my personal life) that have created such a large and loyal brand following. Because my videos do not get anywhere near the same reach on Instagram or Facebook, I would likely need to rely on spending money to promote my content, which would still probably not get it in front of the same audience. As the owner of a small business, I don't have the capital needed to effectively promote the company through traditional marketing streams to anywhere near the same level that TikTok affords me for free. I worry that, without TikTok, I may well have to close the cookie business that has brought me so much joy and fulfillment these past few years.

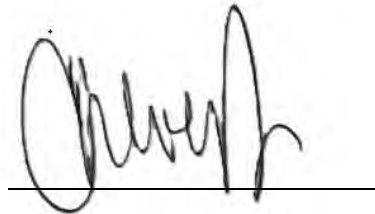
15. Even if a U.S. version of TikTok were still available, I would lose access to my international followers. Interacting with women, mothers, and others from other countries has given me valuable insights and information over the years. I also enjoy consuming content from

abroad for entertainment purposes. If I could only interact with other Americans, my world would be much smaller.

16. I do not agree with the government's stated justifications for the Act. I do not feel unsafe when I use TikTok—if anything, this law makes me feel unsafe by directly threatening my future and the community I have worked so hard to build.

I declare under penalty of perjury that the foregoing is true and correct.

Signed in Memphis, Tennessee this 18th day of June, 2024.

A handwritten signature in black ink, appearing to read 'Chloe Joy Sexton', is written over a solid horizontal line.

Chloe Joy Sexton

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

BRIAN FIREBAUGH, CHLOE
JOY SEXTON, TALIA CADET,
TIMOTHY MARTIN, KIERA
SPANN, PAUL TRAN,
CHRISTOPHER TOWNSEND,
and STEVEN KING,

Petitioners,

v.

MERRICK B. GARLAND, in his
capacity as United States Attorney
General,

Respondent

**DECLARATION OF KIERA SPANN IN SUPPORT OF
PETITIONERS' BRIEF ON THE MERITS**

I, Kiera Spann, declare as follows:

1. I make this declaration from personal knowledge.
2. I recently graduated from college in Delaware, and moved to Charlotte, North Carolina, where I work in fundraising.
3. In 2020, I was studying political science in college and learning about the American government and political concepts in a more straight-forward way than I had seen presented in the media. I started

Addendum - 52

creating TikTok videos around this time to share thoughts and insights with the public in a format that was easy to understand. I found it incredibly rewarding to bring bipartisan information to the public in a digestible way so that everyone could understand politics and vote in an informed manner. My content resonated with others, and by the end of 2020, I had acquired approximately half a million TikTok followers.

4. The next year, when I was a sophomore in college, one of my classmates experienced a brutal assault in which she was choked unconscious, blinded with spray paint, and thrown down a flight of stairs by another student. I felt that the university failed to adequately address this crime, so I attended a small protest of about 50 people that some of my classmates organized after the victim was released from the hospital. At the event, I was horrified to see observers laughing and a heavy police presence. I started filming the event and posted it on TikTok.

5. That video received about nine million views and was covered by major national news stations. It brought much-needed attention to an incident that the university—in my opinion—was trying to sweep under the rug. I also organized a second protest that was attended by over 1,000 people in the Newark area. Ultimately, the perpetrator was held

accountable in court and my community undertook meaningful reforms, results which I credit (at least in part) to the exposure flowing from my video and the resulting media coverage. For example, the university repaired broken safety lights on campus, and university law enforcement upgraded the emergency alert system to include off-campus sexual violence. Additionally, some fraternities required their members to have closed cans available at their parties to avoid the possibility of drugging party-goers' beverages. I was also able to start survivor support groups and had conversations with state legislators about potential Title IX safety reforms in Delaware. I was amazed to see the power of TikTok to inspire and accelerate real change in my community.

6. I continue to create videos on TikTok to support survivors of domestic violence and sexual assault and to advocate for reforms in this area. As a survivor of assault myself, this topic is very important to me. I am fulfilled by using TikTok for purposes such as spreading the reforms we enacted at my university to other schools. I also continue to create TikTok videos about news and politics and now partner with a variety of non-profits to spread awareness about issues such as criminal justice

reform and healthcare access. Finally, I use TikTok for entertainment and to post reviews of books that I'm reading.

7. The survivor community that I have found on TikTok is unlike anything I have ever experienced. I have connected with survivors and advocates all over the world—bonding over and grieving our shared experiences while learning from our differences. For example, almost 20 percent of my followers are from outside the United States—many in the United Kingdom, Canada, and Australia. I receive numerous TikTok messages from women in these and other countries, sharing their stories of pain, resilience, and change. Some young women reach out to me to ask for advice about what they can do to make their college campuses safer. And other times, when I post a video on TikTok about a particular assault, my comment section explodes with sympathy and empathy for the survivor and others sharing their own similar experiences.

8. I have not been able to develop this kind of community on any other social media app. Some other apps make it very difficult to talk about issues such as sexual assault by flagging such videos as violating community standards or terms of service—even when they are not graphic or descriptive. This makes it all but impossible to create an

organic community among survivors where they can process their experiences without having to resort to code words or self-censorship. On TikTok, by contrast, I am able to consistently connect with the survivor community, and some of my videos about supporting survivors or changing policies around assault and domestic violence have been my most widely viewed.

9. I have tried posting the same or similar content on other apps, but have not had anywhere near the same success. While I have over 770,000 followers on TikTok, I only have about 9,200 on Instagram and just 741 on YouTube. I consistently get far greater engagement on TikTok and exposure to new viewers who are likely to find my content interesting. TikTok also allows me to monetize my content, which I cannot currently do on Instagram with my number of followers. I make approximately half of my income from creating videos on TikTok (either through the Creator Rewards Program or brand deals), although my first priority has always been helping to grow and strengthen my community.

10. Around the time of former-President Trump's 2020 executive order banning TikTok, I asked my TikTok followers to start following me on other social media platforms. However, I only got a few hundred

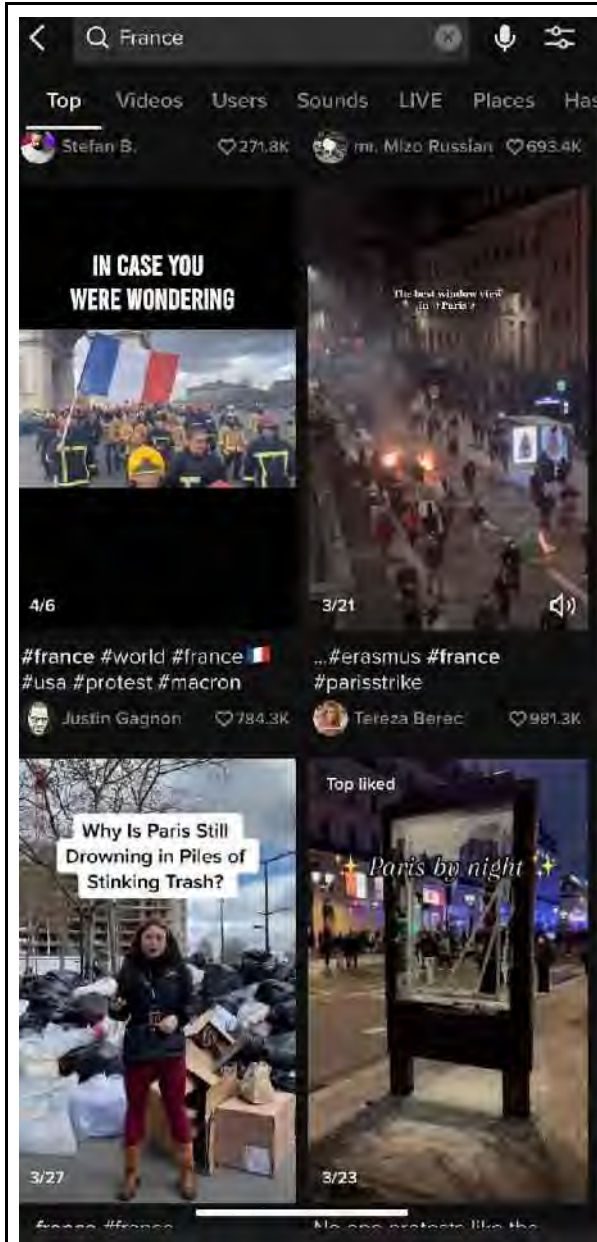
additional followers on Instagram, even though I had about half a million followers on TikTok at the time. I know it would be practically impossible to create the same following and community on another platform.

11. One of the practical things that I love about TikTok is how easy it is to edit my videos either in the TikTok app or using CapCut, another app that focuses on video editing and features. I can edit and upload a TikTok video in a matter of minutes—whereas it usually takes me hours to edit a YouTube video. Some of the video editing tools in other apps are not user-friendly, but TikTok and CapCut make it very easy to get my speech out there.

12. I also enjoy using certain TikTok tools like adding pictures and screenshots to my videos (which allows me to reference and comment on them while I narrate in the foreground). *See, e.g.,* Multimedia Upload at Spann Video A.¹ And I sometimes use the TikTok LIVE feature if I want to connect with my followers in real-time over some breaking news.

¹In compliance with the Court's June 3, 2024 Procedures Regarding Submission of Audio or Video Files, the Petitioners have uploaded to the Court's Box.com file repository a set of TikTok videos as part of the record. A public link to this particular TikTok video is also available here: <https://www.tiktok.com/@famousblonde/video/7327088157323824427?lang=en>.

13. I also enjoy consuming content on TikTok. I often watch content on TikTok accounts dedicated to covering news, political education, and books, as well as on the accounts of other sexual assault survivors. I find TikTok to be one of the most authentic and timely sources where you can hear diverse and organic perspectives instead of the more curated and potentially biased accounts from mainstream media and even from other social media platforms. For example, during the April 2023 protests in Paris over the retirement age, French TikTok creators shared powerful on-the-ground footage of the protests and interviews with other French citizens about the retirement issue. When I searched for “France” on my TikTok account during this time, this kind of valuable footage popped up. But when I searched for “France” on Instagram during the same time period, the leading results were of the Eiffel Tower and other tourist content. This is just one example of how TikTok provides a more authentic, realistic, and organic experience than the other apps. Below are true and correct screenshots comparing these images that I saw on TikTok (left) as compared to Instagram (right) as of April 21, 2023.



TikTok



Instagram

14. I find TikTok to be the most timely place to learn about current events. I always hear about news from TikTok first—it can

sometimes be days or even longer before news on TikTok trickles down to the other social media platforms. The virality of TikTok and its ability to send speech out to broad audiences with incredible speed is unparalleled.

15. A ban on TikTok would impact me very much, as I would lose my ability to share information and perspectives with hundreds of thousands of people around the country and the world. The Act would thus deprive me of access to a critical forum for connecting with the communities that I have carefully cultivated over the past few years, especially the sexual assault advocacy community. The Act would also be an enormous hindrance to the work I do in advocating for further reform—such as trying to implement the changes from my university at other schools.

16. Even if TikTok was still available in the U.S. but sold to another company, I would still be affected because I would lose my ability to connect with and learn from the international community, which is a big part of my TikTok experience. I also worry that, if forced to divest, TikTok's new owner may make changes to the app that will fundamentally alter my experience—just as we saw happen when Elon

Musk bought Twitter. Twitter used to be a great space to obtain information; now, it is a nightmare to use because the algorithm was altered and I see content on the “For You Page” that I do not like or find interesting. This shows how much a new owner of a platform can change the programming of the product and thus, the public’s experience of the app.

17. For example, right now, TikTok is unique because it does not allow paid advertising by individual politicians—thus, the main political content on the app is created and controlled by users. If TikTok’s new owner started allowing more paid political advertising, then the algorithm would be subject to the agendas of any number of politicians.

18. I do not find the government’s stated justifications for the Act to be compelling. To me, it seems clear that the Act is not about data security—if it was, then Congress would have passed a law affecting all technology platforms, not singling out TikTok. Rather, I think the Act is about control, and the government passed it because they are scared of how much power TikTok gives American citizens to amplify their voices and have their stories and opinions heard. It would be devastating for our democracy to ban such a tool.

I declare under penalty of perjury that the foregoing is true and correct.

Signed in Charlotte, North Carolina this 18th day of June, 2024.



Kiera Spann

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

BRIAN FIREBAUGH, CHLOE
JOY SEXTON, TALIA CADET,
TIMOTHY MARTIN, KIERA
SPANN, PAUL TRAN,
CHRISTOPHER TOWNSEND,
and STEVEN KING,

Petitioners,

v.

MERRICK B. GARLAND, in his
capacity as United States Attorney
General,

Respondent

**DECLARATION OF CHRISTOPHER TOWNSEND IN SUPPORT OF
PETITIONERS' BRIEF ON THE MERITS**

I, Christopher Townsend, declare as follows:

1. I make this declaration from personal knowledge.
2. I live with my family in Philadelphia, Mississippi.
3. I served in the U.S. Air Force for six years as a cryptologic

language analyst. I am deeply patriotic, and my political views are informed by my time in the Air Force and the respect that I have for others who have done and continue to do the same.

Addendum - 63

4. Today, I run a registered non-profit called Stay in That Word Ministries, which I founded to promote biblical literacy through fun and interactive quizzes. I am also a successful hip-hop artist, and I write, record, and perform music to express my spiritual beliefs and my conservative political views.

5. I was inspired to join TikTok in 2019 because I was experimenting with video editing and wanted to try making videos with TikTok's green screen feature. From the beginning, I found that TikTok's unique features and tools allowed me to express my ideas creatively. TikTok's editing tools were especially conducive to creating videos sharing my views on politics and current events. For example, one of the first videos I made and shared was a "rebuttal" to a video I saw by another TikTok user discussing then-President Trump's policy proposal to limit food stamps. I believe that TikTok users benefit from hearing differing points of view, so I responded to the video using the "stitch" tool, which allowed me to play a segment of the original video and then add my commentary. I received a lot of positive and encouraging comments from people who agreed with me, so I began to post more videos responding to and commenting on articles, news stories, and current

events. I would not have been able to create such engaging videos on other social media platforms in part because at the time they lacked some of the same editing capabilities. Even today, while other social media apps have tried to mimic TikTok's editing tools, I find the experience on TikTok to be much more natural and intuitive.

6. My experience on TikTok has differed from my experience on other social media platforms in other important ways. I was used to being overwhelmed with vitriol in response to my political posts on other platforms, such as on Facebook and Instagram. But on TikTok, my videos quickly started gaining traction with other users on the app. With TikTok's distinct culture allowing me to speak freely and share my authentic opinions, I began to connect with people from all over the country. This led me to create content specifically for TikTok that I would not share on other platforms. In particular, when I share opinions that might be considered more controversial, I am comfortable sharing those on TikTok, but do not share them on Facebook or Instagram because I know I will just be shouted down. There are also types of content, such as lip-syncing videos or other joke content, that are specific to the TikTok culture, which I enjoy creating with my patriotic, political, and Christian

messages but do not resonate on other platforms. *See, e.g.*, Multimedia Upload at Townsend Video A.¹

7. On TikTok, I have developed a vast following and community far beyond what I ever attained on Facebook or Instagram. For example, I have approximately 2.5 million followers on TikTok, but only 1.9 million on Facebook, and 298,000 on Instagram, despite sharing some of the same videos on both platforms. Even though I have a lot of Facebook followers, I get more engagement on my videos on TikTok on average than I do on Facebook. I believe this is because TikTok's algorithm ensures that users with similar interests are likely to see my videos in their TikTok "For You Page." I am inspired to continue creating and sharing videos because I know that they are likely to be seen by those most interested and those less likely to be hostile to my work. In that way, TikTok opens the door to build community and connection and exchange ideas with other Christians and conservative-minded people, or

¹ In compliance with the Court's June 3, 2024 Procedures Regarding Submission of Audio or Video Files, the Petitioners have uploaded to the Court's Box.com file repository a set of TikTok videos as part of the record. A public link to this particular TikTok video is also available here:

<https://www.tiktok.com/@tophertownmusic/video/7350397476077178143?lang=en>.

with people interested in learning more about the Bible and my political point of view.

8. In 2020, I was invited by several other Christian and conservative TikTok creators to help develop the Conservative Hype House, an account run by a collective of creators who discuss and debate views on current events from a conservative perspective and take turns posting videos to the collective's followers. I contributed content to the Conservative Hype House in addition to regularly posting videos on my own.

9. Now, I primarily use TikTok to carry out the mission of Stay in That Word Ministries, which I created to encourage a deeper understanding of the Bible and its relevance in our lives and to inspire a lifelong love of learning and exploration of faith. I developed quizzes about the stories, principles, and teachings of the Bible, and I create videos interviewing and quizzing people (mostly strangers) on their knowledge. I share these lighthearted videos with my TikTok followers. By making biblical literacy accessible and engaging, I aim to foster a community of individuals committed to living out the values and principles taught in the Bible in their daily lives. In my experience,

TikTok is the best platform for this content because, as described above, the algorithm will push it to new and interested users, which is vital to my mission of *increasing* biblical literacy and knowledge of Christian teachings.

10. I started to earn enough income through TikTok to become a full-time creator in August 2020. Since then, I have earned substantial income on TikTok directly, mostly through the Creator Rewards Program and some brand partnerships. I also recently had the chance to co-author a book because of my TikTok presence.

11. TikTok also paved the way for my success in other areas. For example, I am a hip-hop artist, and my music addresses topics such as my faith, patriotism, and political views. My music really took off when I started sharing it on TikTok. Before, my music was much less well-known, even though I had shared it on Instagram, Facebook, and YouTube; one of my songs would not even reach 1,000 streams in a year.

12. Finally, I had my first major commercial success with my song called “The Patriot,” which I released in December 2020. I heavily pushed this song on TikTok, which I believe played a critical role in making it go viral. TikTok allowed me to use song excerpts in my videos

that included information about the musical community's use of that song—which other apps did not allow at the time. The song reached No. 1 on the Billboard Rap Digital Song Sales in February 2021, and has been streamed over 22 million times on Spotify alone. I have also had other songs climb the Billboard Charts, and my music has now been streamed over 100 million times. I earn substantial income every month from music streams. I strongly believe this is partly a result of TikTok helping my music reach the audiences with whom it most resonates. The success of my music is dependent on my ability to share it on TikTok, and I fear that if I no longer have access to the app, my music career will be damaged.

13. I also enjoy collaborating with other musical artists on TikTok. For example, I created a TikTok “duet” on top of a clip from a military cadence theme song that another musical artist, MJ Hanks, had posted on TikTok. *See* Multimedia Upload at Townsend Video B.² I then reached out to him over TikTok to collaborate further in creating a new song, which ended up being featured in a film produced by Denzel

² A public link to this TikTok video is also available here:

<https://www.tiktok.com/@tophertownmusic/video/7245424033091620142?lang=en&q=i%20left%20my%20home%20topher&t=1718496326699>.

Washington. In my experience, TikTok fosters collaboration among the musical community in a way that other apps do not.

14. Another reason that I have had a much more positive experience on TikTok than on platforms such as Instagram, Facebook, and YouTube, is that I trust the platform more than I trust others. Facebook and Instagram often suggest content that does not at all align with my interests or values, and my content on these apps does not tend to reach as many people. Those it does reach sometimes respond in an aggressive and angry manner, and I have experienced both spam and harassment. TikTok's algorithm, on the other hand, has allowed me to express myself and communicate with others whose friendship I have come to value greatly, without facing the same aggression, anger, and backlash I have faced on other platforms. I also like that TikTok allows me to use the "Following" page that centers my experience on the creators that I choose to follow.

15. TikTok has also allowed me to dive deeper into other interests and discover new ones. For example, I follow gamers and creators who share their knowledge and tips—even on obscure topics like taking care of a lawn. In addition to getting interesting and valuable information

from these creators, many of them have also begun to engage with my content about religion and values. This kind of cross-pollination of interests on TikTok creates even more opportunities to learn and build communities with multiple overlapping shared interests.

16. I am extremely worried about how a TikTok ban would impact me and my family. TikTok has brought great value to my life—not just financially, but also because it allows me to express myself and share ideas with others to an extent that I have not experienced on any other platform. Because my experience on other platforms has been so different, I do not think it would be possible to replicate my TikTok network elsewhere. I would lose a space for expressing myself that has come to mean so much to me.

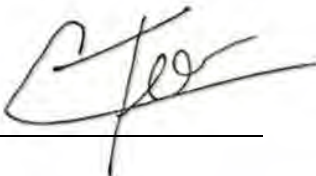
17. Even if TikTok is sold to a U.S. company, I am concerned that the Act will cause me to lose the ability to express myself to—and see content from—creators from all over the world. I have followers from all over the world, including in Switzerland, Australia, New Zealand, Scotland, Ireland, Ghana, and South Africa. I also have an especially large following among Christians in Kenya, who engage with my Bible quizzes and other Christian content. I am concerned that the Act will

cause me to lose contact with these groups.

18. As a veteran and an American who values free speech, I find it disturbing that the government is taking such an extreme step to close a forum for expression for so many Americans based on concerns for which they have not shared any evidence. I see the Act as an unacceptable infringement on speech, and it betrays the values that I sought to protect while serving in the armed forces.

I declare under penalty of perjury that the foregoing is true and correct.

Signed in Philadelphia, Mississippi this 17th day of June, 2024.

A handwritten signature in black ink, appearing to read 'C. Townsend', is written over a horizontal line.

Christopher Townsend

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

BRIAN FIREBAUGH, CHLOE
JOY SEXTON, TALIA CADET,
TIMOTHY MARTIN, KIERA
SPANN, PAUL TRAN,
CHRISTOPHER TOWNSEND,
and STEVEN KING,

Petitioners,

v.

MERRICK B. GARLAND, in his
capacity as United States Attorney
General,

Respondent

DECLARATION OF PAUL TRAN IN SUPPORT OF
PETITIONERS' BRIEF ON THE MERITS

I, Paul Tran, declare as follows:

1. I make this declaration from personal knowledge.
2. I live in Atlanta, Georgia with my wife and children.
3. In 2018, my wife and I founded a skincare company called Love and Pebble. My wife struggled with acne as a teenager and experimented with remedies made out of home items like fruit and yogurt, as she did not have enough money for expensive acne products.

Addendum - 73

This hobby turned into a lifelong interest, and when we met, we combined my background in pharmaceuticals with her passion for healthy and affordable skincare to create a company focused on using powerful plant-based ingredients to invigorate skin. Our most popular product, the “beauty pop,” is made with superfoods like papaya, banana, turmeric, and aloe vera—and then frozen into a small popsicle that is rolled over the face, melting into an innovative face mask.

4. This company means the world to me and my wife, and we have made immense personal, emotional, and financial sacrifices to keep it afloat. For the first few years, the business teetered on the brink of failure, as we struggled to market our products through traditional advertising and other social media apps. Especially in the competitive skincare market, breaking through to the public was very difficult. At several junctures, it seemed inevitable that we would have to shut down the company.

5. Around the spring of 2021, we started making TikTok videos about our story as married small business owners. Our videos are deeply personal—for example, we sometimes show my wife’s mother using the beauty pops or include a fun video featuring our young daughter. *See*

Multimedia Upload at Tran Video A.¹ Eventually, some of these videos went viral on TikTok. Pretty soon, we were selling out of inventory and receiving unbelievable opportunities, such as offers to appear on television shows like “Shark Tank” and “The Today Show.” TikTok truly invigorated our company and saved it from collapse.

6. More recently, in 2023, after losing money on Facebook advertisements for years, we decided to launch our skincare line in TikTok Shop (TikTok’s integrated e-commerce solution that allows sellers to sell products directly on the platform). This move has been life-changing for us. Our sales have gone up substantially, and we now sell approximately 90% of our products through TikTok Shop. We also partner with approximately 2,000 TikTok “affiliates”—other TikTok creators who make videos about our products to share with their audiences on the app in exchange for a share in our revenue. This partnership also accelerated our sales.

¹ In compliance with the Court’s June 3, 2024 Procedures Regarding Submission of Audio or Video Files, the Petitioners have uploaded to the Court’s Box.com file repository a set of TikTok videos as part of the record. A public link to this particular TikTok video is also available here:
<https://www.tiktok.com/@loveandpebble/video/6992298700928240902?lang=en>.

7. The TikTok Shop Affiliate Program provides opportunities for the affiliates to create expressive videos about products they love and to generate substantial income. For example, one of our top affiliates supports herself with the income that she earns from creating and posting TikTok videos supporting our and other businesses. These income opportunities are particularly valuable for stay-at-home parents and other caretakers who can support their families from their homes. My wife and I have become very close with some of our affiliates, and get a lot of satisfaction from working together and helping each other.

8. In addition to the product sales, I am very proud of the strong community that my wife and I have found and built on TikTok. We have connected with TikTok users and creators all over the world and bonded over our love of skincare, as well as our experiences as parents, small business owners, and Asian Americans. This community is one of my favorite things about TikTok.

9. We have tried using other platforms to promote our small business and create a similar sense of community, but have not had anywhere near the same success as on TikTok. For example, Love and Pebble has 142,800 followers on TikTok, but only 23,300 on Instagram

and a mere 1,700 on Facebook, despite regularly posting on each platform. Sometimes we post the same content from TikTok on other platforms, but we still get paltry engagement compared to what we see on TikTok. I believe this is because TikTok is able to share our content with more new viewers and specifically to those who are likely to be interested in skincare. We have also tried selling our products through Amazon and our own company website, but no platform has come close to the level of access, visibility, and community that TikTok has provided us.

10. My wife and I create the videos that we post on TikTok. She usually stars in the video while I film and edit. I like to film and edit directly in the TikTok app or using CapCut, as these tools make the process very easy and straightforward. We and our affiliates also enjoy using the “duet” and “stitch” features on the app because they provide ways for us to connect with other creators and followers and strengthen our community. For example, we recently posted a duet with a short film-creator in celebration of Asian American and Pacific Islander Heritage Month, in which one of the Love and Pebble creators is using a beauty pop while watching a short film about powerful intergenerational bonds

between Asian American children and their immigrant parents. *See* Multimedia Upload at Tran Video B.² As a minority-owned company, it is important for us to share our stories—and TikTok provides us with the tools and the platform to do so.

11. In addition to promoting my small business and engaging with my community, I also enjoy using TikTok for personal creative expression and exploration. I created a personal TikTok account to document experiences with my young daughter, and to serve as a kind of chronological scrapbook of memories from her growing up. This account is something that I do just for us; I do not care how many people see it. But this content has provided the unexpected benefit of allowing me to connect with other “girl dads” on TikTok, and I enjoy following their accounts for inspiration on fun things I can do with my daughter as well as to remind me to enjoy the little moments.

12. I also love seeing content on TikTok about martial arts, specifically Brazilian jiu-jitsu—a hobby that I am passionate about. I like to follow other practitioners and fans of the sport to learn techniques

² A public link to this TikTok video is also available here: <https://www.tiktok.com/@loveandpebble/video/7375287727786528046?lang=en>.

and laugh over entertaining memes. Additionally, TikTok is a wonderful resource for researching travel, new restaurants, and other experiences—and I rely on it when I'm planning excursions with my family.

13. A ban of TikTok would greatly impact me and my family. Because we sell 90 percent of our products over TikTok, the small business that we worked so hard to create and sustain would take a devastating blow. We would lose all of the momentum and traction that we have built through TikTok over the years and would need to start from scratch. We tried traditional marketing (and marketing on other social media platforms) for years to no avail; and I see no reason why things would be different now. This change would not only affect my immediate family, but also the TikTok affiliates who rely partly on income from our revenue shares to provide for themselves and their families. Some of these affiliates have already contacted us, expressing concern about what will happen to them if the Act takes effect. In addition to the substantial financial loss, I would be incredibly saddened to lose access to the invaluable community that my wife and I have built

on TikTok—a community that has celebrated our wins and supported us through our lowest moments.

14. Even if a U.S. version of TikTok were available, my wife and I would lose our international followers. We really enjoy learning from and engaging with our foreign followers on TikTok.

I declare under penalty of perjury that the foregoing is true and correct.

Signed in Atlanta, Georgia this 18th day of June, 2024.

A handwritten signature in black ink, appearing to read 'Paul Tran', is written over a solid horizontal line. The signature is stylized and cursive.

Paul Tran

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

BRIAN FIREBAUGH, CHLOE)
JOY SEXTON, TALIA CADET,)
TIMOTHY MARTIN, KIERA)
SPANN, PAUL TRAN,)
CHRISTOPHER TOWNSEND,)
and STEVEN KING,)

Petitioners,)

v.)

MERRICK B. GARLAND, in his)
capacity as United States Attorney)
General,)

Respondent.)

DECLARATION OF AMBIKA KUMAR IN SUPPORT OF
PETITIONERS' BRIEF ON THE MERITS

I, Ambika Kumar, declare as follows:

1. I am a partner in the law firm Davis Wright Tremaine LLP, have been admitted to practice before this Court, and am counsel for Petitioners in this matter. I make this declaration from personal knowledge and a review of the files and records in this matter.

2. Attached as Exhibit 1 is a true and correct copy of a document titled *Gallagher, Bipartisan Coalition Introduce Legislation to Protect Americans From Foreign Adversary Controlled Applications, Including*

TikTok and dated March 5, 2024, available at

[https://selectcommitteeontheccp.house.gov/media/press-](https://selectcommitteeontheccp.house.gov/media/press-releases/gallagher-bipartisan-coalition-introduce-legislation-protect-americans-0)

[releases/gallagher-bipartisan-coalition-introduce-legislation-protect-](https://selectcommitteeontheccp.house.gov/media/press-releases/gallagher-bipartisan-coalition-introduce-legislation-protect-americans-0)

[americans-0](https://selectcommitteeontheccp.house.gov/media/press-releases/gallagher-bipartisan-coalition-introduce-legislation-protect-americans-0). Unless otherwise specified below, my office obtained a copy

of the exhibits to my declaration, including this article, by visiting the

websites listed in each paragraph.

3. Attached as Exhibit 2 is a true and correct copy of a document titled *Thanks a Billion!* and dated September 27, 2021, available at

<https://newsroom.tiktok.com/en-us/1-billion-people-on-tiktok>.

4. Attached as Exhibit 3 is a true and correct copy of an article titled *TikTok Has Changed America* and dated April 19, 2024, available at

<https://www.nytimes.com/interactive/2024/04/18/business/media/tiktok-ban-american-culture.html>.

5. Attached as Exhibit 4 is a true and correct copy of an article titled *TikTok Extends Video Length Limit to 10 Minutes* and dated

March 2, 2022, available at <https://tech.co/news/tiktok-extends-video-10-minutes>.

6. Attached as Exhibit 5 is a true and correct copy of an article titled *TikTok is testing 15-minute uploads with select users* and dated October 23, 2023, available at <https://techcrunch.com/2023/10/23/tiktok-testing-15-minute-uploads/>.

7. Attached as Exhibit 6 are true and correct copies of the main pages of Massachusetts Senator Ed Markey's TikTok account (@senmarkey), available at <https://www.tiktok.com/@senmarkey>; and Nevada Senator Jacky Rosen's TikTok account (@jackyrosenhq), available at <https://www.tiktok.com/@jackyrosenhq>.

8. Attached as Exhibit 7 is a true and correct copy of the main page of the Biden-Harris HQ's TikTok account (@bidenhq), available at <https://www.tiktok.com/@bidenhq>.

9. Attached as Exhibit 8 is a true and correct copy of the main page of former President Donald J. Trump's TikTok account (@realdonaldtrump), available at <https://www.tiktok.com/@realdonaldtrump>.

10. Attached as Exhibit 9 is a true and correct copy of an article titled *Biden just signed a bill that could ban TikTok. His campaign plans*

to stay on the app anyway and dated April 25, 2024, available at <https://apnews.com/article/biden-tiktok-campaign-account-young-voters-ban-d351ccb17c59890473af1685a0a756f3>.

11. Attached as Exhibit 10 is a true and correct copy of an excerpt of the document titled *Effects*, available at <https://support.tiktok.com/en/using-tiktok/creating-videos/effects>.

12. Attached as Exhibit 11 is a true and correct copy of an article titled *A TikTok ban could also end short-form video as we've come to know it* and dated April 29, 2024, available at <https://www.washingtonpost.com/technology/2024/04/29/tiktok-capcut-ban-impact/>.

13. Attached as Exhibit 12 is a true and correct copy of a document titled *How TikTok Recommends Videos #ForYou* and dated June 18, 2020, available at <https://newsroom.tiktok.com/en-us/how-tiktok-recommends-videos-for-you>.

14. Attached as Exhibit 13 is a true and correct excerpt of the document titled *How TikTok recommends content*, available at

<https://support.tiktok.com/en/using-tiktok/exploring-videos/how-tiktok-recommends-content>.

15. Attached as Exhibit 14 is a true and correct copy of an article titled *How TikTok's algorithm made it a success: 'It pushes the boundaries'* and dated October 24, 2022, available at <https://www.theguardian.com/technology/2022/oct/23/tiktok-rise-algorithm-popularity>.

16. Attached as Exhibit 15 is a true and correct copy of an article titled *How TikTok Changed the Social Media Game With Its Unique Algorithm* and dated August 16, 2022, available at <https://www.entrepreneur.com/science-technology/how-tiktoks-unique-algorithm-changed-the-social-media/431804>.

17. Attached as Exhibit 16 is a true and correct copy of an article titled *TikTok is A Beacon of Democracy In The Social Media Landscape* and dated April 19, 2024, available at <https://www.forbes.com/sites/jamesbroughel/2024/04/19/tiktok-is-a-beacon-of-democracy-in-the-social-media-hellscape/?sh=7c0849fd1278>.

18. Attached as Exhibit 17 is a true and correct copy of an article titled *TikTok: Are influencers panicking about bans? We asked three to weigh in* and dated January 19, 2023, available at <https://finance.yahoo.com/news/tiktok-are-influencers-panicking-about-bans-we-asked-three-to-weigh-in-205625085.html>.

19. Attached as Exhibit 18 is a true and correct copy of an article titled *This man has gone viral on TikTok for dancing to Nelly Furtado in front of his bathroom sink* and dated February 25, 2022, available at <https://thetab.com/uk/2022/02/25/nelly-furtado-dancing-man-tiktok-bathroom-mirror-sink-dance-viral-hype-house-duet-242233?callback=in&code=MTY1MZVMMWYTODLMMS0ZODY5LWIXZMUTOWU2OWI3MGFMMJMX&state=72696ec2e1454f25a85cc261488cfe46>.

20. Attached as Exhibit 19 is a true and correct copy of an article titled *Alex Consini Is TikTok's 2024 It Girl* and dated January 9, 2024, available at <https://www.bustle.com/life/who-is-alex-consani-model-tiktok>.

21. Attached as Exhibit 20 is a true and correct copy of an article titled *21 popular BookTok books and why they went viral* and dated March 15, 2023, available at <https://www.today.com/popculture/books/booktok-tiktok-books-list-rcna70986>.

22. Attached as Exhibit 21 is a true and correct copy of an article titled *Want to get on BookTok? Tips from creators on how to find the best book recommendations* and dated December 18, 2023, available at <https://www.usatoday.com/story/entertainment/books/2023/12/18/what-is-booktok-user-tips/71825963007/>.

23. Attached as Exhibit 22 is a true and correct copy of an article titled *Instagram courts TikTok users with algorithm revamp* and dated May 3, 2024, available at <https://www.bbc.com/news/articles/cmm3yn4pr17o>.

24. Attached as Exhibit 23 is a true and correct copy of an article titled *YouTube is adding a slew of new TikTok-like features to Shorts* and dated August 1, 2023, available at

<https://www.theverge.com/2023/8/1/23814549/youtube-shorts-live-video-feed-effects-monetization-tiktok>.

25. Attached as Exhibit 24 is a true and correct copy of an article titled *TikTok Clones: How Spotify, Instagram, Twitter And More Are Copying Features Like The 'For You' Page* and dated March 13, 2023, available at

<https://www.forbes.com/sites/conormurray/2023/03/13/tiktok-clones-how-spotify-instagram-twitter-and-more-are-copying-features-like-the-for-you-page/?sh=75846fd34473>.

26. Attached as Exhibit 25 is a true and correct copy of an article titled *How TikTok beat Instagram* and dated February 2, 2023, available at <https://www.businessinsider.com/why-instagram-cant-compete-tiktok-videos-algorithm-influencers-engagement-2023-2>.

27. Attached as Exhibit 26 is a true and correct copy of an article titled *The Consequences of Elon Musk's Ownership of X* and dated October 27, 2023, available at <https://www.nytimes.com/interactive/2023/10/27/technology/twitter-x-elon-musk-anniversary.html>.

28. Attached as Exhibit 27 is a true and correct copy of an article titled *Why can't Twitter and TikTok be easily replaced? Something called 'network effects'* and dated April 12, 2023, available at <https://www.npr.org/2023/04/12/1168232177/twitter-tik-tok-replaced-network>.

29. Attached as Exhibit 28 is a true and correct copy of a portion of TikTok's website with video titled *Data Privacy Tech Security*, available at <https://usds.tiktok.com/>.

30. Attached as Exhibit 29 is a true and correct copy of an article titled *TikTok offered an extraordinary deal. The U.S. government took a pass* and dated May 29, 2024, available at <https://www.washingtonpost.com/technology/2024/05/29/tiktok-cfius-proposal-rejected/>.

31. Attached as Exhibit 30 is a true and correct copy of a document titled *Bergman Supports Bipartisan Legislation to Stop Foreign Adversaries from Owning Social Media Companies* and dated March 13, 2024, available at

<https://bergman.house.gov/news/documentsingle.aspx?DocumentID=121>

7.

32. Attached as Exhibit 31 is a true and correct copy of an article titled *It could be months before the Senate takes up a TikTok bill, despite warnings about China* and dated March 20, 2024, available at <https://www.nbcnews.com/politics/congress/months-senate-takes-tiktok-bill-warnings-china-rcna144301>.

33. Attached as Exhibit 32 is a copy of an Instagram video posted by Illinois State Representative Raja Krishnamoorthi on April 25, 2024. In compliance with the Court's June 3, 2024 Procedures Regarding Submission of Audio or Video Files, Petitioners have uploaded this file to the Court's Box.com file repository. It is also available at <https://www.instagram.com/congressmanraja/reel/C6MDKANiEMG/>.

34. Attached as Exhibit 33 is a true and correct copy of a document titled *Congressman Flood Votes to Stop TikTok Propaganda* and dated March 13, 2024, available at <https://flood.house.gov/media/press-releases/congressman-flood-votes-stop-tiktok-propaganda>.

35. Attached as Exhibit 34 is a true and correct copy of a document titled *Congressman Russ Felcher's Statement on the Passage of H.R. 7521* and dated March 14, 2024, available at <https://fulcher.house.gov/press-releases?ID=D9D9757F-0EE1-49E5-9F2C-5A4F7DDDD8717>.

36. Attached as Exhibit 35 is a true and correct copy of an article titled *Banning TikTok would hit China's tech ambitions and deepen the global digital divide* and dated April 24, 2024, available at <https://www.cnn.com/2024/04/24/tech/tiktok-ban-bytedance-split-the-world-further-intl-hnk>.

37. Attached as Exhibit 36 is a true and correct copy of an article titled *TikTok Ban Threatens Creator Economy: 'There Is No Way I'd Have a Functioning Business' The social media app gave them financial success. Could it all go away* and dated May 29, 2024, available at <https://www.cnet.com/personal-finance/banking/advice/tiktok-ban-threatens-creator-economy-there-is-no-way-id-have-a-functioning-business/#outlawing-tiktok-could-turn-lives-upside-down>.

38. Attached as Exhibit 37 is a true and correct copy of a portion of Fame Recording Studio's website titled *Our History*, available at <https://famestudios.com/our-history/>.

39. Attached as Exhibit 38 is a true and correct copy of an article titled *The Legendary Muscle Shoals Sound* and dated September 20, 2003, available at <https://www.npr.org/2003/09/20/1437161/the-legendary-muscle-shoals-sound>.

40. Attached as Exhibit 39 is a true and correct copy of an article titled *The Defiant Spirit of the Muscle Shoals Sound In the racially segregated American South of the 1960s, a small group of producers and artists built a studio that brought black and white soul artists together, and blended rock & roll, soul and R&B to create a regional sound that went nationwide* and dated March 1, 2016, available at <https://daily.redbullmusicacademy.com/2016/03/muscle-shoals-feature>.

41. Attached as Exhibit 40 is a true and correct copy of a document titled *Remarks by President Biden and Vice President Harris at a Campaign Event | Philadelphia, PA* and dated May 29, 2024, available at <https://www.whitehouse.gov/briefing-room/speeches->

[remarks/2024/05/29/remarks-by-president-biden-and-vice-president-harris-at-a-campaign-event-philadelphia-pa/](https://www.washingtonpost.com/news/energy-environment/wp/2024/05/29/remarks-by-president-biden-and-vice-president-harris-at-a-campaign-event-philadelphia-pa/).

42. Attached as Exhibit 41 is a true and correct copy of an article titled *Biden, Trump each pitch existential fear of the alternative to voters* and dated January 12, 2024, available at <https://thehill.com/homenews/campaign/4403845-biden-trump-both-pitch-existential-fear-of-the-alternative-to-voters/>.

43. Attached as Exhibit 42 is a true and correct copy of an article titled *Biden asks Americans to recommit to democracy in Normandy cliff speech* and dated June 7, 2024, available at <https://www.reuters.com/world/biden-condemn-isolationism-cliffs-normandy-echo-reagan-2024-06-07/>.

44. Attached as Exhibit 43 is a true and correct copy of an article titled *This is what Russian propaganda looks like in 2024* and dated June 6, 2024, available at <https://www.npr.org/2024/06/06/g-s1-2965/russia-propaganda-deepfakes-sham-websites-social-media-ukraine>.

45. Attached as Exhibit 44 is a true and correct copy of a document titled *Threat Posed by TikTok* and dated March 6, 2024, that

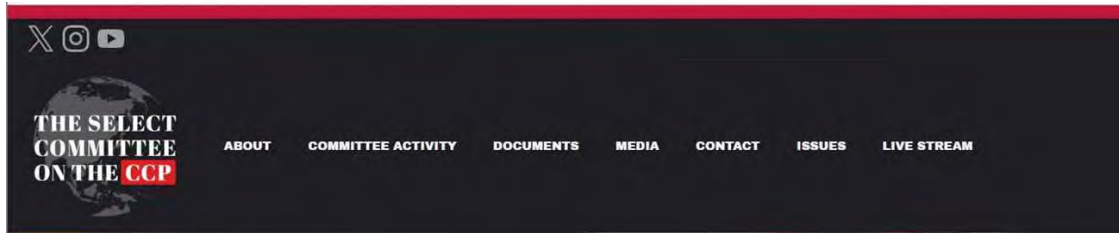
was emailed to me on June 11, 2024, by Daniel Tenny of the United States Department of Justice.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Seattle, Washington this 19th day of June, 2024.

/s/ Ambika Kumar
Ambika Kumar

EXHIBIT 1



[Home](#)

[Media](#)

[Press Releases](#)

Gallagher, Bipartisan Coalition Introduce Legislation to Protect Americans From Foreign Adversary Controlled Applications, Including TikTok

March 5, 2024

[Press Release](#)

WASHINGTON, D.C.-- Rep. Mike Gallagher (R-WI) and Rep. Raja Krishnamoorthi (D-IL), Chairman and Ranking Member of the House Select Committee on the Strategic Competition Between the United States and the Chinese Communist Party, today introduced the Protecting Americans from Foreign Adversary Controlled Applications Act. The bill prevents app store availability or web hosting services in the U.S. for ByteDance-controlled applications, including TikTok, unless the application severs ties to entities like ByteDance that are subject to the control of a foreign adversary, as defined by Congress in Title 10.

In addition, the bill creates a process for the President to designate certain, specifically defined social media applications that are subject to the control of a foreign adversary—per Title 10—and pose a national security risk. Designated applications will face a prohibition on app store availability and web hosting services in the U.S. unless they sever ties to entities subject to the control of a foreign adversary through divestment.

Document title: Gallagher, Bipartisan Coalition Introduce Legislation to Protect Americans From Foreign Adversary Controlled Applications, Including TikTok | Select... [Capture URL: https://selectcommitteeontheccp.house.gov/media/press-releases/gallagher-bipartisan-coalition-introduce-legislation-protect-americans-0](https://selectcommitteeontheccp.house.gov/media/press-releases/gallagher-bipartisan-coalition-introduce-legislation-protect-americans-0)

Capture timestamp (UTC): Wed, 19 Jun 2024 14:06:46 GMT

Addendum - 96

The bill is co-led by House Republican Conference Chair Elise Stefanik (R-NY), Rep. Kathy Castor (D-FL), Rep. Bob Latta (R-OH), Rep. Andre Carson (D-IN), Rep. Kevin Hern (R-OK), Rep. Seth Moulton (D-MA), Rep. Chip Roy (R-TX), Rep. Mikie Sherrill (D-NJ), Rep. Neal Dunn (R-FL), Rep. Haley Stevens (D-MI), Rep. Ralph Norman (R-SC), Rep. Jake Auchincloss (D-MA), Rep. Kat Cammack (R-FL), Rep. Ritchie Torres (D-NY), Rep. John Moolenaar (R-MI), Rep. Shontell Brown (D-OH), Rep. Ashley Hinson (R-IA), and Rep. Josh Gottheimer (D-NJ). The bill is co-sponsored by Rep. Dusty Johnson (R-SD), Rep. Nancy Pelosi (D-CA), Rep. Carlos Gimenez (R-FL), Rep. Anna Eshoo (D-CA), Rep. Darin LaHood (R-IL), Rep. Chris Deluzio (D-PA), Rep. Timothy Walberg (R-MI), Rep. Marc Veasey (D-TX), Rep. Rick Allen (R-GA), Rep. Elissa Slotkin (D-MI), Rep. John Joyce (R-PA), Rep. Andrea Salinas (D-OR), Rep. Earl "Buddy" Carter (R-GA), Rep. Kweisi Mfume (D-MD), Rep. August Pfluger (R-TX), Rep. Hillary Scholten (D-MI), Rep. Dan Crenshaw (R-TX), Rep. Chris Pappas (D-NH), Rep. John Curtis (R-UT), Rep. Jonathan Jackson (D-IL), Rep. Brian Fitzpatrick (R-PA), Rep. Jim Costa (D-CA), Rep. Mark Alford (R-MO), Rep. Jake LaTurner (R-KS), Rep. Stephanie Bice (R-OK), Rep. Scott Fitzgerald (R-WI), Rep. Mike Lawler (R-NY), Rep. Claudia Tenney (R-NY), Rep. Jeff Van Drew (R-NJ), Rep. Mike Kelly (R-PA), Rep. Cory Mills (R-FL), Rep. Gus Bilirakis (R-FL), Rep. Brad Sherman (D-CA), Rep. Vern Buchanan (R-FL), and Rep. Victoria Spartz (R-IN).

"This is my message to TikTok: break up with the Chinese Communist Party or lose access to your American users," **said Chairman Gallagher.** "America's foremost adversary has no business controlling a dominant media platform in the United States. TikTok's time in the United States is over unless it ends its relationship with CCP-controlled ByteDance."

"So long as it is owned by ByteDance and thus required to collaborate with the CCP, TikTok poses critical threats to our national security. Our bipartisan legislation would protect American social media users by driving the divestment of foreign adversary-controlled apps to ensure that Americans are protected from the digital surveillance and influence operations of regimes that could weaponize their personal data against them. Whether it's Russia or the CCP, this bill ensures the President has the tools he needs to press dangerous apps to divest and defend Americans' security and privacy against our adversaries," **said Ranking Member Krishnamoorthi.**

"TikTok is Communist Chinese malware that is poisoning the minds of our next generation and giving the CCP unfettered access to troves of Americans' data. I am proud to join Chairman Mike Gallagher in introducing the Protecting Americans from Foreign Adversary Controlled Applications Act to finally ban TikTok in the United States. From proliferating videos on how to cross our

Document title: Gallagher, Bipartisan Coalition Introduce Legislation to Protect Americans From Foreign Adversary Controlled Applications, Including TikTok | Select... [Capture URL: https://selectcommitteeontheccp.house.gov/media/press-releases/gallagher-bipartisan-coalition-introduce-legislation-protect-americans-0](https://selectcommitteeontheccp.house.gov/media/press-releases/gallagher-bipartisan-coalition-introduce-legislation-protect-americans-0)

Capture timestamp (UTC): Wed, 19 Jun 2024 14:06:46 GMT

border illegally to supporting Osama Bin Laden's Letter to America, Communist China is using TikTok as a tool to spread dangerous propaganda that undermines American national security. We cannot allow the CCP to continue to harness this digital weapon," **said Rep. Stefanik.**

"In this day and age, we all know about the vast benefits – and vast risks – of our most popular social media platforms. Ensuring that foreign adversaries do not have the ability to control what we see and hear online is an important piece of what should be a bipartisan effort to make social media safer for all Americans. This bill would ensure that Tik Tok is no longer controlled, even indirectly, by the Chinese Communist Party, and does so in a responsible way, that doesn't take away Americans' favorite social media apps," **said Rep. Moulton.**

"The dangerous link between TikTok and the Chinese Communist Party has never been more apparent. When TikTok's CEO came before the Energy and Commerce Committee last year, he readily admitted to me that ByteDance employees in China have access to U.S. user data. This alone should serve as a wake-up call and alarm every single American – whether they're actively engaged on TikTok or not. TikTok and its ties to Communist China poses a clear and present danger to U.S. national security and is threatening the privacy of millions of Americans. I'm proud to help lead the bipartisan Protecting Americans from Foreign Adversary Controlled Applications Act, which will ban the app from the United States if TikTok is not divested by the Chinese Communist Party," **said Rep. Latta.**

"All Americans deserve access to information and media platforms that are free from the influence of hostile foreign actors like the Chinese Communist Party. But here are the facts: TikTok has been used by the CCP to silence free speech and dissent in the United States and abroad, to undermine democracy and our values, and to promote propaganda that is favorable to autocratic rulers like President Xi. In New Jersey, TikTok has banned users for posting content that brought awareness to the CCP's horrific genocide and forced labor of the Uyghur people. It's nothing short of dangerous that the CCP controls a key source of information for millions of Americans – including so many teenagers and children who've seen their mental health harmed by the app. This bipartisan legislation should be passed immediately to protect our democracy, our national security, and our kids," **said Rep. Sherrill.**

"The House Select Committee on the CCP and the House Energy & Commerce Committee have found alarming proof of our data being shared with our adversaries via applications developed by ByteDance," **said Rep. Dunn.** "I even

asked the TikTok CEO point blank if ByteDance has spied on Americans on behalf of the CCP, and his response was 'I don't think spying is the right way to describe it.' This is outrageous. I took an oath to protect the American people and I'm proud to join this effort to ban applications that can be utilized and abused by our adversaries."

"Social media corporations are attention-fracking American youth and corroding our democracy. Congress needs to get tough on them -- but we can only do that if these corporations are subject to U.S. law. TikTok needs to answer to Congress, not Xi Jinping," **said Rep. Auchincloss.**

"TikTok is owned by the Chinese Communist Party and we cannot allow the CCP to indoctrinate our children. This strong bipartisan legislation is an important step forward in making sure social media apps owned by foreign adversaries are prohibited from doing business in America. I encourage all Americans using TikTok to strongly consider the personal risks of having their data owned by the Chinese Communist Party and hope they will stop using the app as this bipartisan legislation moves forward," **said Rep. Moolenaar.**

"Congress can no longer afford to ignore the growing threat posed by foreign adversary-controlled applications like TikTok," **said Rep. Torres.** "TikTok not only jeopardizes our national security but also threaten our fundamental freedoms by allowing adversaries to surveil and influence the American public under the guise of a social media platform. The Protecting Americans from Foreign Adversary Controlled Applications Act is a crucial step in safeguarding our nation. We must act swiftly and decisively to protect our citizens and preserve our sovereignty."

"Not only is the CCP-controlled TikTok an immense national security risk to our country, it is also poisoning the minds of our youth every day on a massive scale. China is our enemy, and we need to start acting like it. I am proud to partner with Representatives Gallagher and Krishnamoorthi on this bipartisan bill to ban the distribution of TikTok in the US. This legislation will make our country better off and more secure," **said Rep. Roy.**

"The Chinese Communist Party has made it abundantly clear that it is willing to leverage technology to collect data on our children and all US citizens. Using TikTok, China has the ability to control what an entire generation of kids sees and consumes every single day," **said Rep. Gottheimer.** "It's time we fight back against TikTok's information invasion against America's families. In the wrong hands, this data is an enormous asset to the Chinese Communist Party — a known adversary — and their malign activities."

Document title: Gallagher, Bipartisan Coalition Introduce Legislation to Protect Americans From Foreign Adversary Controlled Applications, Including TikTok | Select... [Capture URL: https://selectcommitteeontheccp.house.gov/media/press-releases/gallagher-bipartisan-coalition-introduce-legislation-protect-americans-0](https://selectcommitteeontheccp.house.gov/media/press-releases/gallagher-bipartisan-coalition-introduce-legislation-protect-americans-0)

Capture timestamp (UTC): Wed, 19 Jun 2024 14:06:46 GMT

“Any technology—apps, software, language models—owned by foreign adversaries are unequivocal threats to our national security. We have every right to protect Americans’ constitutional rights, data privacy, and national security, and it’s only become clear over the last several years how dangerous these foreign-owned tech platforms truly are,” **said Rep. Cammack**. “As a member of the Energy & Commerce Committee which deals heavily in the telecom and tech space, I don’t take this decision lightly. I’m grateful to Chairman Gallagher and the Select Committee on the CCP for spearheading this effort and I look forward to the bipartisan support this effort will garner to keep the U.S. safe from malign influence, adversarial infiltration, espionage, and beyond.”

“TikTok is CCP spyware used by the regime to steal Americans’ data and push harmful propaganda, including content showing migrants how to illegally cross our Southern Border, supporting Hamas terrorists, and whitewashing 9/11. Bottom line: TikTok needs to completely cut ties with the CCP or it will no longer be available in the United States. It is past time to dismantle the CCP’s top propaganda and spyware tool,” **said Rep. Hinson**.

Summary: Applications like TikTok that are controlled by foreign adversaries pose an unacceptable risk to U.S. national security. Such apps allow our adversaries to surveil and influence the American public, both through the data we produce and the information we share and consume.

This legislation addresses the threat in two ways. First, it prevents app store availability or web hosting services in the U.S. for ByteDance-controlled applications, including TikTok, unless the application severs ties to entities like ByteDance that are subject to the control of a foreign adversary, as defined by Congress in Title 10. The bill provides ByteDance with a window of time to divest, and the bill’s prohibitions do not apply if it completes a qualified divestment. It also creates a process for the President to designate certain, specifically defined social media applications that are subject to the control of a foreign adversary—per Title 10—and pose a national security risk. Designated applications will face a prohibition on app store availability and web hosting services in the U.S. unless they sever ties to entities subject to the control of a foreign adversary through divestment. This bill addresses the immediate national security risks posed by TikTok and creates a process for the President to protect Americans’ national security and privacy from foreign adversary-controlled applications in the future.

Click [HERE](#) to read text of the bill.

Document title: Gallagher, Bipartisan Coalition Introduce Legislation to Protect Americans From Foreign Adversary Controlled Applications, Including TikTok | Select... [Capture URL: https://selectcommitteeontheccp.house.gov/media/press-releases/gallagher-bipartisan-coalition-introduce-legislation-protect-americans-0](https://selectcommitteeontheccp.house.gov/media/press-releases/gallagher-bipartisan-coalition-introduce-legislation-protect-americans-0)

Capture timestamp (UTC): Wed, 19 Jun 2024 14:06:46 GMT

What the Bill Does:

- **Incentivize Divestment of TikTok:** Unless TikTok is fully divested such that it is no longer controlled by a PRC-based entity, the application will face a prohibition in the U.S. from app store availability and web hosting services until such time as a divestment occurs.
- **Address the National Security Risks Posed by Other Applications Controlled by Foreign Adversary Companies:** Establishes a process for the President to designate other foreign adversary controlled social media applications—as defined by statute—that shall face a prohibition on app store availability and access to web hosting services in the United States unless they sever ties to the foreign adversary-controlled company. The President may exercise this authority if an application presents a national security threat, has over one million annual active users, and is under the control of a foreign adversary entity, as defined by statute.
- **Empower Users to Switch Platforms:** Designated applications must provide users with a copy of their data in a format that can be imported into an alternative social media application. All users would be able to download their data and content and transition to another platform.

What the Bill Does Not Do:

- **Punish Individual Social Media Users:** No enforcement action can be taken against individual users of an impacted app.
- **Censor Speech:** This legislation does not regulate speech. It is focused entirely on foreign adversary control—not the content of speech being shared. This bill only applies to specifically defined social media apps subject to the control of foreign adversaries, as defined by Congress.
- **Impact Apps That Sever Ties to Foreign Adversary-Controlled Entities:** An app, including TikTok, that severs ties with entities subject to the control of a foreign adversary is not impacted by any other provision of the bill.

TikTok

Document title: Gallagher, Bipartisan Coalition Introduce Legislation to Protect Americans From Foreign Adversary Controlled Applications, Including TikTok | Select... [Capture URL: https://selectcommitteeontheccp.house.gov/media/press-releases/gallagher-bipartisan-coalition-introduce-legislation-protect-americans-0](https://selectcommitteeontheccp.house.gov/media/press-releases/gallagher-bipartisan-coalition-introduce-legislation-protect-americans-0)

Capture timestamp (UTC): Wed, 19 Jun 2024 14:06:46 GMT

EXHIBIT 2

Addendum - 102



- All
- News
- Product
- Community**
- Safety
- Company

United States

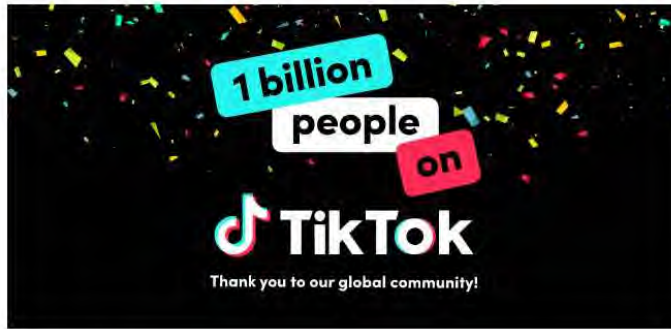
Community

Sep 27, 2021

Share this post



Thanks a billion!



At TikTok, our mission is to inspire creativity and bring joy. Today, we're celebrating that mission and our global TikTok community. More than 1 billion people around the world now come to TikTok every month to be entertained as they learn, laugh, or discover something new. We're honored to be a home for our immensely diverse community of families, small businesses, and creators who transform into our favorite stars.

TikTok has become a beloved part of life for people around the world because of the creativity and authenticity of our creators. Our global community is remarkable in its ability to reach millions of people, across generations. From music, food, beauty and fashion to art, causes, and everything in between, culture truly starts on TikTok.

Whether you're in Singapore, São Paolo, Stockholm, or Seattle, we celebrate YOU – the creators who inspire us, the artists who launch chart-breaking albums, the brands who help us discover and connect with products we love, the communities who lift us up, and all the people who keep us laughing and dancing.

Thank you for making this journey so special.

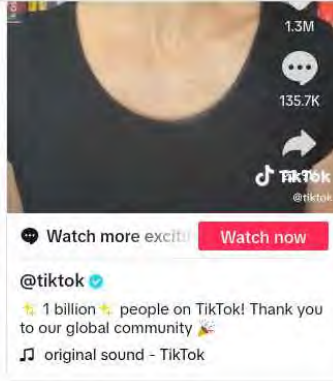
– The TikTok Team



Document title: Thanks a billion! | TikTok Newsroom

Capture URL: <https://newsroom.tiktok.com/en-us/1-billion-people-on-tiktok>

Capture timestamp (UTC): Fri, 14 Jun 2024 15:22:58 GMT



News Jun 13, 2024

Announcing Off the Record: A New TikTok Series Featuring Today's Top Artists

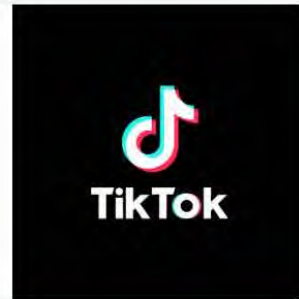
Behind-the-scenes content series providing an inside look at making an album Today, TikTok is unveiling Off the Record, a new series that...



Company Jun 3, 2024

ByteDance Appoints John Rogovin as Global General Counsel

ByteDate announced today that John Rogovin will join the Company as Global General Counsel, which will encompass oversight of TikTok. Joh...



Community May 31, 2024

#ForYourPride: Celebrating TikTok's Visionary LGBTQIA+ Community

The LGBTQIA+ community has always been a beacon of creativity, advocacy, and joy — cultivating spaces for people to show up...





Artists

Behind-the-scenes content series providing an inside look at making an album Today, TikTok is unveiling Off the Record, a new series that...



Company Jun 3, 2024

ByteDance Appoints John Rogovin as Global General Counsel

ByteDate announced today that John Rogovin will join the Company as Global General Counsel, which will encompass oversight of TikTok. Joh...



Community May 31, 2024

#ForYourPride: Celebrating TikTok's Visionary LGBTQIA+ Community

The LGBTQIA+ community has always been a beacon of creativity, advocacy, and joy — cultivating spaces for people to show up...



Download now



Company

- About TikTok
- Newsroom
- Contact
- Careers

Programs

- TikTok for Good
- TikTok for Developers
- Effect House
- Advertise on TikTok
- TikTok Rewards
- TikTok Browse
- TikTok Embeds

Resources

- Help Center
- Safety Center
- Creator Portal
- Community Guidelines
- Transparency
- Accessibility

Legal

- Terms of Service

© 2024 TikTok



Document title: Thanks a billion! | TikTok Newsroom

Capture URL: https://newsroom.tiktok.com/en-us/1-billion-people-on-tiktok

Capture timestamp (UTC): Fri, 14 Jun 2024 15:22:58 GMT

EXHIBIT 3

Addendum - 106



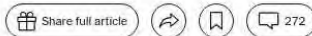
AN INCOMPLETE GUIDE

Love, Hate or Fear It, TikTok Has Changed America



As lawmakers argue for TikTok to be sold, some of the app's most popular creators, from documenting with a Florida Alan sources oil to the teenage girls, have seen some loss of millions of fans.

Introduction by Sapna Maheshwari
April 19, 2024



Hear Times writers tell the stories of how TikTok has influenced culture



Has there ever been an app more American seeming than TikTok, with its messy democratic creativity, exhibitionism, utter lack of limits and vast variety of hustlers?

And yet, of course, TikTok is not American, which is the whole reason that in March, the House of Representatives passed a bill with broad bipartisan support that would force the Chinese owners of the video-app juggernaut to either sell to a non-Chinese owner or face a ban. Lawmakers say it's a national security threat, and that the Chinese government could lean on its owner, ByteDance, to obtain sensitive U.S. user data or influence content on the app to serve its interests

And yet, of course, TikTok is not American, which is the whole reason that in March, the House of Representatives passed a bill with broad bipartisan support that would force the Chinese owners of the video-app juggernaut to either sell to a non-Chinese owner or face a ban. Lawmakers say it's a national security threat, and that the Chinese government could lean on its owner, ByteDance, to obtain sensitive U.S. user data or influence content on the app to serve its interests.

There's a long road of legislation, deal making and legal challenges ahead before TikTok could be forced to change ownership or even be banned. The Senate would need to pass the legislation — which it may do as soon, now that [the House has bundled it into a foreign aid package](#). It would have to survive lawsuits from TikTok and creators. Buyers would have to clear regulatory approval. And after all that, Beijing could simply block a deal.

But imagining what a United States without TikTok would look like throws into sharp relief just how much the app has worked its way into American culture.

Roughly 170 million Americans use TikTok. That's half the population of the United States.

TikTok, which officially landed in the United States in 2018, was [the most downloaded app](#) in the country, and the world, in 2020, 2021 and 2022. It wasn't that the elements of it were so new — compelling videos from randos had long been a staple of American pop culture — but TikTok put the pieces together in a new way.

Unlike Instagram, Facebook or Snapchat, TikTok didn't build itself around social connections. Its goal is pure, uncut entertainment. The algorithm ingested every data point it could from what users skipped, liked or shared — and spat it directly into the maddeningly habit-forming For You Page. Fans whispered reverently that it knew them better than they knew themselves.

Here are 19 ways of understanding how TikTok became part of American life. The music America listens to, the movies it sees, what conspiracies it believes, how it can make or break a product's success, who it defines as a celebrity — all of it has been influenced by TikTok, for good and bad. Even if you've never opened the app, you've lived in a culture that exists downstream of what happens there.

- | | | |
|------------------|-----------------------|----------------------------|
| Hollywood | News | Conspiracy Theories |
| Trends | Music | National Security |
| School | The Other Apps | Your Brain |
| Fashion | Cooking | Political Campaigns |
| Shopping | Market Power | Mental Health |
| Privacy | Advice | Your Bank |

there.

Hollywood
Trends
School
Fashion
Shopping
Privacy
Your Screen

News
Music
The Other Apps
Cooking
Market Power
Advice

Conspiracy Theories
National Security
Your Brain
Political Campaigns
Mental Health
Your Bank

It Became Hollywood's Favorite Marketing Machine

By Brooks Barnes



Insular, slow-changing Hollywood responded to TikTok's arrival in 2018 in typical fashion: complete dismissal. We're way too busy making *pictures* to worry about some new short-form video app.

Then came denial. (This thing is just another fad.) Next, fear. (Teenagers and young adults are never going to the movies again!)

But there's a plot twist: Hollywood has come to see TikTok as indispensable.

"Anyone But You," a Sony romantic comedy starring Sydney Sweeney and Glen Powell, arrived to a piddly \$8 million in ticket

Then came denial. (This thing is just another fad.) Next, fear. (Teenagers and young adults are never going to the movies again!)

But there's a plot twist: Hollywood has come to see TikTok as indispensable.

"Anyone But You," a Sony romantic comedy starring Sydney Sweeney and Glen Powell, arrived to a piddly \$8 million in ticket sales over Christmas weekend. The movie turned into a full-fledged hit (\$219 million) after TikTok users (at the urging of Sony) began making videos of themselves re-enacting the credit sequence.

TikTok also served as a ticket-selling machine for "M3gan," a Universal-Blumhouse horror movie about a sassy robot that has spawned a new franchise; "Wonka," which debuted in December and collected \$632 million; and the Barbenheimer box office phenomenon, otherwise known as "Barbie," with \$1.4 billion, and "Oppenheimer," with about \$1 billion. Rote glamour shots and insipid interviews — ye olde studio publicity tools — don't work on TikTok; users want behind-the-scenes "realness." Hence "Oppenheimer" stars [goofing in a hotel hallway](#) before a premiere, and pink-clad "Barbie" stars [cavorting on the floor with puppies](#).

"Now that studios have figured out how to harness TikTok, the last thing they want is for it to go dark," said Sue Fleishman, a former Universal and Warner Bros. executive who is now a consultant. "That would actually be a big problem."

It's Gen Z's Walter Cronkite

By Sapna Maheshwari

Document title: How TikTok Changed America - The New York Times

Capture URL: <https://www.nytimes.com/interactive/2024/04/18/business/media/tiktok-ban-american-culture.html>

Capture timestamp (UTC): Mon, 17 Jun 2024 19:01:51 GMT

Page 4 of 32

Addendum - 110

It's Gen Z's Walter Cronkite

By Sapna Maheshwari



Recently, V Spehar has posted TikTok videos telling viewers what they might have missed from President Biden's State of the Union address, the first 15 actions that former President Donald J. Trump said he would take if he's re-elected in November and Caitlin Clark's WNBA starting salary.

Mx. Spehar posts to more than three million followers from the handle @UnderTheDeskNews and films many clips lying on the floor, a gimmick that began as an effort to differentiate from the authoritative tone of traditional television news anchors. The style of communication has resonated enough to make Mx. Spehar a regular at White House briefings with social media influencers.

News aggregation and analysis accounts like Mx. Spehar's are shaping the discourse about current events in the United States, especially among young people. They're a modern version of old-school bloggers — users respond to the personal tone, and the editorializing. (Some creators have even built followings simply by reading print news articles to their followers.)

Pew Research Center has found that about one-third of 18- to 29-year-olds say they get news regularly on the platform, far outpacing people in other age groups.

In 2023, about 14% of American adults said they regularly got news on TikTok,

Document title: How TikTok Changed America - The New York Times

Capture URL: <https://www.nytimes.com/interactive/2024/04/18/business/media/tiktok-ban-american-culture.html>

Capture timestamp (UTC): Mon, 17 Jun 2024 19:01:51 GMT

Page 5 of 32

Addendum - 111

Pew Research Center has found that about one-third of 18- to 29-year-olds say they get news regularly on the platform, far outpacing people in other age groups.

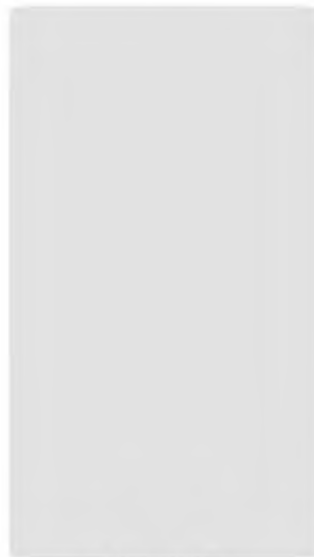
In 2023, about 14% of American adults said they regularly got news on TikTok, compared with just 3% percent in 2020.

Other sites have similar draws. Roughly 16 percent of all American adults get their news from Instagram, and a similar amount from X. Far more people consume news on Facebook and YouTube.

The appeal of TikTok and other social sites has made mainstream outlets nervous, and has raised some concerns around accuracy and context as original reporting is funneled through other accounts. The Wall Street Journal has [more than 340,000 followers](#) on TikTok, while The New York Times has [nearly 630,000](#) — numbers that pale in comparison with the followings of individual commentators like Mx. Spehar.

It Supercharges Conspiracy Theories

By Tiffany Hsu



#conspiracy



#conspiracy

Several dentists recently took to TikTok to debunk a conspiracy theory: that toothpaste tubes were printed with secret codes signaling their true ingredients to powerful people in the know.

Their efforts garnered far fewer views than the video that offered up the theory in early January. Not counting all the times the post was referenced in videos by other TikTok users, it has been seen more than seven million times in less than three months.

Tall tales are common on TikTok, where a flimsy patchwork of assumptions and coincidences — often concerning the schemes of a nefarious echelon of elites — is illustrated by dramatic images generated by artificial intelligence and spooky musical tracks. (Other such hits include false theories that President Joe Biden rigged the [Super Bowl](#) in favor of the Kansas City Chiefs or that [Justin Bieber](#) had signaled he was a victim of PizzaGate. False allegations of [voter fraud](#) also abound.)

Abbie Richards, a misinformation researcher who studies the TikTok ecosystem, said that such posts thrive because of the platform's potent recommendation algorithms and its low barrier to entry.

TikTok allows users to earn money from their videos through tools such as its creator rewards program and livestream subscriptions. Conspiracy theories, which draw high engagement, are one of the [most profitable categories](#), said Ms. Richards, a senior video producer at the liberal watchdog group Media Matters.

"It's like candy for your brain — it tells a story that simplifies the world in a way that feels good to you," she said.

A quarter of American adults who use the app create 98% of its videos.

The toothpaste theory was promoted by two young men known for conspiratorial content, including popular posts about satanic hit men and [Britney Spears](#). They claimed that the colored dots on toothpaste tubes correspond to all-natural, medicinal or chemical ingredients.

The post was quickly reposted, copied and stitched into reaction videos. Some came from dentists, who explained that the dots were actually used during the toothpaste packaging process to help

conspiratorial content, including popular posts about satanic hit men and [Britney Spears](#). They claimed that the colored dots on toothpaste tubes correspond to all-natural, medicinal or chemical ingredients.

The post was quickly reposted, copied and stitched into reaction videos. Some came from dentists, who explained that the dots were actually used during the toothpaste packaging process to help guide manufacturing equipment to properly cut and seal the tubes.

That conspiracy theory is not new — they rarely are on TikTok. Colgate, a major toothpaste manufacturer, [addressed the color patch rumor](#) last year and said that “as much as we love cracking secret codes, this one actually has nothing to crack because it’s entirely untrue.”

Even silly rumors, however, can spin out from TikTok into real-world harms. The baseless concerns that store-bought toothpaste tubes might hide toxic ingredients reignited recommendations to opt instead for [unproven](#) and [potentially damaging](#) homemade options.

It Spawned a Zillion Trends. Or, at Least, “Trends”

By Madison Malone Kircher

Including but certainly not limited to: [Butter boards](#), [sexy water](#), [blueberry milk nails](#), [unexpected red](#), [lucky girl syndrome](#), [first-time-cool syndrome](#), [bed rotting](#), [75 soft](#), [75 cozy](#), [bookshelf wealth](#), [loud budgeting](#), [broccoli freckles](#), [strawberry makeup](#), [glazed donut skin](#), [latte makeup](#), [cowboy copper hair](#), [old money blonde](#), [expensive brunette](#), [orange peel theory](#), [quiet luxury](#), [stealth wealth](#), [tomato girl summer](#), [indie sleaze](#), [coquette](#), [looksmaxxing](#), [male perms](#), [vanilla girl](#), [clean girl](#), [soft girl](#), [coastal grandma](#), [coastal cowgirl](#), [low-high visual weight makeup](#), [sleepy-girl mocktails](#), [fluffy coffee](#), [shrimp tree](#), [girl math](#), [girl dinner](#), [mob wife](#), [clowncore](#), [balletcore](#), [Barbiecore](#), [royalcore](#), [corecore](#).

It Got Taylor

Document title: How TikTok Changed America - The New York Times

Capture URL: <https://www.nytimes.com/interactive/2024/04/18/business/media/tiktok-ban-american-culture.html>

Capture timestamp (UTC): Mon, 17 Jun 2024 19:01:51 GMT

Page 8 of 32

Addendum - 114

mocktails, fluffy coffee, shrimp tree, girl math, girl dinner, mob wife, clowncore, balletcore, Barbiecore, royalcore, corecore.

It Got Taylor Swift to Defy Her Label

By Ben Sisario



For the music industry, TikTok has become a potent but unpredictable promotional outlet, and a vital one in the race to mint a new hit. Young artists like Olivia Rodrigo and Lil Nas X saw their popularity explode on the platform, and acts like Fleetwood Mac have seen decades-old songs get a boost from memes on the app.

But TikTok is also the latest tech platform to draw the anger of the music industry for low royalty rates. In February, Universal Music Group, which represents artists like Ms. Rodrigo, Taylor Swift, Billie Eilish and Drake, withdrew the rights to its music on the app, saying that TikTok was trying to “bully” the company to accept low terms.

Within days, millions of TikTok videos using music from Universal

... saying that TikTok was trying to “bully” the company to accept low terms.

Within days, millions of TikTok videos using music from Universal artists went mute, and since then guessing which side would blink first has become a media-business parlor game.

Last week, however, Ms. Swift — who releases her music through Universal, but has owned the copyrights to her work since 2018 — broke ranks and [put her songs back on TikTok](#), just ahead of the release of her next album on Friday. Now the question is, will other artists will follow.

It Might Just Be a Weapon

By David E. Sanger

For years I thought TikTok was mostly a parenting problem, and had only tangential bearing on what I cover: threats to national security. It took a while — and a lot of conversations with both tech firms and government officials — for me to become concerned about the potential that it could also pose a major problem on that front.

Not because the company’s Chinese owners could figure out your dance-move preferences, but because the algorithm at the core of the app is wrapped in such mystery.

So what’s the issue? The algorithm doesn’t belong to TikTok; it is provided by engineers working for ByteDance, the Chinese company that controls the platform and develops the code in enormous secrecy in laboratories around the world, in Beijing, Singapore and Mountain View, Calif.

No one outside the company knows exactly what goes into those algorithms.

The Chinese government is intent on keeping it that way. It has issued regulations that require Beijing’s regulators to grant permission before any ByteDance algorithms can be licensed to outsiders. They are unlikely to do so.

No one outside the company knows exactly what goes into those algorithms.

The Chinese government is intent on keeping it that way. It has issued regulations that require Beijing's regulators to grant permission before any ByteDance algorithms can be licensed to outsiders. They are unlikely to do so.

And so, as long as it is written by ByteDance, and can't be picked apart on the outside, there will always be the risk that it will become a pipeline for influencing citizens, and thus voters, in subtle and not-so-subtle ways.

Senator Mark Warner, the chairman of Senate Intelligence Committee, has noted that because TikTok has emerged as a major source of news — and because it collects data on users that the Chinese government could find useful, even crucial — it poses a serious threat, and could become “the most powerful propaganda tool ever.”

Of course, that threat is mostly hypothetical at this point.

At least based on what the United States has made public. The intelligence agencies have been giving closed-door briefings, but presumably there hasn't been a classified blockbuster, since there would likely be great pressure to declassify it.

Still, we have seen waves of new influence campaigns flowing out of China — much of it aimed at nations other than the United States. While TikTok has not been at the center of those campaigns, clearly, the Chinese have learned a lot in the past few years, including from the Russians. (Researchers have [also found](#) that topics commonly suppressed in China, including about the Tibetan and Uyghur populations, appear to be unusually underrepresented on TikTok compared with Instagram.)

This is not a problem that would be solved by simply selling TikTok's operations to an American buyer. Sure, the bill that went through the House bans a new, Western-owned TikTok from having any “operational relationship” with ByteDance, “including any cooperation with respect to the operation of a content recommendation algorithm.” Good luck with that — TikTok would no longer be TikTok.

The real question is whether anyone gets to look under the hood. Because to make Americans trust TikTok, the country will need an early warning system, something that will assure everyone that a technology that became popular because it generated memes and celebrates self-expression does not become a conduit for a foreign government interested in subtly influencing how we vote.

The real question is whether anyone gets to look under the hood. Because to make Americans trust TikTok, the country will need an early warning system, something that will assure everyone that a technology that became popular because it generated memes and celebrates self-expression does not become a conduit for a foreign government interested in subtly influencing how we vote.

It Turned the School Bathroom Into a Movie Set

By Natasha Singer



Southern Alamance Middle School, a public school in Graham, N.C., recently came up with a novel way to combat student distractions from social media. Or at least to curb the phenomenon that some teachers have dubbed “Toilet TikToks.”

The problem: Educators there noticed a spike in the number of students asking to leave class — sometimes as frequently as nine times per day — to go to the bathroom, where they made TikTok videos.

The solution: Administrators decided to remove the bathroom mirrors that students used to film TikToks and primp for their close-ups. They also introduced an online system that issues students digital hall passes when they want to be excused from

students asking to leave class — sometimes as frequently as nine times per day — to go to the bathroom, where they made TikTok videos.

The solution: Administrators decided to remove the bathroom mirrors that students used to film TikToks and primp for their close-ups. They also introduced an online system that issues students digital hall passes when they want to be excused from class and that allows administrators to track students' locations. "Since removing the mirrors," administrators wrote in a message to parents in January, "we have seen a drastic decrease in bathroom visits from students asking to be excused just to make videos."

Toilettoks — a TikTok genre, dating back at least five years, in which students use school bathrooms as film sets for [dance routines](#), lip-syncing clips or critiques of unclean lavatories — are one of the milder social media annoyances for schools.

Across the United States, students have also used school bathrooms as arenas to stage, film and post videos of bullying, physical assaults on schoolmates and [acts of vandalism](#).

In March, Alamance-Burlington schools announced that it was joining dozens of other U.S. districts that have filed lawsuits accusing social media platforms, including TikTok, of unfairly ensnaring young people.

"We're seeing the negative impacts of social media on our students every day," Kristy Davis, the acting superintendent of Alamance-Burlington schools, said. "Their well-being has to be the top priority."

It Took Over All the Other Apps

By Amanda Hess



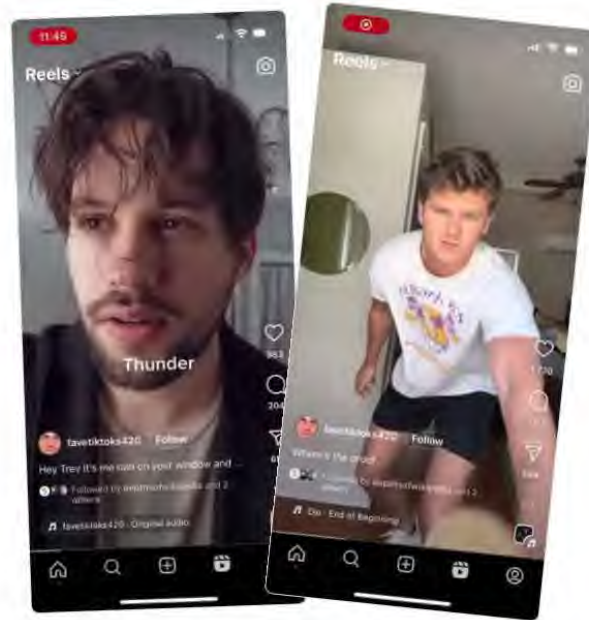
Document title: How TikTok Changed America - The New York Times

Capture URL: <https://www.nytimes.com/interactive/2024/04/18/business/media/tiktok-ban-american-culture.html>

Capture timestamp (UTC): Mon, 17 Jun 2024 19:01:51 GMT

Page 13 of 32

Addendum - 119



My favorite Instagram account is a collection of TikToks. Curated by the videographer Leia Jospé, [@favetiktoks420](#) hunts for Gen-Z's ickiest thirst traps and bleakest acting exercises and delivers them to me in a [Millennial-safe package](#), uploading them directly to a social network that I actually use.

By the time TikTok debuted, in 2017, I was already in my 30s and too old and lazy to work another app into my rotation. Instagram and Twitter were distracting enough. But now those platforms lie downstream of TikTok's creative wellspring, waiting for bits of its most popular content to drift into the open internet. TikToks float into my friends' Instagram stories, percolate into our group chats, swirl into my Twitter feed. My phone is always bleating with its [outro sound effect](#). I rarely open TikTok, but I watch TikToks all the time.

TikToks let loose a chaotic element into Instagram's internet mall, and they break the monotony of Twitter's boosted tech-bro threads. They stock YouTube compilations and spark Facebook debates and fuel trend pieces.

If TikTok were to disappear, it would feel, at least for a while, like the internet's big content spigot had been turned to a trickle. Rival platforms have tried to remake themselves in TikTok's image — building in short-form videos, algorithmic timelines and searchable sound clips — but have failed to reproduce the hypnotic energy of

If TikTok were to disappear, it would feel, at least for a while, like the internet's big content spigot had been turned to a trickle. Rival platforms have tried to remake themselves in TikTok's image — building in short-form videos, algorithmic timelines and searchable sound clips — but have failed to reproduce the hypnotic energy of its perpetual discovery machine. We'd be left with a diluted version of its secret sauce.

But any network that hopes to capitalize on its own popularity will disrupt its product. Even as other social media platforms try to become TikTok, TikTok is trying to become them, lengthening its videos to compete with YouTube and introducing an [e-commerce platform](#) to “drive meaningful shopping experiences” and rival Instagram. Eventually some new, inexplicably addictive platform will rise in its place. And I will rely on the kindness of some slightly younger strangers to show me what's on it.

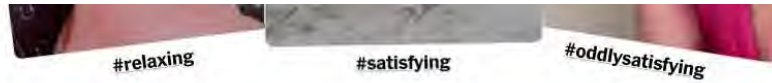
It Mimics a Flow State

By Dana G. Smith



Much has been said about the “[addictive design](#)” of TikTok. But what is the social media site actually doing to our brains?

There is very little research looking at what goes on inside people's



Much has been said about the “[addictive design](#)” of TikTok. But what is the social media site actually doing to our brains?

There is very little research looking at what goes on inside people’s heads while they’re using TikTok. But one small study conducted on Chinese university students used magnetic resonance imaging to [compare brain activity](#) while they watched personalized TikTok videos (ones the algorithm had selected based on their past use) versus generalized ones (videos the app recommended to new users).

The students had greater activity in several areas of the brain, including ones associated with reward, attention and processing social information, while viewing personalized videos. In other words, the algorithm did its job.

Other social media platforms have been shown to [turn on similar brain regions](#). So what makes TikTok different? Some experts have proposed that it can send users into a “[flow state](#)”: the experience of being so absorbed in a task that the person loses track of time. Backing this up, [one study](#) found that TikTok users reported experiencing higher levels of flow than Instagram users.

“Flow” is often associated with work or hobbies — activities that are challenging enough to be engaging but not frustrating. Watching videos doesn’t require skill the way that many flow-inducing activities do, yet the app is able to induce the feelings of enjoyment, concentration and time distortion that are characteristic of flow — possibly because of the algorithm’s immersive quality.

It Won Over the Snobbiest Gatekeeper

By Vanessa Friedman

Document title: How TikTok Changed America - The New York Times

Capture URL: <https://www.nytimes.com/interactive/2024/04/18/business/media/tiktok-ban-american-culture.html>

Capture timestamp (UTC): Mon, 17 Jun 2024 19:01:51 GMT

Page 16 of 32

Addendum - 122

Snobbiest Gatekeeper

By Vanessa Friedman



Is there any more official signal that a business titan has arrived at the heart of the American social-financial-artistic-political power nexus than being invited to be an honorary host of the annual Met Gala, a.k.a. “the party of the year”? Any more glamorous recognition than being asked to join its convener, the Vogue editor, Anna Wintour, in the Metropolitan Museum’s soaring atrium as the great and the good of Hollywood, fashion, sports, Wall Street and Washington swan past?

On May 6, TikTok will be [lead sponsor](#) of both the party and the museum fashion exhibition it celebrates. The company’s chief executive, Shou Chew, has been named an honorary chair of this year’s gala, along with the Loewe designer Jonathan Anderson, while Ms. Wintour, Zendaya, Bad Bunny, Jennifer Lopez and Chris Hemsworth are the event’s co-chairs.

That placement would put TikTok firmly in the tradition of previous gala sponsors like Amazon, Instagram and Apple — tech companies bedazzled by the Old Establishment, which in turn is bedazzled by their blush of upstart cool.

It is an acknowledgment, if any were needed, of the prominent role the app has come to play in fashion in a mere few years.

companies bedazzled by the Old Establishment, which in turn is bedazzled by their blush of upstart cool.

It is an acknowledgment, if any were needed, of the prominent role the app has come to play in fashion in a mere few years.

It was only in 2021, after all, that Ms. Wintour was criticized for inviting TikTok stars such as Addison Rae and Dixie D'Amelio to the party — for somehow cheapening it by catering to the buzzfeed machine of the smartphone, rather than the elite. After all, not just anyone can get an invite, even if they can afford the \$50,000 price tag for a seat; Ms. Wintour vets every guest, and the price of admission has to do with cultural currency even more than actual currency.

Which is why, of course, TikTok belongs. Despite the fact that all social media is forbidden inside the party.

Fast-forward three years, and there are more than 75 billion views associated with the #TikTokfashion hashtag; almost 500 million with #2023Gala alone. Luxury brands routinely sign up TikTok stars as brand ambassadors along with every other kind of star, hoping to access their audience (received relevance is something Vogue might be getting out of the association, too). And thus is created a virtuous — or vicious? — cycle in which TikTok feeds the gala machine, which feeds TikTok, which is the vicarious experience that has come to feed us all.

By Ellen Barry





TikTok is a mother lode of mental health content, filled with compelling first-person accounts of everything from major depression to selective mutism. Depending on your perspective, that's either a very good thing — or concerning.

Corey Basch, who [analyzed 100 popular TikTok videos](#) with the hashtag #mentalhealth for a 2022 study, emerged concerned about the looping effect of the algorithm.

“What’s so important and disturbing to recognize is the downward spiral that users can get swept into,” said Dr. Basch, a professor of public health at William Paterson University. “If one is drawn to posts related to despair and anxiety, they can easily spend hours exposed to repetitive content known as an echo chamber.”

The surge of content about mental health has meant that young people are more likely to self-diagnose before seeing a clinician, [psychiatrists report](#). Diagnoses for ADHD and anxiety disorders shot up during the pandemic years, especially among young people.

Some researchers have expressed concern about how profit motives may feed into these trends, since platforms often feature advertising from app-based mental health services, and influencers have sponsorship deals with such companies.

“They say we can diagnose you really quick, just take this five-question quiz and we can send you a prescription in a nice little box,” said Holly Avella, a Ph.D. candidate at Rutgers University who has researched mental health and social media.

Researchers also warn that TikTok videos can [deliver](#)

box,” said Holly Avella, a Ph.D. candidate at Rutgers University who has researched mental health and social media.

Researchers also warn that TikTok videos can [deliver misinformation](#). A review of literature published last year found that around one-fifth of videos mentioning cognitive behavioral therapy were inaccurate, describing it as ineffective or harmful. But some users credit the app with breaking open the national conversation around mental illness.

“You can sit there on your pedestal and pooh-pooh it all you want,” said Kate Speer, who has used [her social media feeds](#) to describe her experience of serious mental illness. TikTok is helpful for “the very people who are struggling the most, those who don’t have access to services in the real world and who might even be so disabled by mental illness that they are locked in their houses.”

It’s the Latest Campaign Tool

By Michael M. Grynbaum



#campaign



#campaign

President Biden [turned down an opportunity](#) to appear on CBS and reach tens of millions of potential voters tuning in for this year's Super Bowl. Instead, he released [his first TikTok](#).

"Chiefs or Niners?" asked a disembodied, youthful-sounding voice. "Two great quarterbacks; hard to decide," replied the president, casually dressed in a half-zip sweater and khakis. The caption was "lol hey guys."

Team Biden, [like most other major politicians](#), had previously resisted joining the app because of security concerns related to its Chinese ownership. (The Donald Trump campaign is not on TikTok, and Mr. Trump has expressed divergent views about the app, proposing a ban during his presidency but recently criticizing an attempt by Congress to curtail its use in the United States.)

Giving in was a nod to the irrefutable importance of TikTok, where about 14 percent of American adults regularly get news, in an election year. There's now a small studio in the Biden campaign office in Wilmington, Del., where staff members can film "candid" videos with the candidate.

62% of Americans between 18- and 29-years-old use the platform, greater than the share of that age group that voted in the last presidential election.

Campaigns have a rich tradition of adapting to the latest technological fads, from wireless radio to television sets and, more recently, to social platforms like Facebook and Snapchat. Many of these efforts share a [how-do-you-do-fellow-kids](#) quality to them, and in an attempt to avoid appearing out of touch, the Biden campaign relies on young, digitally fluent aides to host its TikToks.

It works, sometimes. One [video](#) claims to have Trump "caught on camera" making offensive remarks, an attempt to replicate the amateur spontaneity of many TikToks. (In reality, it's someone's iPhone aimed at a TV broadcast of a Trump speech.) Other times it comes across try-hard-y, like [the video](#) that dismisses a post by Representative Jim Jordan using a popular "[I Ain't Reading All That](#)" online meme.

The @bidenhq account, though, is hovering around 299,000 followers — still small beans in the TikTok world. But in a close

... iPhone aimed at a TV broadcast of a Trump speech.) Other times it comes across try-hard-y, like [the video](#) that dismisses a post by Representative Jim Jordan using a popular “I Ain’t Reading All That” online meme.

The @bidenhq account, though, is hovering around 299,000 followers — still small beans in the TikTok world. But in a close race, every lol counts.

By Jordyn Holman



Most months, when Kiara Springs posts on her TikTok account about mini skirts or linen tops she finds on Amazon, she earns \$10,000 to \$12,000 for getting people to buy what she suggests. During her biggest month, Ms. Springs, 25, raked in \$50,000 for her posts.

TikTok is now a multibillion-dollar shopping experience — and companies have glommed on. The internet might have killed malls, but now it is one big mall.

Because the bite-size videos are addictive, and partly because advertising on the platform is relatively inexpensive for smaller brands, the app has become a core part of many companies' marketing plans. Brands say that their videos populated with everyday people can more easily go viral than on, say, Instagram, where they often need to pay expensive influencers. And people who notice shopping-related content spend more time on TikTok.

but now it is one big man.

Because the bite-size videos are addictive, and partly because advertising on the platform is relatively inexpensive for smaller brands, the app has become a core part of many companies' marketing plans. Brands say that their videos populated with everyday people can more easily go viral than on, say, Instagram, where they often need to pay expensive influencers. And people who notice shopping-related content spend more time on TikTok, according to eMarketer.

The average user spends nearly an hour — 58 minutes — per day on the platform.

Last year, TikTok debuted a prominent shopping feed on the app that now allows people to buy goods directly from a wide array of vendors. Some fashion and beauty brands think about the TikTok content they could make for a product before developing it.

Fiona Co Chan, a co-founder of Youthforia, a beauty and skin care brand with roughly 190,000 followers on the app, says if she can't think of 200 TikTok videos that she could make for a product, she'll likely scrap it entirely.

By Santul Nerkar

When a product goes viral on TikTok, those views often translate directly into increased sales. In some cases, the effect has been dramatic:



Stanley tumblers

Company revenue last year was €750 million, up from €73 million in



Stanley tumblers

Company revenue last year was \$750 million, up from \$73 million in 2019, after the product became a sensation on TikTok.



Feta cheese

Demand jumped 200 percent at one grocery chain in 2021, after a recipe for baked feta pasta took off and amassed more than 20 million views.



Cerave

Sales increased by more than 60 percent in 2020 after skin care became a lockdown pastime and TikTok users discovered the drugstore mainstay.



Cat Crack Catnip

It briefly sold out in 2021 after TikTok users posted videos of their cats going crazy for it.



cats going crazy for it.



Isle of Paradise tanning spray

It sold out in 48 hours in 2021 after a post about it went viral.



Prepdeck kitchen storage products

They went out of stock in 2021 after going viral.

It Turned Recipes Into Concepts

By Becky Hughes





Cooking is different now. One crucial distinction between the hit recipes of today (like [Emily Mariko's salmon and rice bowl](#)) and those of yesteryear ([The Silver Palate's chicken marbella](#)) is the medium.

Before, a static image was all you had to get the point across in a recipe, with step-by-step instructions printed in a cookbook.

Now recipes unfold over time. In a 30-second video, there are obvious visual cues that viewers can absorb, techniques they can sink their teeth into. The videos depict process, not just stages, and allow you to [jump-cut](#) your way through a recipe in a few blinks.

But for all the access to techniques and cuisines that TikTok has provided home cooks, the platform favors concepts, over actual recipes — [eggs fried in a puddle of pesto](#), sandwich fillings [chopped into a homogenous mixture](#), [mini pancakes served like cereal](#). The most shareable recipes are the ones that you can watch once, then turn around and make — no measurements, bake times or reading needed. Just dump, stir, like, follow, repeat.

It Knows Where You Live

By Kashmir Hill

Every social media app is, essentially, a spy in your pocket. When it comes to data collection, TikTok is no worse than the others. The main difference, and the one that's driving the current conversation in Washington, is that TikTok is owned by a Chinese

By Kashmir Hill

Every social media app is, essentially, a spy in your pocket. When it comes to data collection, TikTok is no worse than the others. The main difference, and the one that's driving the current conversation in Washington, is that TikTok is owned by a Chinese company.

TikTok, like other apps, seeks a huge amount of information from you, and some pieces of it that can seem innocuous are quite revealing, including:

Your I.P. address and location

An I.P. address is a unique identifier associated with your device or the network you use to get on the internet. TikTok can use your I.P. address and location to determine the advertising you see, but it can also reveal other real-life associations. When people access a social network from the same I.P. address, it reveals that they may know one another offline. ByteDance, which owns TikTok, used I.P. address data collected from [journalists](#) using the app to try to identify company employees who were speaking to them.

Your contacts

Giving TikTok access to the hundreds (or thousands) of numbers and email addresses on your phone — an opt-in feature — lets them draw unexpected insights into your life, such as who your doctors are, your present and former colleagues, your one-night stands, and on and on. TikTok may then recommend you follow them as “people you may know” — and your account, in turn, will be suggested to them, so beware of sharing contacts if you're trying to stay anonymous. Even if you don't share your contacts, TikTok can look for the phone or email address you gave the company in other users' address books unless you go into the privacy settings and turn off “Suggest Your Account to Others.”

Your messages

Unless your messages are end-to-end encrypted, which they are not on TikTok, they can be reviewed by the company storing them for you.

Your viewing history

Are you obsessed with steamy Twilight highlight reels or home repair videos? TikTok knows.

Your viewing history

Are you obsessed with steamy Twilight highlight reels or home repair videos? TikTok knows.

It Teaches 22-Year-Olds

By Anemona Hartocollis



Shelley Polanco is 22, and a senior at Brandeis. As she faces life after college, she is not looking for practical advice about, say, jobs and careers. She yearns instead for a guidebook to what it feels like to be an adult, something to tell her about her future emotional life and satisfaction.

And so, she likes following TikTok accounts that feature “an older woman of culture, kind of like this auntie figure who gets on TikTok and records ‘things I wish I would have known in my 20s.’”

She’s a fan of [@itsrealllyola](#). “She’s turning 25, and she starts to speak about all the things she’s learned, the ways you maybe want to ignore people’s judgments on you,” Ms. Polanco says. “She’s big on ‘live your life and have fun.’”

And so, she likes following TikTok accounts that feature “an older woman of culture, kind of like this auntie figure who gets on TikTok and records ‘things I wish I would have known in my 20s.’”

She's a fan of [@itsreallylola](#). “She's turning 25, and she starts to speak about all the things she's learned, the ways you maybe want to ignore people's judgments on you,” Ms. Polanco says. “She's big on ‘live your life and have fun.’”

She peers decades into her future with the help of [Dr. Amanda Hanson](#), “#midlifemuse,” who invites comments about life after 50 from her TikTok followers. Or [Shera Seven](#). “She is this 40-year-old woman, I want to say, giving really brutal dating advice,” Ms. Polanco said.

Ms. Polanco was having trouble seeing more than three months out, and found support from a TikTok transformation coach named [Shannon](#). “I searched, ‘how to write goals,’” she said. “There was this lady walking you through this meditation to visualize your future self, and it was one of the only times I could see an older version of myself. It was so inspirational, I closed the app, got out a piece of paper and started writing.”

It Helped You Ask for a Raise

By Mike Dang



Document title: How TikTok Changed America - The New York Times

Capture URL: <https://www.nytimes.com/interactive/2024/04/18/business/media/tiktok-ban-american-culture.html>

Capture timestamp (UTC): Mon, 17 Jun 2024 19:01:51 GMT

Page 29 of 32

Addendum - 135



In a [video](#) by the account [@salarytransparentstreet](#) that's been viewed more than 23 million times, a lawyer candidly shares she makes \$134,000 a year, a teacher says she earns \$53,000 and a man who does chemical risk assessments for the federal government divulges he makes \$60,000 a year. The point, according to Hannah Williams, the 27-year-old content creator behind the account, is to help people better understand what they could be earning. (Ms. Williams says she made more than [\\$1 million in 2023 before expenses through her videos](#) and earns revenue from [brand sponsorships and ads](#)).

FinTok, as the money and personal finance community on the app is called, has fundamentally changed the way we accept advice from strangers — and altered how much ordinary people are willing to share about that most taboo subject: how much money they have.

Sure, the app has allowed established finance gurus like Dave Ramsey and Suze Orman to expand their empires. But it has also given rise to people like Vivian Tu, a 30-year-old former Wall Street trader who runs the account [@yourrichbff](#). Ms. Tu, who has 2.5 million followers, offers practical advice on [high-yield savings accounts](#) and [retirement savings](#), but can also take widely discussed [TikTok drama](#) and show people what financial lessons they can learn from it.

57% of Gen Z users like or leave a comment after watching a video on the platform.

As with anything on TikTok, scrolling through FinTok videos requires a certain amount of skepticism. There are plenty of cryptocurrency creators on TikTok who like to focus on the potential gains rather than warning people of the risks. There are also crypto scams, including [a rampant one](#) using deepfake videos of Elon Musk. (Ads for crypto or financial services [are banned](#) from the platform, in part to help protect people from getting involved with high-risk investments.)

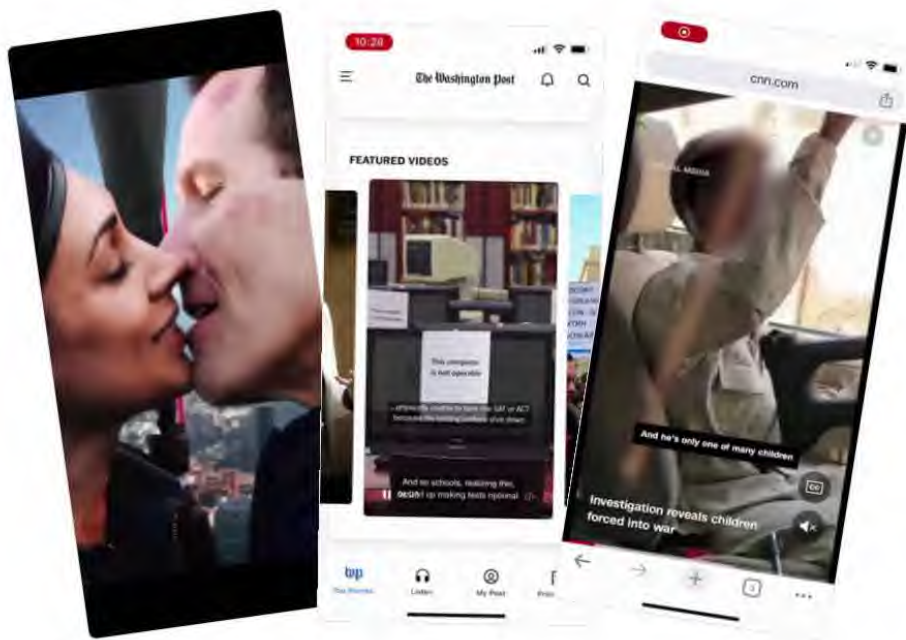
But often, when scams or bad advice crop up, commenters have no

cryptocurrency creators on TikTok who like to focus on the potential gains rather than warning people of the risks. There are also crypto scams, including [a rampant one](#) using deepfake videos of Elon Musk. (Ads for crypto or financial services [are banned](#) from the platform, in part to help protect people from getting involved with high-risk investments.)

But often, when scams or bad advice crop up, commenters have no problem offering corrections. When one creator [posted a video](#) about how to get a high credit limit using dubious methods, her comment section quickly filled up with users accusing her of committing fraud. The video was soon deleted.

It Tilted Your Screen

By Ashwin Seshagiri



TikTok didn't invent vertically oriented videos. But it has been very influential in getting people to watch their screens upright instead of sideways. It's a phenomenon that is sticking elsewhere, with Apple, a professional Spanish soccer league and major news publishers all producing vertical videos. Even The New York Times is on board.

Document title: How TikTok Changed America - The New York Times

Capture URL: <https://www.nytimes.com/interactive/2024/04/18/business/media/tiktok-ban-american-culture.html>

Capture timestamp (UTC): Mon, 17 Jun 2024 19:01:51 GMT

Page 31 of 32

Addendum - 137

TikTok didn't invent vertically oriented videos. But it has been very influential in getting people to watch their screens upright instead of sideways. It's a phenomenon that is sticking elsewhere, with Apple, a professional Spanish soccer league and major news publishers all producing vertical videos. Even The New York Times is on board.

Design and development by Michael Beswetherick

Editing by Noreen Malone, Ashwin Seshagiri, Matt Ruby and Sharon O'Neal

Additional production by Brent Murray, Amanda Cordero and Joshua Shao

READ 272 COMMENTS

Share full article

The Rise of TikTok

News and Analysis

- TikTok said that it was introducing [new measures to limit the spread of videos from state-affiliated media accounts](#), including Russian and Chinese outlets, as the company deflects criticism that it could be used as a propaganda tool in a major election year.
- An internal analysis found nearly twice as many pro-Trump posts as pro-Biden ones on TikTok since November, [a sign of the right's use of a liberal-friendly platform](#).
- In an [attempt to rein in the amount of weight loss posts](#), TikTok said it will work to remove content about drugs like Ozempic, extended fasting and more from the "For You" feed.

Read More

- A food editor documents the high, the low and the mid from [a week's worth](#) of influencer restaurant suggestions on TikTok.
- At a time of heightened confusion and legal battles over access to abortion, women are turning to the social media platform [to talk about their abortions](#) and look for answers.
- Has there ever been an app more American seeming than TikTok, with its messy democratic creativity, exhibitionism, utter lack of limits and vast variety of hustlers? [Here's how the platform has changed America](#).

More In Media



Trending in The Times

Who Is George Norcross?

Have We Reached Peak Baby Name?

EXHIBIT 4

Addendum - 139

Home > News >

TikTok Extends Video Length Limit to 10 Minutes

The ever-expanding social media platform is hoping to achieve a healthy balance between short and long-form content.



Written by **Aaron Drapkin**

Published on **March 2, 2022**



Most Recent

Amazon Workers Getting \$565 Pay Out in Settlement: Are You Eligible?

Jack Turner - 2 hours ago

8 Grants Women-Owned Businesses Can Apply For in 2024

Isobel O'Sullivan - 4 hours ago

Capital One \$16 Million Settlement: Find Out if You're Eligible

Jack Turner - 21 hours ago

Own a Tile Tracker? Your Data May Have Been Compromised in Huge Breach

Isobel O'Sullivan - 1 day ago

These AI Companies are Hiring Right Now: Jobs Listed

Jack Turner - 2 days ago

Video-focused social media site TikTok has extended its video length maximum to 10 minutes, more than tripling the previous limit of just three.

TikTok is fast becoming one of the most profitable places for social media managers to implement digital marketing strategies, with one billion active users now using the platform.

Getting the video length right is crucial for apps like TikTok, who have to balance retaining their current userbase who like short-form content with the need to expand to other demographics.

TikTok Expands its Video Length...Again

The recent move to 10 minute-long videos isn't the first time that TikTok has upped its video length. Before this recent change, the current maximum was three minutes, which itself was an advance on 60 seconds. The original limit on a TikTok video was 15 seconds.

The recent move to 10 minute-long videos isn't the first time that TikTok has upped its video length. Before this recent change, the current maximum was three minutes, which itself was an advance on 60 seconds. The original limit on a TikTok video was 15 seconds.

This seems to fit into line with how short-form video apps generally mature. Apps like Vine initially started with 6-second video limits before extending them to 140 seconds before Twitter (which opened Vine) killed the App off to focus on its own video content.

"We're excited to start rolling out the ability to upload videos that are up to 10 minutes, which we hope would unleash even more creative possibilities for our creators around the world" – TikTok Spokesperson.

Explaining the decision, TikTok said it was "always thinking about new ways to bring value to our community and enrich the TikTok experience" and wanted to again give users "more time to create and be entertained on TikTok."

Why is TikTok Upping its Video Length Limit?

Like any other social media platform, TikTok is constantly trying to attract new users.

Longer videos have the potential to attract an older audience to the platform and could increase the amount of time people spend actually watching videos on the app rather than searching for 'Part 2s' of videos that are longer than three minutes.

This move may also help TikTok attract creators that excel in making long-form content on sites like YouTube, and in turn, bring more users to the platform.

Many YouTube commentators, lifestyle vloggers, and other content creators that have garnered large fanbases through their long-form video content already publish TikToks, but their main focus is still channels on platforms known for hosting lengthier videos.

Another obvious reason for the change is the fluctuation of short-form video functions in apps known for their long-form (or at least not short form) content, such as Instagram Reels and YouTube Shorts.

Is TikTok a Good Place to Market my Business?

The stratospheric rise of TikTok, which was first launched in 2016 – as well as the fact advertising on the platform is a lot cheaper than the likes of Facebook – make it a fantastic place to raise brand awareness and advertise products or services.

The **social media management** strategies usually involve a cross-platform approach with the

on the platform is a lot cheaper than the likes of Facebook – make it a fantastic place to raise brand awareness and advertise products or services.

The **social media management** strategies usually involve a cross-platform approach with the content being made for and posted on a variety of different social media channels.

The ease at which you can achieve high engagement on TikTok, however, is currently unrivaled in the current social media landscape, which explains why so many **social media management tools** now offer support for the platform. Overall, TikTok is much more trend-driven than Facebook or Twitter, for instance, it's got built-in editing tools that other sites don't have and a particularly good algorithm for promoting truly engaging content.

Now, with videos allowed to be up to 10 minutes long, there's even more scope for inventive and original ways to advertise products and services on the platform.

Share this post

Did you find this article helpful? Click on one of the following buttons

Tags **SOCIAL MEDIA**

Written by:



Aaron Drapkin
Writer

Aaron Drapkin is Tech.co's Content Manager. He has been researching and writing about technology, politics, and society in print and online publications since graduating with a Philosophy degree from the University of Bristol six years ago. Aaron's focus areas include VPNs, cybersecurity, AI and project management software. He has been quoted in the Daily Mirror, Daily Express, The Daily Mail, Computer Weekly, Cybernews, Lifewire, HR News and the Silicon Republic speaking on various privacy and cybersecurity issues, and has articles published in Wired, Vice, Metro, ProPrivacy, The Week, and Politics.co.uk covering a wide range of topics.

Explore More

See all news



Instagram's Newest Feature Is Making Its Users Want To Quit

Instagram's new Ad Breaks feature could combat doom...

Isobel @Sullivan - 1 week ago



US TikTok Ban Edges Closer After House Passes Crucial Bill

TikTok - which adds \$24bn to the US economy annually - says...

Aaron Drapkin - 2 months ago



What Is Telegram Premium and Can You Get It Free?

The private messaging app offers a lot of features free,...

Adam Rowe - 2 months ago



How to Get Around Future TikTok Ban: Tips, Tricks, and Advice

Installing TikTok and actually using the app are two...

Adam Rowe - 3 months ago



Share this post [Facebook] [LinkedIn] [Reddit] [Twitter] [WhatsApp]

Did you find this article helpful? Click on one of the following buttons [Upvote] [Downvote]

Tags SOCIAL MEDIA

Written by:

 **Aaron Drapkin**
Writer

Aaron Drapkin is Tech.co's Content Manager. He has been researching and writing about technology, politics, and society in print and online publications since graduating with a Philosophy degree from the University of Bristol six years ago. Aaron's focus areas include VPNs, cybersecurity, AI and project management software. He has been quoted in the Daily Mirror, Daily Express, The Daily Mail, Computer Weekly, Cybernews, Lifewire, HR News and the Silicon Republic speaking on various privacy and cybersecurity issues, and has articles published in Wired, Vice, Metro, ProPrivacy, The Week, and Politics.co.uk covering a wide range of topics.

Explore More

See all news



Instagram's Newest Feature Is Making Its Users Want To Quit

Instagram's new Ad Breaks feature could combat doom...

Isobel O'Sullivan - 1 week ago



US TikTok Ban Edges Closer After House Passes Crucial Bill

TikTok - which adds \$24bn to the US economy annually - says...

Aaron Drapkin - 2 months ago



What Is Telegram Premium and Can You Get It Free?

The private messaging app offers a lot of features free,...

Adam Rowe - 2 months ago



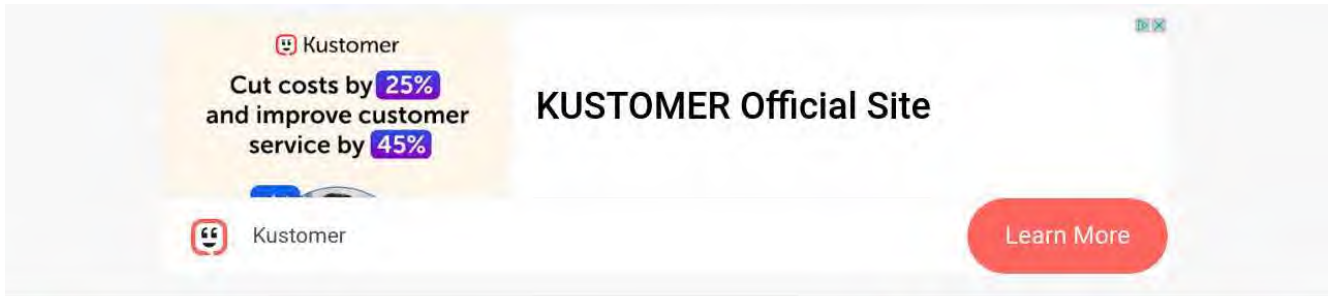
How to Get Around Future TikTok Ban: Tips, Tricks, and Advice

Installing TikTok and actually using the app are two...

Adam Rowe - 3 months ago

Load more articles

EXHIBIT 5



Kustomer
Cut costs by **25%**
and improve customer
service by **45%**

KUSTOMER Official Site

[Learn More](#)



- Login
- Search
- Startups
- Venture
- Apple
- Security
- AI
- Apps
- Events
- Startup Battlefield
- More

Apps

TikTok is testing 15-minute uploads with select users

Aisha Malik / 10:22 AM PDT • October 23, 2023

[Comment](#)



Image Credits: Patrick T. Fallon / AFP / Getty Images

TikTok is testing the ability for users to upload 15-minute videos, the company confirmed to TechCrunch on Monday. The social media giant said the new upload limit is being tested in select regions with a limited group of users, but declined to share specifics. The new option increases the video upload limit on the app from 10 minutes to 15 minutes.

The change was first noted by social media consultant [Matt Navarra](#), who posted a screenshot of a message shown to users who have access to the new option. According to the screenshot, users can upload longer videos to the platform from both the TikTok app and on desktop.

TikTok initially gained fame for being the most popular short-form video platform, but has slowly been embracing long-form content. The company expanded its [maximum video](#)

- [X](#)
- [f](#)
- [in](#)
- [r](#)
- [e](#)
- [@](#)

Startup Battlefield Application

Applications Close June 17 11:59pm

SUBMISSIONS CLOSE TONIGHT

Ad Thanks to Kustomer

HEXCLAD eliminated the need for **49** different tabs & tools.

Kustomer: AI Customer Service

Optimize support volume, act early. Provide help before it's needed. Boost CX.

[Kustomer](#)

[Learn More](#)

Ad **Kustomer**

Cut costs by **25%** and improve customer service by **45%**

Boost CX with AI Automation

Optimize support volume, act early.



- Login
- Search Q
- Startups
- Venture
- Apple
- Security
- AI
- Apps
- Events
- Startup Battlefield
- More

Navarra, who posted a screenshot of a message shown to users who have access to the new option. According to the screenshot, users can upload longer videos to the platform from both the TikTok app and on desktop.

TikTok initially gained fame for being the most popular short-form video platform, but has slowly been embracing long-form content. The company expanded its [maximum video length to 10 minutes](#), up from three minutes, back in February 2022. Before that, the limit was 60 seconds after initially expanding from 15 seconds.

The expanded video length will give creators even more time and flexibility when sharing things like cooking recipes, beauty tutorials, education content and comedy sketches. Currently, if a video is longer than 10 minutes, creators will direct viewers to a "Part 2" video. With this expanded time limit, creators may no longer have to create an entire video series when sharing content.

The change puts TikTok in even more direct competition with YouTube. The move indicates that TikTok is looking to attract longer-form video creators who normally post content on YouTube. In the past, TikTok was seen as the platform for short-form content, while YouTube was seen as the home for long-form content. The past few years have blurred the lines between the two companies as TikTok embraces longer videos and YouTube adopts shorter videos with Shorts.

It's worth noting that TikTok has also inched further into YouTube's territory with a [horizontal full screen mode](#) that's being tested in select regions.

It's likely that not everyone will welcome the new video time limit. TikTok is known for short and entertaining videos, so that's probably what people go to the platform for, not necessarily long videos. Not everyone has an appetite for long videos, which TikTok seems to be aware of given its recent launch of a feature that lets you fast-forward videos by holding down the right-side of a video.



Boost CX with AI Automation

Optimize support volume, act early. Provide help before it's needed. Boost CX.

Customer

[Learn More](#)

Startup Battlefield 200

Last Call! Applications Due 11:59pm Tonight

Win \$100,000 & Showcase At Disrupt 2024 San Francisco, October 28-30

[Apply Now](#)



- Login
- Search 🔍
- Startups
- Venture
- Apple
- Security
- AI
- Apps
- Events
- Startup Battlefield
- More


Last Call! Applications Due 11:59pm Tonight

Win \$100,000 & Showcase At Disrupt 2024 San Francisco, October 28-30

[Apply Now](#)

- ✕
- f
- in
- 👤
- ✉
- 🔗


TikTok did not say if or when it plans to roll out the change to everyone.




TikTok scores sizable Disney deal including a content hub and publisher partnership

TikTok has landed Disney as its latest big-name publishing partner for its premium ad product, Pulse Premiere, announced earlier this year. The company will join other large publishers, including NBCU, Condé Nast, DotDash Meredith, BuzzFeed and more, which offer brand-safe videos for marketers to place their ads around. The new deal will also see


[TikTok ... Continue reading](#)


 TechCrunch 🔗


More TechCrunch



TikTok ads will now include AI avatars of creators and stock actors

 **YouTube is experimenting with Notes, a crowdsourced feature that lets users add context to videos**

 **TikTok tests 60-minute video uploads as it continues to take on YouTube**

 **TikTok comes for Google as it quietly rolls out image search capabilities in TikTok Shop**

Conversation

Document title: TikTok is testing 15-minute uploads with select users | TechCrunch
 Capture URL: <https://techcrunch.com/2023/10/23/tiktok-testing-15-minute-uploads/>
 Capture timestamp (UTC): Mon, 17 Jun 2024 19:04:11 GMT



- Login
- Search
- Startups
- Venture
- Apple
- Security
- AI
- Apps
- Events
- Startup Battlefield
- More

TikTok did not say if or when it plans to roll out the change to everyone.



TikTok scores sizable Disney deal including a content hub and publisher partnership

TikTok has landed Disney as its latest big-name publishing partner for its premium ad product, Pulse Premiere, announced earlier this year. The company will join other large publishers, including NBCU, Conde Nast, DotDash Meredith, BuzzFeed and more, which offer brand-safe videos for marketers to place their ads around. The new deal will also see TikTok ... [Continue Reading](#)

TechCrunch

More TechCrunch



TikTok ads will now include AI avatars of creators and stock actors



YouTube is experimenting with Notes, a crowdsourced feature that lets users add context to videos



TikTok tests 60-minute video uploads as it continues to take on YouTube



TikTok comes for Google as it quietly rolls out image search capabilities in TikTok Shop

Conversation

Welcome to TechCrunch comments! Please keep conversations courteous and on-topic. To foster productive and respectful conversations, you may see comments from our Community Managers, who will be designated by a "TechCrunch Staff" or "Staff" label. To promote the best user experience, we close commenting after an article has been posted for three days. TechCrunch's Conversations message boards accept comments indefinitely. See our [community guidelines](#) for more

EXHIBIT 6

Addendum - 149

TikTok Search + Upload Log in

senmarkey Ed Follow

7 Following 1269 Followers 23.6K Likes
 Senator for Massachusetts.
linktr.ee/senmarkeymemes

Videos Liked

Log in to follow creators, like videos, and view comments.

Log in

Create TikTok effects

Company
 About Newsroom Contact Careers

Program
 TikTok for Good Advertise
 TikTok LIVE Creator Networks
 Developers Transparency
 TikTok Rewards TikTok Embeds

Terms & Policies
 Help Safety Terms Privacy Policy
 Privacy Center Creator Academy
 Community Guidelines
 See more

© 2024 TikTok

Pinned

They connect with friends and family.
PART 4 BE CLEAR: THIS IS A BAN
 177.7K

RIGHT TO CONTRACEPTION PART 2
 by bringing this bill up for a vote this afternoon.
 6477

RIGHT TO CONTRACEPTION
 We know contraception isn't contraband.
the RIGHT to CONTRACEPTION
 955

We must pass the RIGHT TO CONTRACEPTION ACT
 756

We should be very We are moments The right to The Right to

The New York Times
 OPINION GUEST ESSAY
The End of TikTok Is a Propaganda Win for Beijing
 May 14, 2024
 2257

Warehouse Workers Pt 2
 On January 12th, 1912,
 669

WAREHOUSE WORKERS
 Give us bread, but give us roses as well.
 4447

SUNRISE MOVEMENT PT 2
 to start fighting for the future
 466

The TikTok ban was My grandfather In 2023, Amazon I was grateful to

SUNRISE MOVEMENT
 that provided good green jobs
 476

BIG OIL or MOVIE VILLAIN
 That's a movie villain.
 1528

Green New Deal for Public Schools.
GND4PS PT2
 282

GND4PS PT1
 The scariest thing about the Green New Deal is gonorrhea
 272

The Big Oil or Movie Part two. Why a @JB knows we need

Get app

TikTok Search + Upload Log in

- For You
- Explore New
- Following
- Friends
- LIVE
- Profile

Log in to follow creators, like videos, and view comments.

Log in

Create TikTok effects

Company
 About Newsroom Contact Careers

Program
 TikTok for Good Advertise
 TikTok LIVE Creator Networks
 Developers Transparency
 TikTok Rewards TikTok Embeds

Terms & Policies
 Help Safety Terms Privacy Policy
 Privacy Center Creator Academy
 Community Guidelines
 See more

© 2024 TikTok

Video 1: The TikTok ban was 2257

Video 2: My grandfather 669

Video 3: In 2023, Amazon 4447

Video 4: I was grateful to 466

Video 5: that provided good green jobs 476

Video 6: BIG OIL or MOVIE VILLAIN 1528

Video 7: GND4PS PT2 282

Video 8: GND4PS PT1 272

Video 9: The 409

Video 10: Big Oil or Movie 298

Video 11: Part two. Why a 255

Video 12: @JB knows we need 3333

Video 13: Round two of Big Oil 409

Video 14: Part One of Big Oil 298

Video 15: Public transit should 255

Video 16: We should be 3333

Video 17: Congress shouldn't 2035

Video 18: We don't have a Tik 1818

Video 19: American history has 5013

Video 20: This censorship will 1053

Video 21: Episodes in history 7119

Video 22: It should be a 18.6K

Video 23: The CCP we should 1381

Get app

jackyrosenhq Team Rosen

25 Following 519 Followers 4616 Likes

Fighting for hardworking Nevadans with U.S. Senator Jacky Rosen. Join us!

Videos Liked

Video Description	View Count
Since when is	2095
Jacky has a proven	1904
Team Rosen is ready	56.2K
Nevada is a pro-	800
Electing Sam Brown	658
Like if being	1080
MAGA extremist	410
Unlike her extreme	1184
Nevada, tonight	681
#duet with	197
Our choice is Jacky	206
Have you checked	106
NEVADA IS A	-
HPOA	-

TikTok Search [] + Upload Log in

For You
 Explore **New**
 Following
 Friends
 LIVE
 Profile

Log in to follow creators, like videos, and view comments.
 Log in

Create TikTok effects

Company
 About Newsroom Contact Careers

Program
 TikTok for Good Advertise
 TikTok LIVE Creator Networks
 Developers Transparency
 TikTok Rewards TikTok Embeds

Terms & Policies
 Help Safety Terms Privacy Policy
 Privacy Center Creator Academy
 Community Guidelines
 See more

© 2024 TikTok

Video 1: Trump is ~still~ (388 views)
Video 2: Sam Brown is (362 views)
Video 3: And we won't stop (508 views)
Video 4: I'm proud to have (338 views)
Video 5: I'm working late (delivering on the issues Nevadans care about) (76 views)
Video 6: Los invitamos a ver nuestro nuevo comercial (362 views)
Video 7: Why I love Rosen always fighting for abortion rights (437 views)
Video 8: We should not have (408 views)
Video 9: Jacky might not be a (167 views)
Video 10: Seguir colaborando (308 views)
Video 11: Sen. Rosen has (296 views)
Video 12: Jacky and CCM have (305 views)
Video 13: Message from (305 views)
Video 14: Team Rosen had a (308 views)
Video 15: It's *crucial* that (296 views)
Video 16: Jacky has always (305 views)
Video 17: Senator Rosen is fighting for affordable housing (344 views)
Video 18: The truth about Sam Brown's anti-abortion record (279 views)
Video 19: EXT JACKY TO 30508 (299 views)
Video 20: Happy (108 views)
Video 21: Nevada housing (344 views)
Video 22: Sam Brown is a (279 views)
Video 23: Jacky Rosen here. (299 views)
Video 24: Happy (108 views)

Get app

TikTok Search [] [] + Upload Log in []

For You

Explore **New**

Following

Friends

LIVE

Profile

Log in to follow creators, like videos, and view comments.

Log in

Create TikTok effects

Company
About Newsroom Contact Careers

Program
TikTok for Good Advertise
TikTok LIVE Creator Networks
Developers Transparency
TikTok Rewards TikTok Embeds

Terms & Policies
Help Safety Terms Privacy Policy
Privacy Center Creator Academy
Community Guidelines
See more []

© 2024 TikTok

344 Nevada housing

279 Sam Brown is a

299 Jacky Rosen here.

108 Happy

Reelecting Jacky =

264 Nevada small

289 Jacky capping the

248 Our people know

305 Jacky fights for

339 We WILL ensure

250 Nevada students are

88 When you're

281 Senator Rosen took

285 Jacky Rosen es muy

323 Jacky Rosen works

171 My team had so

764 Nevadans 🍷 Jacky

720 Nevadans 🍷 Jacky

773 let us introduce you

Get app

EXHIBIT 7

Addendum - 155



Search



+ Upload

Log in



For You

Explore New

Following

Friends

LIVE

Profile

Log in to follow creators, like videos, and view comments.

Log in

Create TikTok effects

Company

About Newsroom Contact Careers

Program

TikTok for Good Advertise
TikTok LIVE Creator Networks
Developers Transparency
TikTok Rewards TikTok Embeds

Terms & Policies

Help Safety Terms Privacy Policy
Privacy Center Creator Academy
Community Guidelines
See more

© 2024 TikTok



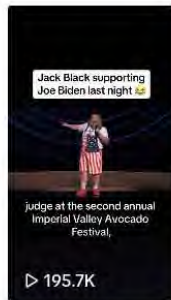
bidenhq
Biden-Harris HQ

Follow

4 Following 379.5K Followers 4.9M Likes
Grows the economy.

Videos

Liked



▷ 195.7K

@Jack Black you



▷ 113.3K

Ice cream guy



▷ 143.6K

happy birthday,



▷ 52.8K

this is Trump's



▷ 55.3K

Trump is a climate



▷ 43.6K

we remember



▷ 32.5K

Google Project 2025



▷ 95K

Google Project 2025



▷ 83K

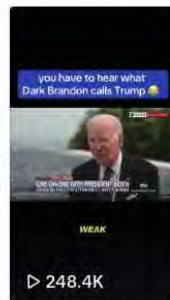


▷ 53.6K

lol

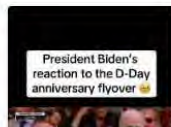


▷ 319K



▷ 248.4K

dark brandon



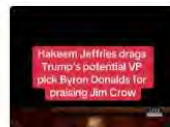
▷ 53.6K

President Biden's reaction to the D-Day anniversary flyover



▷ 319K

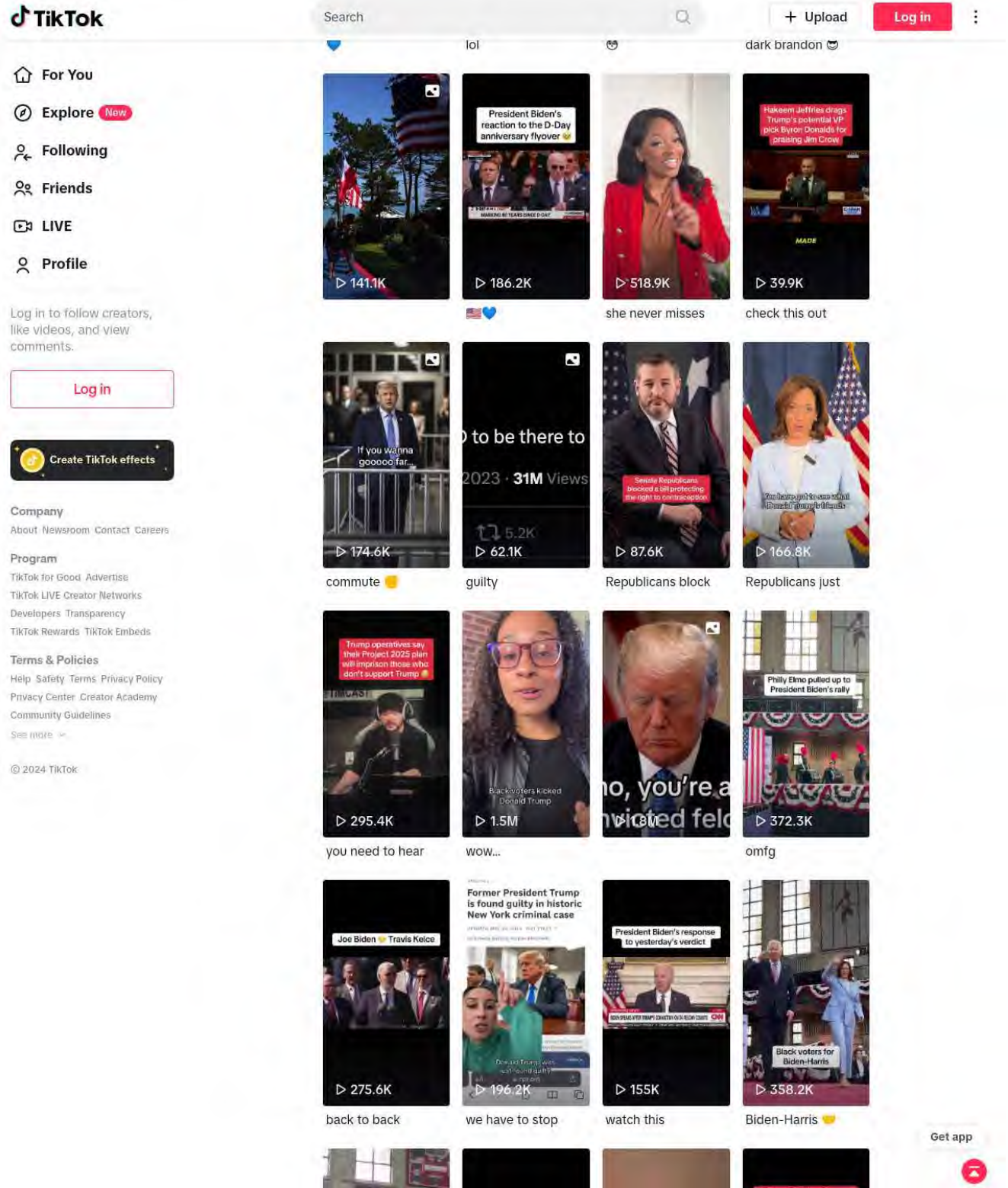
IT'S

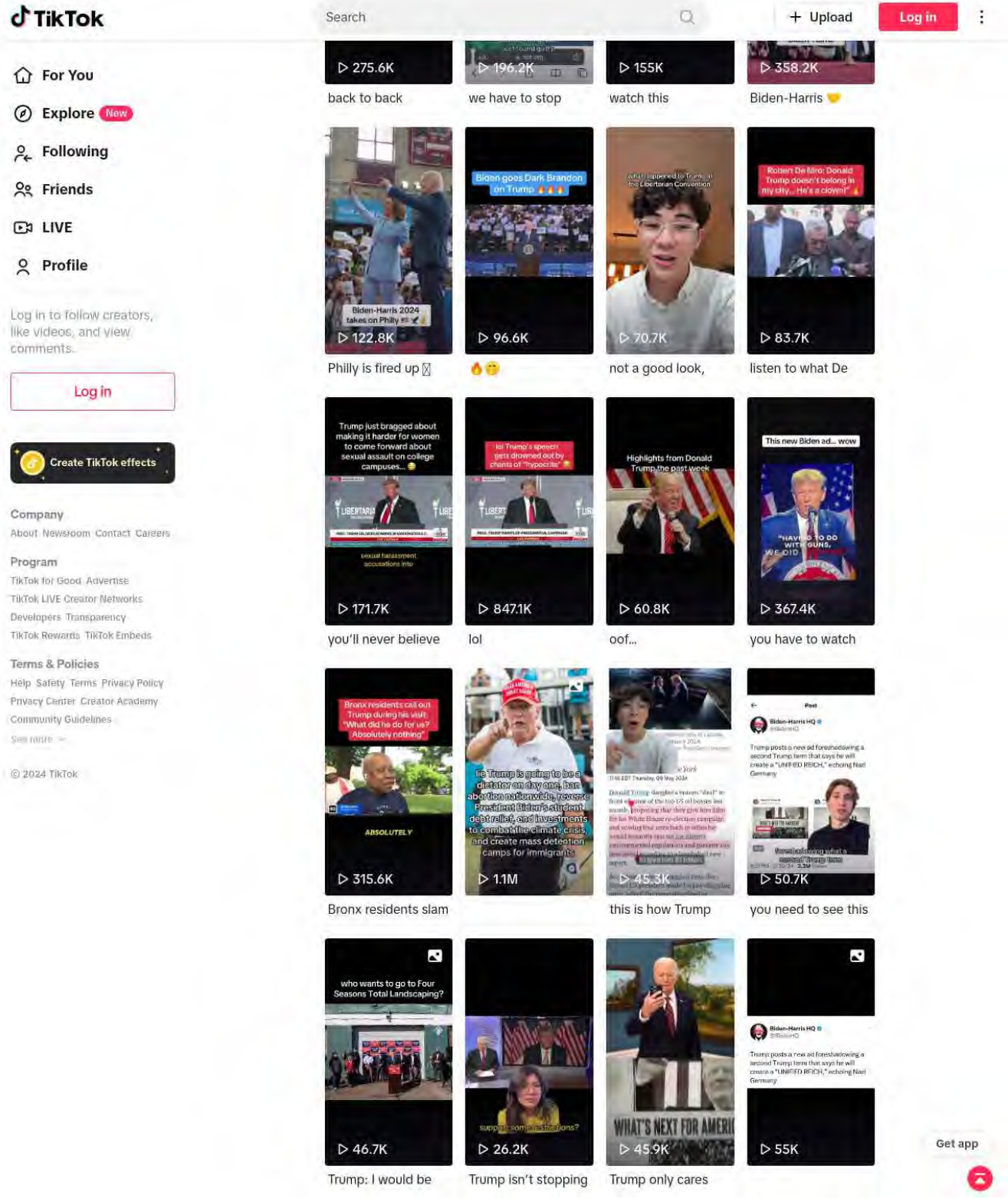


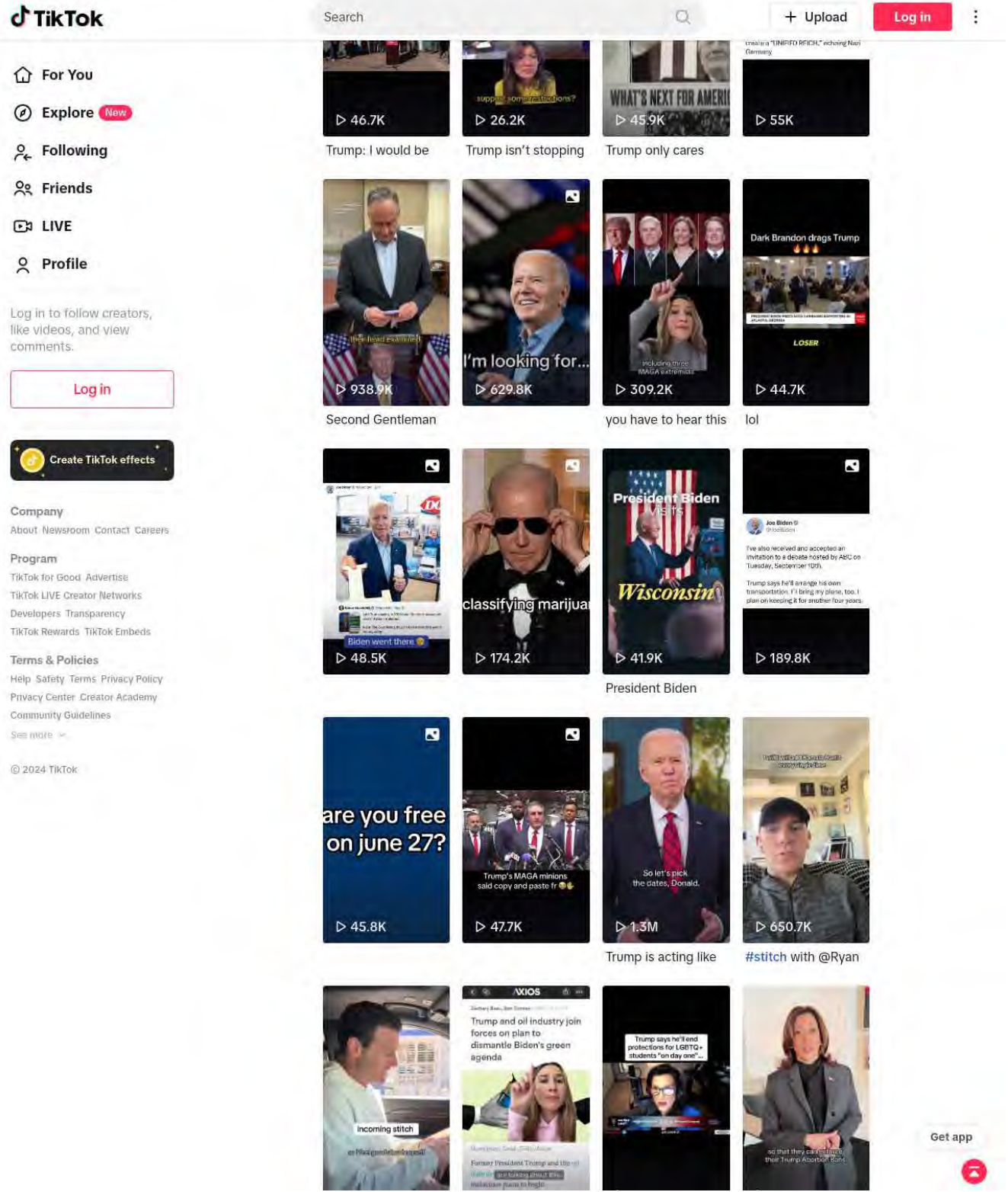
▷ 248.4K

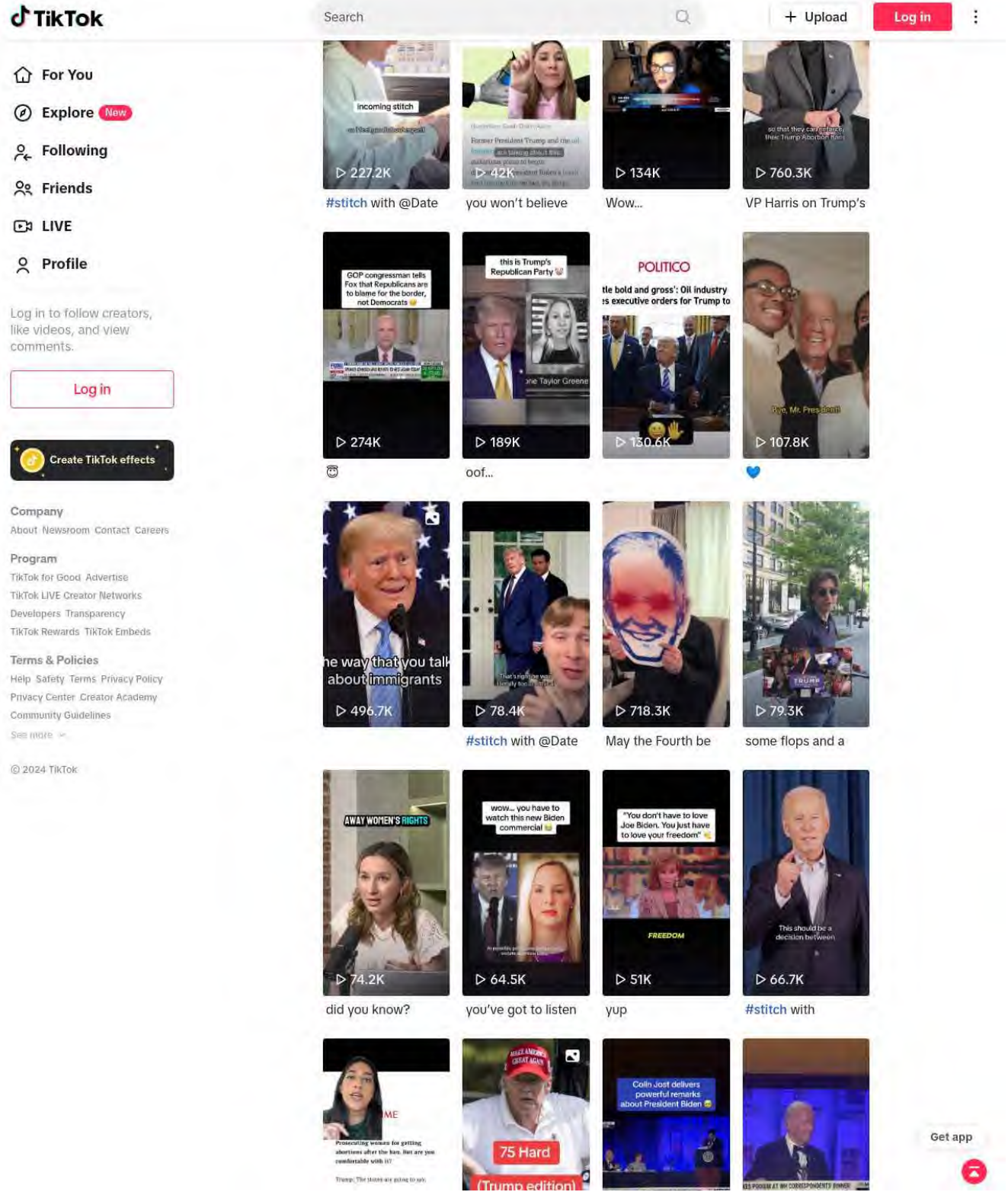
WEAK

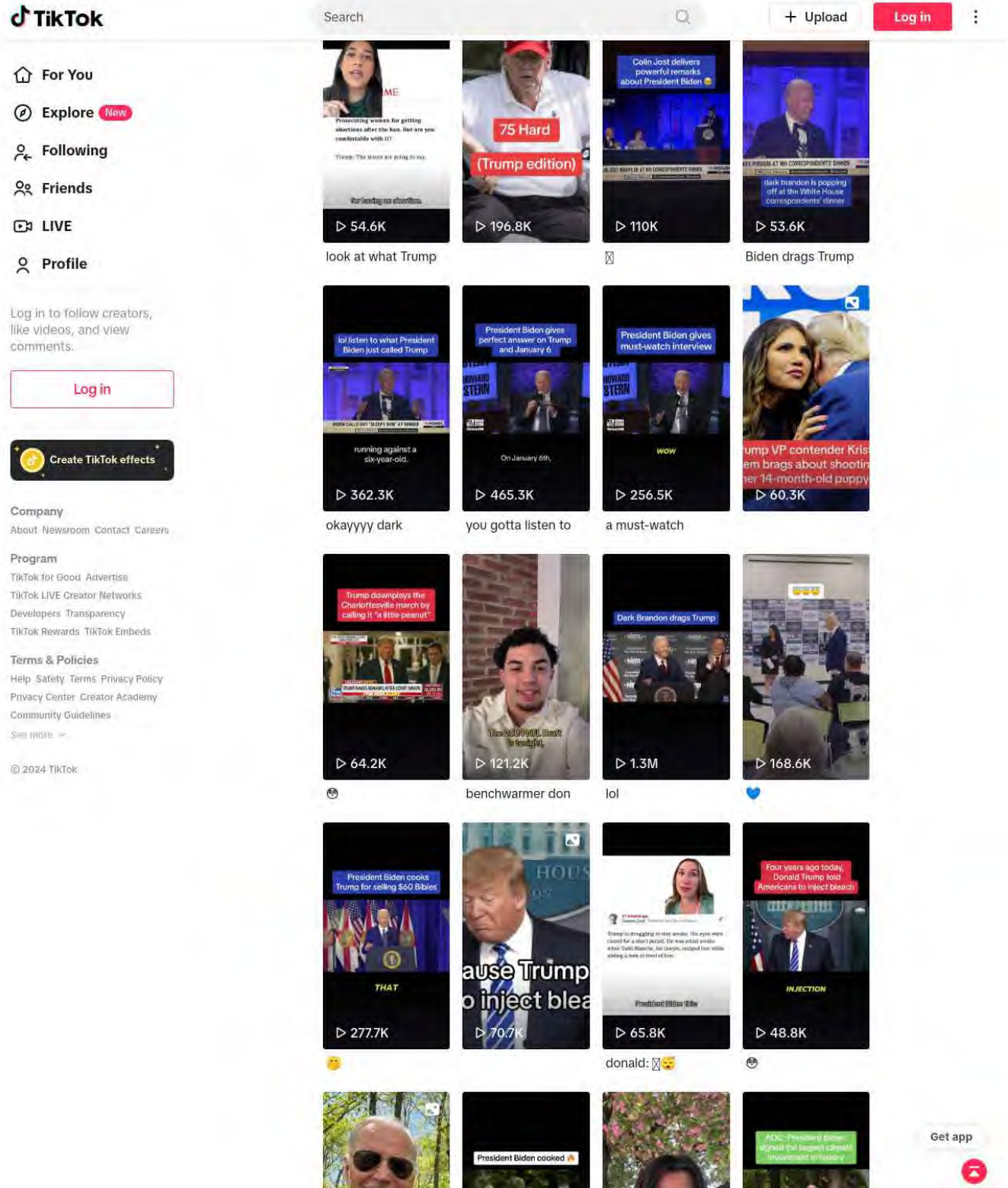
Get app

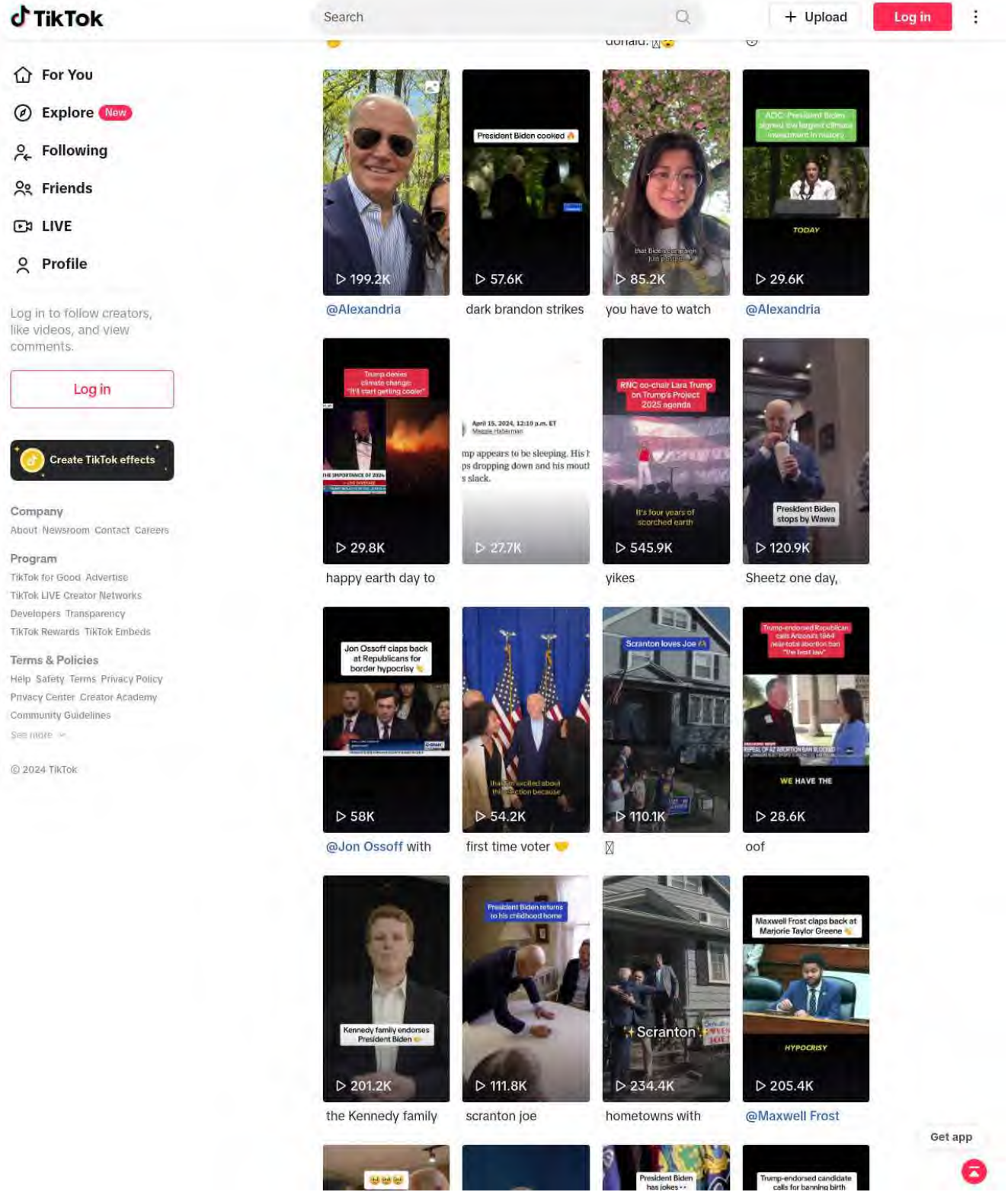












The screenshot shows a TikTok feed with a search bar at the top and a navigation menu on the left. The feed contains 16 video thumbnails, each with a view count and a caption. The videos are:

- the Kennedy family (201.2K views)
- scranton joe (111.8K views)
- hometowns with (234.4K views)
- @Maxwell Frost (205.4K views)
- lowering the cost of my insular (655.4K views)
- You may have disagreements (504.7K views)
- President Biden has jokes (331.4K views)
- Trump-endorsed candidate calls for banning birth control and gay marriage (75.9K views)
- Bernie President (504.7K views)
- sorry, Donald (331.4K views)
- Trump endorsed this (75.9K views)
- Dark Brandon (49.8K views)
- sitting in court (32.3K views)
- blame Donald Trump (30.4K views)
- we have to protect (93.3K views)
- neat (73.8K views)
- check this out (165.5K views)
- what did mike (21.6K views)
- while President Biden delivered student debt relief to another 30 million Americans (61.2K views)
- New Biden ad (316.4K views)
- vp harris has had it (28.3K views)

TikTok Search [magnifying glass icon] + Upload Log in

For You Explore (New) Following Friends LIVE Profile

Log in to follow creators, like videos, and view comments.

Log in

Create TikTok effects

Company: About Newsroom Contact Careers

Program: TikTok for Good Advertise TikTok LIVE Creator Networks Developers Transparency TikTok Rewards TikTok Embeds

Terms & Policies: Help Safety Terms Privacy Policy Privacy Center Creator Academy Community Guidelines See more

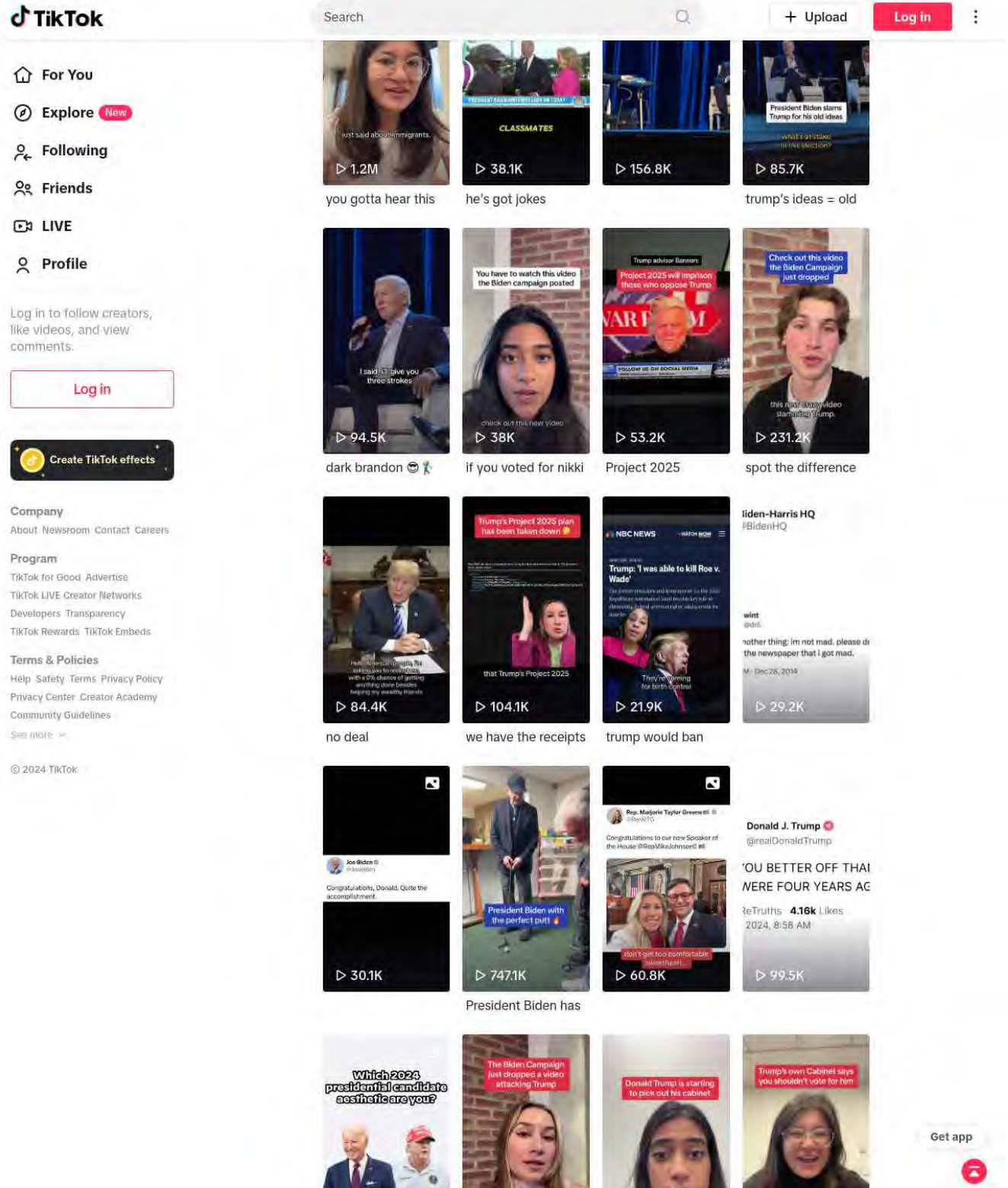
© 2024 TikTok

Grid of video thumbnails with captions and view counts:

- what did mike (21.6K)
- while President Biden delivered student debt relief to another 30 million Americans (61.2K)
- your decisions belong to YOU (316.4K)
- of the population in our country (28.3K)
- NBC NEWS: Biden announces new plans to provide student debt relief for millions (21.6K)
- AOC on President Biden's new student debt relief plan (893.4K)
- are going to start seeking relief.
- Trump isn't stopping (44.6K)
- April 6, 2024: trump is the reason (287.2K)
- "Don't look" (30.9K)
- this new Biden commercial is heartbreaking (132.3K)
- Trump's billionaire besties exposed (143.5K)
- Replying to (46.5K)
- @Bernie Sanders: That's everything you need to know about Donald Trump (1.3M)
- Trump wants to be president forever (63.9K)
- VP Harris on Florida Supreme Court Decision (62.3K)
- while this guy is selling 60 Bibles to pay legal fe (105.7K)
- one term was more
- trump wants a
- You'll never believe what Trump just called immigrants
- President Biden with the best response
- CLASSMATES
- President Biden slams Trump for his old ideas
- What's at stake in this election?

Get app

Document title: Biden-Harris HQ (@bidenhq) Official | TikTok
 Capture URL: https://www.tiktok.com/@bidenhq
 Capture timestamp (UTC): Mon, 17 Jun 2024 18:47:15 GMT



The screenshot shows a TikTok feed with a sidebar on the left containing navigation options: For You, Explore (New), Following, Friends, LIVE, and Profile. Below these are prompts to log in and create effects. The main feed consists of a grid of video thumbnails with captions and view counts. The videos include:

- "Which 2024 presidential candidate aesthetic are you?" (78.4K views)
- "The Biden campaign just dropped a video attacking Trump" (503.3K views)
- "Donald Trump is starting to pick out his cabinet" (53.9K views)
- "Trump's own Cabinet says you shouldn't vote for him" (107.9K views)
- "Log in to follow creators, like videos, and view comments." (142.6K views)
- "What is Trump saying lol" (94.8K views)
- "This new Biden campaign commercial is brutal..." (95.5K views)
- "Trump is so" (142.6K views)
- "brutal" (95.5K views)
- "4 insane policies in a 2nd Trump term:" (1.1M views)
- "it's his day" (152.6K views)
- "BLOODBATH" (92.5K views)
- "correct" (123.1K views)
- "don't say the same answer as me, Donald Trumps Edition" (149.2K views)
- "Don't let anybody" (1.4M views)
- "The 2024 Republican Nominee" (147.6K views)
- "Biden-Harris HQ" (471.3K views)
- "how far did you" (149.2K views)
- "Trump caught on camera praising anti-democracy authoritarian" (1.4M views)
- "IDEN TRUM SOCIAL SECURITY" (147.6K views)
- "This Biden commercial on TV is GENIUS." (471.3K views)

TikTok Search [] + Upload Log in

For You

- Explore New
- Following
- Friends
- LIVE
- Profile

Log in to follow creators, like videos, and view comments.

[Log in](#)

[Create TikTok effects](#)

Company
About Newsroom Contact Careers

Program
TikTok for Good Advertise
TikTok LIVE Creator Networks
Developers Transparency
TikTok Rewards TikTok Embeds

Terms & Policies
Help Safety Terms Privacy Policy
Privacy Center Creator Academy
Community Guidelines
[See more](#)

© 2024 TikTok

Video 1: President Biden (712.9K views)

Video 2: Trump caught on camera praising anti-democracy authoritarian (245.2K views)

Video 3: BIDEN TRUMP SOCIAL SECURITY (164.9K views)

Video 4: This Biden commercial on TV is GENIUS. (2M views)

Video 5: when he says he (117.9K views)

Video 6: he's on it lol (105.8K views)

Video 7: Jeffries with the (197K views)

Video 8: Republicans during a State of the Union (85.4K views)

Video 9: and getting stronger... (131.1K views)

Video 10: PRES HOUSE CHAMBER FOR STATE OF THE UNION ADDRESS (1.1M views)

Video 11: BUT (370.2K views)

Video 12: President Biden slams Republicans for attacking reproductive rights (99.7K views)

Video 13: this is the republican (127.8K views)

Video 14: Donald Trump on immigration (62.9K views)

Video 15: den-Harris HQ BidenHQ (208K views)

Video 16: Is Donald Trump okay? TRUMP'S (101.8K views)

Video 17: Biden-Harris HQ @bidenhq

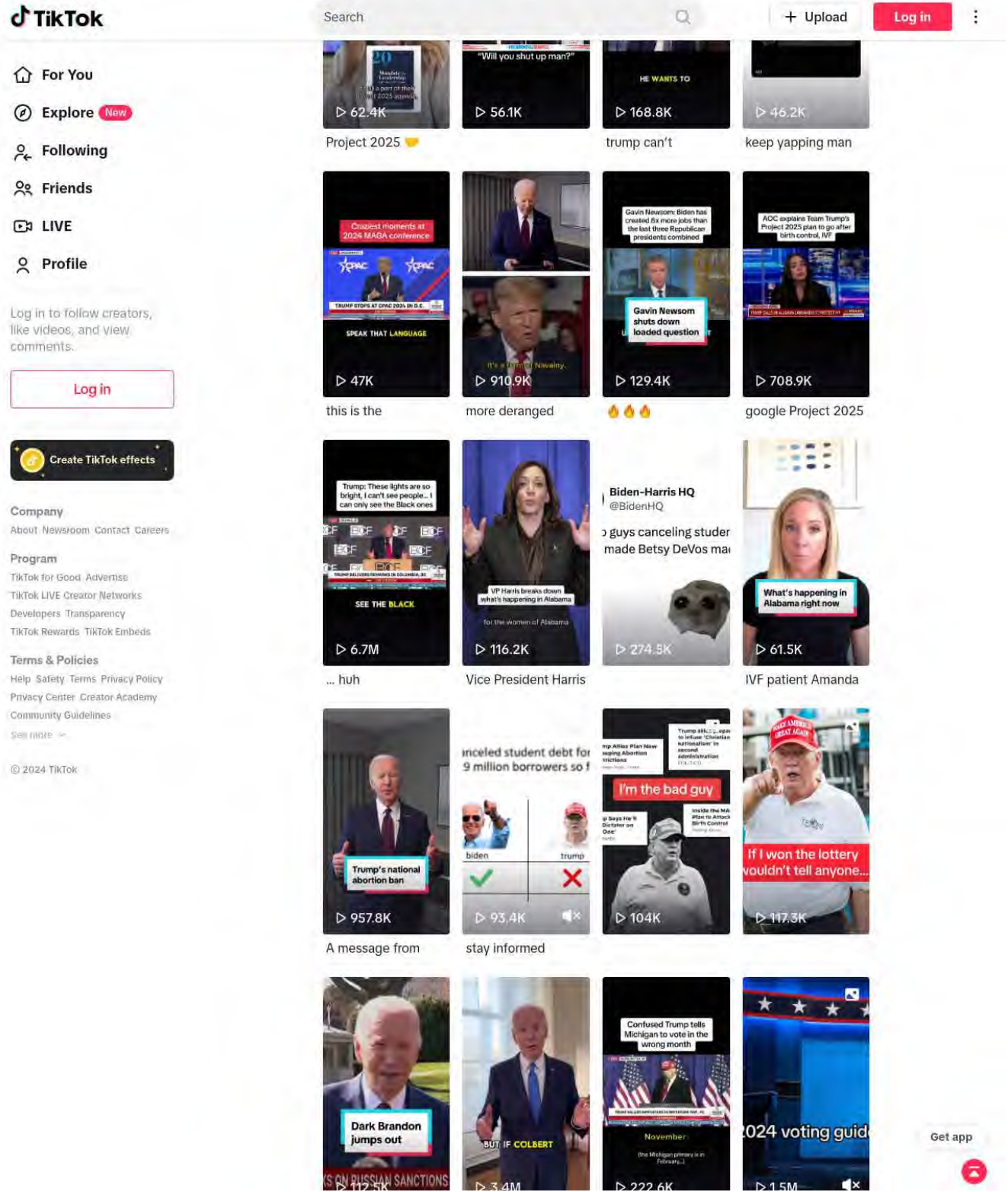
Video 18: MAKE AMERICA GREAT AGAIN

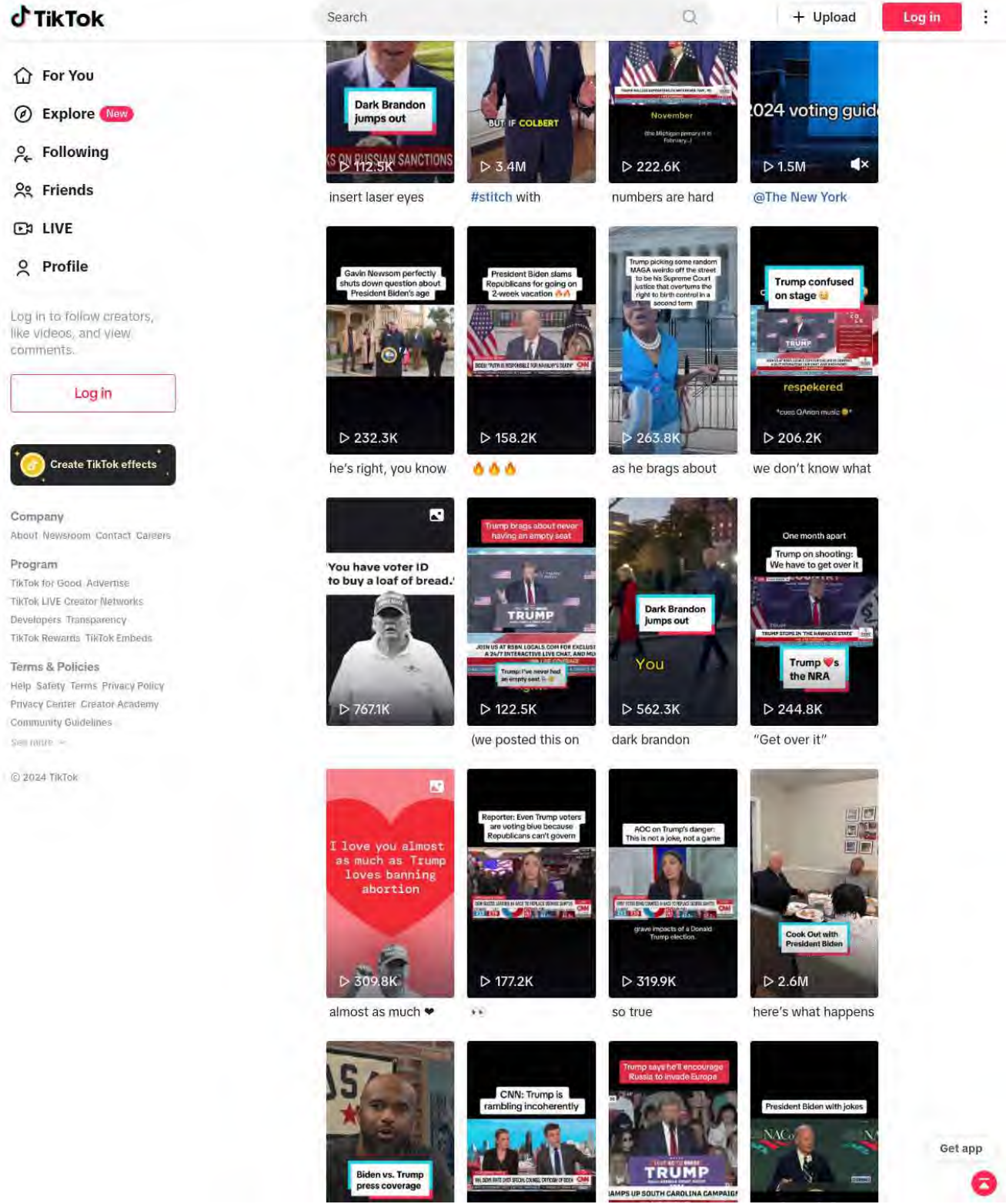
Video 19: [Thumbnail]

Video 20: [Thumbnail]

[Get app](#)

The screenshot shows a TikTok feed with a sidebar on the left containing navigation options: For You, Explore (New), Following, Friends, LIVE, and Profile. The main feed displays a grid of 16 video thumbnails, each with a view count and a caption. The videos are primarily political in nature, featuring Donald Trump and Joe Biden. Captions include phrases like "this is the republican", "the vibes Trump would bring in 2025", "what", "You need to hear this...", "Senate Republicans", "Project 2025", "Donald, man... look", "Fox News melting down about Dark Brandon", "Earlier today Senate Republicans claimed they support IVF", "I'm for IVF", "pro-union pres >", "dark brandon o'clock", "putting his sunglasses on?", "Will you shut up man?", "President Biden gives perfect answer to question about his age", "HE WANTS TO", "anyways.com", "I ain't hearing all that I'm busy for a bit", and "for every that happened". A "Log in" button is visible in the top right corner, and a "Get app" button is in the bottom right corner.





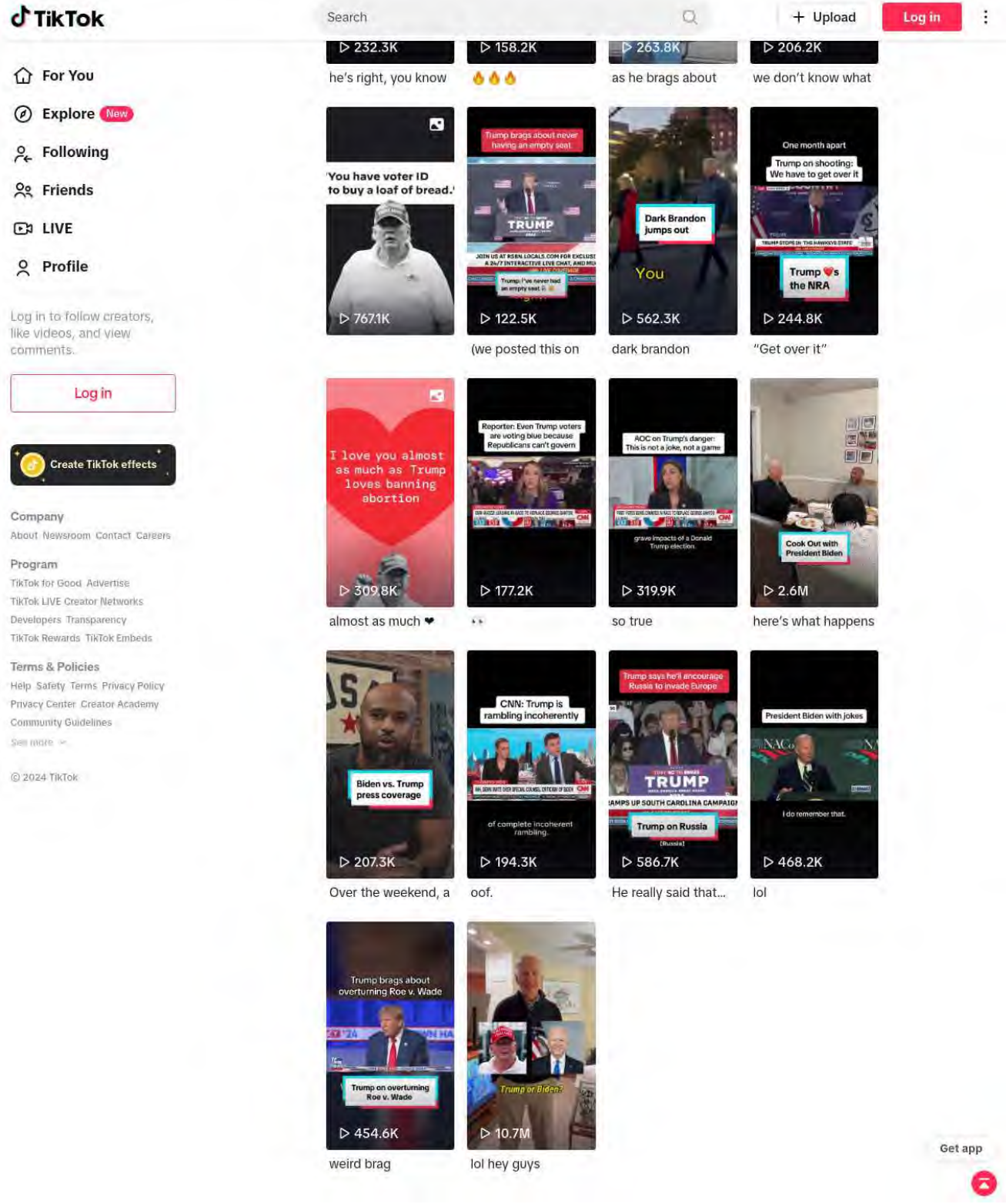


EXHIBIT 8

Addendum - 172



Search

+ Upload

Log in



For You

Explore New

Following

Friends

LIVE

Profile

Log in to follow creators, like videos, and view comments.

Log in

Create TikTok effects, get a reward

Company

About Newsroom Contact Careers

Program

TikTok for Good Advertise
TikTok LIVE Creator Networks
Developers Transparency
TikTok Rewards TikTok Embeds

Terms & Policies

Help Safety Terms Privacy Policy
Privacy Center Creator Academy
Community Guidelines
See more

© 2024 TikTok



realdonaldtrump

President Donald J Trump

Follow

0 Following 6.4M Followers 8.4M Likes

45th President of the United States

Videos

Liked



Face off with



Launching my TikTok

Get app

ORAL ARGUMENT SCHEDULED FOR SEPTEMBER 16, 2024

Case No. 24-1130
Consolidated With No. 24-1113

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

TIKTOK INC. and BYTEDANCE LTD.

Petitioners,

v.

MERRICK B. GARLAND, in his official capacity as Attorney General of
the United States,

Respondent.

(continued on inside cover)

**ON PETITION FOR REVIEW OF THE PROTECTING AMERICANS
FROM FOREIGN ADVERSARY CONTROLLED APPLICATIONS
ACT (H.R. 815)**

**ADDENDUM TO OPENING BRIEF OF CREATOR PETITIONERS
VOLUME 2 of 4 (Add. 174–270)**

Ambika Kumar
Tim Cunningham
Xiang Li
DAVIS WRIGHT TREMAINE LLP
920 Fifth Avenue, Suite 3300
Seattle, Washington 98104
(206) 757-8030
ambikakumar@dwt.com
timcunningham@dwt.com
xiangli@dwt.com

Jeffrey L. Fisher
O'MELVENY & MYERS LLP
2765 Sand Hill Road
Menlo Park, California 94025
(650) 473-2633
jlfisher@omm.com

(continued on inside cover)

Attorneys for Creator Petitioners

BRIAN FIREBAUGH, CHLOE JOY SEXTON, TALIA CADET,
TIMOTHY MARTIN, KIERA SPANN, PAUL TRAN, CHRISTOPHER
TOWNSEND, and STEVEN KING,

Petitioners,

v.

MERRICK B. GARLAND, in his capacity
as United States Attorney General,

Respondent.

BASED Politics Inc.,

Petitioner,

v.

MERRICK B. GARLAND, in his official capacity as Attorney General of
the United States,

Respondent.

Elizabeth A. McNamara
Chelsea T. Kelly
DAVIS WRIGHT TREMAINE LLP
1251 Avenue of the Americas
New York, New York 10020
(212) 489-8230
lizmcnamara@dwt.com
chelseakelly@dwt.com

James R. Sigel
Adam S. Sieff
DAVIS WRIGHT TREMAINE LLP
50 California Street, Suite 2300
San Francisco, California 94111
(415) 276-6500
jamessigel@dwt.com
adamsieff@dwt.com

Joshua Revesz
O'MELVENY & MYERS LLP
1625 Eye Street NW
Washington, DC 20006
(202) 383-5261
jrevesz@omm.com

Attorneys for Creator Petitioners

TABLE OF CONTENTS

	<u>PAGE</u>
Protecting Americans from Foreign Adversary Controlled Applications Act, Pub. L. No. 118-50, Division H	1
Declaration of Talia Cadet	8
Declaration of Brian Firebaugh	18
Declaration of Steven King	28
Declaration of Timothy Martin	35
Declaration of Chloe Joy Sexton	44
Declaration of Kiera Spann.....	52
Declaration of Christopher Townsend	63
Declaration of Paul Tran.....	73
Declaration of Ambika Kumar.....	81

EXHIBIT 9



THE SPORTS WIRE

Your daily sports roundup.

SIGN UP TODAY >



WORLD U.S. ELECTION 2024 POLITICS SPORTS ENTERTAINMENT BUSINESS SCIENCE FACT CHECK ODDITIES BE WELL NEWSLETTERS ...



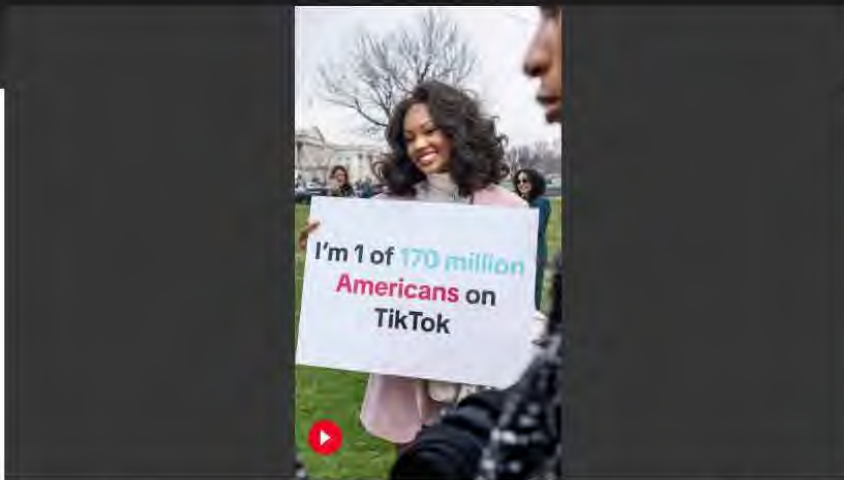
South Florida flooding Israel-Hamas war Boeing 'Dutch roll' Panthers beat Oilers G7 Summit

EVEN WHEN THE NEWS IS FREE, JOURNALISM IS NOT. SUPPORT INDEPENDENT, FACT-BASED JOURNALISM.

DONATE

POLITICS

Biden just signed a bill that could ban TikTok. His campaign plans to stay on the app anyway



The Senate passed legislation Tuesday that would force TikTok's China-based parent company to sell the social media platform under the threat of a ban. Here's what to know.

Photos 4



BY WILL WEISSERT

Updated 4:02 AM UTC, April 25, 2024

Share

WASHINGTON (AP) — When President [Joe Biden](#) showed off his putting during a [campaign stop at a public golf course](#) in Michigan last month, the moment was captured on TikTok.



Forced inside by a rainstorm, he competed with 13-year-old Hurley "HJ" Coleman IV to make putts on a practice mat. The Coleman family posted video of the proceedings on

ADVERTISEMENT

MAKE THE MOST OF THE ELECTIONS.

Benefit from the most trusted election results, reporting and expertise.

MAKE THIS MOMENT COUNT

AP Elections

Suggested For You

by Taboola

South Florida flooding Israel-Hamas war Boeing 'Dutch roll' Panthers beat Oilers G7 Summit It...

EVEN WHEN THE NEWS IS FREE, JOURNALISM IS NOT. SUPPORT INDEPENDENT, FACT-BASED JOURNALISM.

DONATE

Forced inside by a rainstorm, he competed with 13-year-old Hurley "HJ" Coleman IV to make putts on a practice mat. The Coleman family posted video of the proceedings on the app — complete with Biden holing out a putt and the teen knocking his own shot home in response, over the caption, "I had to sink the rebuttal."

The network television cameras that normally follow the president were stuck outside.

Biden signed legislation Wednesday that could ban TikTok in the U.S. while his campaign has embraced the platform and tried to work with influencers. Already struggling to maintain his previous support from younger voters, the president is now facing criticism from some avid users of the app, which researchers have found is a primary news source for a third of Americans under the age of 30.



My Hearing Was Starting To Fade When A Simple Gift Changed My Life Forever.

Advertisement: Hearing.Bestpricepaid.com

Shop Now



Doctor: Sleep Apnea? Try This "Mouth Trick" (It's Genius)

Advertisement: Noctivio

Learn More



AS IT HAPPENS. AP NEWSROOM. Instant access to global news imagery, with simplified licensing.

ADVERTISEMENT

"There's a core hypocrisy to the Biden administration supporting the TikTok ban while at the same time using TikTok for his campaign purposes," said Kahlil Greene, who has more than 650,000 followers and is known on TikTok as the "Gen Z Historian."

What to know about the 2024 Election

- **Democracy:** American democracy has overcome big stress tests since 2020. [More challenges lie ahead in 2024.](#)
- **AP's Role:** The Associated Press is the most trusted source of information on election night, with a history of accuracy dating to 1848. [Learn more.](#)
- **Read the latest:** Follow AP's complete coverage of [this year's election.](#)

"I think it illustrates that he and his people know the power and necessity of TikTok."

ELECTION 2024



It Shouldn't Cost You A Fortune To Have A New Roof

Advertisement: DaBella Roof

Learn More



Anti-Barking Devices For Your Dog Or Neighbours Dog

Advertisement: DogBarkStopper

Shop Now

ADVERTISEMENT



- Biden campaign calls on GOP to drop lawsuits over mail ballots, citing Trump's new fondness for it**
- 'Biden Bingo': The president's campaign adapts a classic game to include malarkey and aviators**
- Donald Trump's 78th birthday becomes a show of loyalty for his fans and fellow Republicans**

The Biden campaign defends its approach and rejects the idea that White House policy is contradicting its political efforts.

"We would be silly to write off any place where people are getting information about the president," said Rob Flaherty, who ran the White House's Office of Digital Strategy and now is deputy manager of Biden's reelection campaign.

Flaherty said Biden's team forged relationships with TikTok influencers the 2020 election and that the platform has only gotten more influential since then, "growing as an internet search engine and driving narratives about the president."



ADVERTISEMENT

The Biden campaign says that an increasingly fragmented modern media environment requires it to meet voters where they are and that TikTok is one of many such places where would-be supporters see its content, in addition to platforms like WhatsApp, Facebook, Instagram and YouTube.

It has produced its own TikTok content, but also relied on everyday users who interact with the president. That includes a post from a family that ate fries and other fixings from the Cook Out fast food chain when Biden recently visited Raleigh, North Carolina, as well as Coleman's putting video.

Opponents of TikTok say its ownership by Chinese company [ByteDance](#) gives Beijing a dangerous amount of influence over what narratives Americans see as well as potential access to U.S. user data. Chinese national-security laws allow the ruling Communist Party wide latitude over private business, though the U.S. has not made public evidence that the Chinese government has manipulated the app or forced ByteDance to do its bidding.

The law Biden signed Wednesday would force ByteDance to sell the app to a U.S. company within a year or face a national ban. ByteDance has argued the law violates the First Amendment and promised to sue.



ADVERTISEMENT



Former President Donald Trump, the presumptive Republican nominee, now publicly opposes a TikTok ban after issuing an executive order while in office trying to ban the app if ByteDance didn't sell it.

The White House doesn't have an official TikTok account and Biden banned the app on most government devices in December 2022. Yet the Biden campaign also officially joined TikTok on the night of this year's Super Bowl, as the president shunned a traditional gameday TV interview to instead spread a political message with the platform.

Former White House press secretary [Jen Psaki](#) convened a virtual briefing in 2022 for more than two dozen of the app's influencers to discuss the U.S. approach to Ukraine, a gathering later parodied on "Saturday Night Live."

There have been scores of other such events, including an influencer party at the White House last Christmas and a State of the Union watch party in March. During Biden's recent, [\\$26 million campaign fundraiser](#) at New York's Radio City Music Hall with former Presidents Barack Obama and Bill Clinton, there was an influencer happy hour and an after-party where attendees interacted with Biden.

ADVERTISEMENT



White House press secretary [Karine Jean-Pierre](#) said that the legislation Biden signed "is not a ban. This is about our national security." She added that the White House isn't saying "that we do not want Americans to use TikTok."

TikTok has 170 million U.S. users and a [study released last November](#) by the Pew Research Center found that about a third of U.S. adults under 30 regularly got news from TikTok, compared to 14% of all adults.



Adults under 30 are more likely than U.S. adults overall to oppose a ban on the use of

ADVERTISEMENT



Adults under 30 are more likely than U.S. adults overall to oppose a ban on the use of TikTok in the United States, according to an [AP-NORC poll conducted in January](#). Nearly half of 18- to 29-year-olds are opposed, compared to 35% of U.S. adults.

ADVERTISEMENT



AS IT HAPPENS. AP NEWSROOM.
Instant access to global sports imagery, with simplified licensing.

ADVERTISEMENT



THE RACE IS ON.

Get access to the most trusted election results, reporting and expertise.

MAKE THIS MOMENT COUNT ->

AP Elections

About 2 in 10 U.S. adults said then they use TikTok at least once a day, including 44% of 18- to 29-year-olds. Among 18- to 29-year-olds, 7% say they use TikTok "almost constantly" and an additional 28% are using it "several times a day."

Priorities USA, a leading Democratic super PAC, is spending around \$1 million this cycle to help fund more than 100 TikTok influencers who produce pro-Biden content ahead of November, and views those efforts as an extension of traditional organizing and communications initiatives.

Even if TikTok is eventually banned, most of its influencers are on other platforms that could continue to take their content, especially YouTube and Instagram, said Danielle Butterfield, Priorities USA's executive director.

"TikTok users are online generally and that's a lot of different places," said Butterfield, who was also deputy director of digital advertising for Hillary Clinton's 2016 presidential campaign.

Biden, meanwhile, has seen his standing with young people decline. About one-third of adults under 30 approve of how he's handling his job as president, according to an [AP-NORC poll conducted in March](#) — a sharp drop from the roughly two-thirds approved when he first entered office.

Greene studied history at Yale, served as the school's first Black student body president and graduated in 2022. He attended past White House events as an influencer, including a Juneteenth celebration and a West Wing event for the Inflation Reduction Act, a sweeping health care and green energy package, where he met both Biden and Vice President Kamala Harris.

About a year ago, however, Greene says he began posting about Biden's championing a sweeping 1994 crime law that activists have long said contributed to the mass incarceration of racial minorities. He also criticized Biden's current administration for what he called "a lack of specific policy made for Black Americans."



Since then, while Greene continues to receive more general emails from the Biden administration, he said says he's no longer invited to more personal events while some "creators who fell in line, who are less critical" are still going.

administration, he said says he's no longer invited to more personal events while some "creators who fell in line, who are less critical" are still going.

Flaherty, Biden's deputy campaign manager, said the campaign has paid influencers in specific instances, like when their content has been used in ads, and that some content creators who work with the campaign have raised concerns about legislation forcing divestment. But he doesn't see it having a major Election Day impact.

"I think young voters aren't going to vote on TikTok," Flaherty said. "They are going to vote on issues, which are discussed on TikTok but they're also discussed other places."

Greene, however, said young voters' frustration with the Biden administration in other areas — particularly its [handling of Israel-Hamas war](#) — have combined with the TikTok divestment legislation to spell political problems for Biden.

"There's no ability for me to overstate how that exacerbates the outcry," he said, "and the dissatisfaction that people already have."

Associated Press writer Linley Sanders contributed to this report.



WILL WEISSERT

Will is a national political reporter based in Washington.



ADVERTISEMENT

THE RACE IS ON.

Get access to the most trusted election results, reporting and expertise.

MAKE THIS MOMENT COUNT

AP Elections

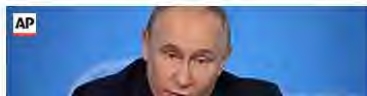
Suggested For You


by Taboola



Advertisement | Capital Group

Taboola Feed




WILL WEISSERT
 Will is a national political reporter based in Washington.

Suggested For You

by Taboola



ADVERTISEMENT

THE RACE IS ON.



Get access to the most trusted election results, reporting and expertise.

MAKE THIS MOMENT COUNT

AP Elections 

Taboola Feed



Putin offers truce if Ukraine exits Russian-claimed areas and drops NATO...

Russian President Vladimir Putin proposed an immediate cease-fire in Ukraine and to begin...

AP News



4,000-year-old Greek hilltop site mystifies archaeologists. It could spell...

A stone building discovered on a Cretan hilltop threatens to disrupt a major airport project.

AP News



Take A 21 Month Vacation From Paying Interest

Advertisement: CompareCredit.com [Read More](#)



Cardiologists: Add This One Thing To Your Morning Coffee To Turn On Fat...

Advertisement: Empower Wellness [Watch More](#)



Here's What A New Walk-in Tub Should Cost You

Advertisement: Homebuddy [Get Quote](#)



EXHIBIT 10

Getting started

Using TikTok

Creating videos

AI Self

Making a post

Camera tools

Effects

Sounds

Editing, posting, and deleting

TikTok Studio

Editing TikTok videos and photos

Duets

Stitch

TikTok Stories

TikTok Notes

Create playlists of your videos

Credit a video

Add Yours

Movies and TV shows

Accessibility for your videos

About AI-generated content

Tools for creators

Effect Creator Center

Support nonprofits on TikTok

Exploring videos

For You

Friends Tab

TikTok Now

Liking

Sharing

Accessibility for watching videos

Your favorite books

Your favorite movies and TV shows

Add songs from TikTok

Effects

Jump to a section

[Effects](#) • [Filters](#)

Effects

Effects are used to customize and add details to TikTok videos. Effects can be added before or after you record a video, but some are only available before recording and others are only available after.

For more editing options, go to our article on [enhanced editing tools on TikTok](#).

To record with an effect:

1. In the TikTok app, tap the **Add Post +** button at the bottom.
2. Tap **Effects** at the bottom of the camera screen.
3. Select an effect to preview. It'll automatically be applied to your screen.
4. Tap anywhere to return to the camera screen and record with the effect.

You can also add effects to your Favorites to find them later.

To add an effect to your Favorites:

1. After tapping the **Add Post +** button, tap **Effects** and select the effect you would like to favorite.
2. Tap the **Favorites** button at the top of the effects panel.

The effect will now appear in your Favorites. To remove an effect from Favorites, go to the effect and tap the **Favorites** button.

Filters

To add a filter to your video:

1. In the TikTok app, tap the **Add Post +** button at the bottom.
2. Tap **Filters** on the side panel.
3. Select a filter you'd like to use. You can add a filter before and after recording or uploading your video.
4. Adjust the slider above the filters panel to preview different filter strengths.
5. Tap anywhere to return to the camera screen and record with the filter.

Select **Management** from the filters panel to choose which filters you'd like to see appear in the app.

Was this helpful?



Your favorite movies and TV shows

Add songs from TikTok

Watch videos in a Series

Donations on TikTok

Watch videos in a playlist

How TikTok recommends content

Cast TikTok to a TV

Video downloads

Discover and search

Messaging and notifications

Comments

Direct messages

Mentions on TikTok

Notifications

TikTok stickers

Followers and Following

Following and unfollowing

Finding friends from your contacts

Removing followers

Blocking users

Finding your blocked list

Growing your audience

How to grow your audience

Verified accounts on TikTok

Personal and Business Accounts on TikTok

Government, Politician, and Political Party Accounts

My videos aren't getting views

How can creators earn on TikTok?

Use Promote to grow your TikTok audience

Report a problem

Account and privacy settings ▾

Safety ▾

Was this helpful?



Helpful links

- [Creating an account](#)
- [Setting up your profile](#)
- [Creating a TikTok video](#)



Finding friends from your contacts

Removing followers

Blocking users

Finding your blocked list

Growing your audience

How to grow your audience

Verified accounts on TikTok

Personal and Business Accounts on TikTok

Government, Politician, and Political Party Accounts

My videos aren't getting views

How can creators earn on TikTok?

Use Promote to grow your TikTok audience

Report a problem

Account and privacy settings ▾

Safety ▾

Log in and troubleshooting ▾

TikTok LIVE, Gifts, and wallet ▾

Monetize on TikTok ▾



Company

- About TikTok
- Newsroom
- Contact
- Careers

Programs

- TikTok for Good
- TikTok for Developers
- Effect House
- Advertise on TikTok
- TikTok Rewards
- TikTok Browse
- TikTok Embeds

Resources

- Help Center
- Safety Center
- Creator Portal
- Community Guidelines
- Transparency
- Accessibility

Legal

- Terms of Service

English ▾

© 2024 TikTok



EXHIBIT 11

Thanks to Kustomer
HEXCLAD eliminated
the need for **49**
different tabs & tools.



#1 AI Support Platform

Kustomer

TECH Help Desk Artificial Intelligence Internet Culture Space Tech Policy

A TikTok ban could also end short-form video as we've come to know it

ByteDance's CapCut editing app made it easy to edit short-form video. The legislation that could ban TikTok also applies to CapCut, congressional aides say.



By Taylor Lorenz

April 29, 2024 at 8:00 a.m. EDT



(Nikolas Kokovlis/NurPhoto/Getty Images)

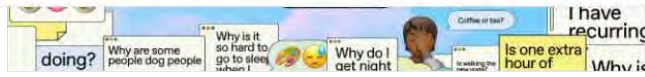
Listen 8 min Share Comment 247 Save

With the passage of the bill that could effectively ban TikTok, ByteDance's other major product, the short-form video editor CapCut, is in jeopardy.



Stay informed with a subscription to The Washington Post. [Subscribe for \\$120 \\$40](#)





Producing this content, however, is nearly impossible for the average user without the suite of editing tools in TikTok's sister video editing app, CapCut. While video editing apps and platforms existed before ByteDance introduced CapCut in April 2020, most were clunky, poorly designed or aimed at a more professional audience, such as Adobe Premiere.

Follow Technology

Follow +

CapCut changed all that.

GET CAUGHT UP

Stories to keep you informed



Maryland governor to pardon 175,000 marijuana convictions in sweeping order



Closing asset loophole could add billions to tax collections, IRS says



Russia's Putin North Korea, & growing military cooperation

The app allows any user, regardless of whether they have a TikTok account, to easily create incredibly complex and engaging videos on their phone. It makes editing tasks that previously would have taken hours of arduous work and technical know how as easy as clicking a button or two. That's made CapCut an essential tool for small businesses, educators, content creators and anyone looking to create internet-native video.

MORE ON TIKTOK



Everything TikTok users need to know about a possible ban in the U.S.



TikTok files court challenge to U.S. law that could lead to ban



Biden signs ban TikTok in the mak

5 TikTok tried this family out of public housing. See their life before and after



4 Leaked documents reveal patient safety issues at Amazon's One Medical



5 Stanford's top disinformation research group collapses under pressure



TOP STORIES

Technology

Big Tech news and how to take control of your data and devices

Voice assistants and AI chatbots still can't say who won the 2020 election

Leaked documents reveal patient safety issues at Amazon's One Medical

What are all these Apple executives doing with their legs?

Try a different topic

Sign in or create a free account to save your preferences

MOST READ



Stay informed with a subscription to The Washington Post.

Subscribe for \$120 \$40

×

Everything TikTok users need to know about a possible ban in the U.S.

TikTok files court challenge to U.S. law that could lead to ban

Biden sign ban TikTok in the mak


“CapCut is the foundation for all the short-form vertical video on the internet,” said Brendan Gahan, CEO and co-founder of Creator Authority, an influencer marketing agency in Southern California. “People start on CapCut, then post on YouTube Shorts, Instagram, everywhere.”

Sam Griffin-Ortiz, a video editor and multimedia artist in Oakland, Calif., said he would liken CapCut’s impact on social media “to the impact of the electric guitar on music in the 20th century.”

Videos created on TikTok and CapCut are “their own language,” said Nathan Preston, who operates the meme account @Northwest_MCM_Wholesale on Instagram. Preston, like many Instagram creators, leverages CapCut and TikTok’s suite of creative editing tools to make his videos, which he then posts to other platforms.

“I’m a trained design professional,” he said. “I have Adobe Premiere, I know how to use Final Cut and all that stuff. CapCut is easier, more intuitive. We’re losing something if it goes away. If it goes away, it will make me less inclined to make whatever the hell I make.”

CapCut has become so synonymous with online videos that its pre-formatted video templates frequently trend across other platforms, such as Instagram Reels. “Ninety percent of the Reels I see on Instagram I can tell the exact CapCut pro template they’ve used,” said Griffin-Ortiz.



Tip: Keep Bread Clip in Wallet

Why should you always carry a bread clip when travelling?

LifeHack Guru [Learn More >](#)

Michael Wong, the founder of @AsianVerified, a humor media company that operates on Instagram and YouTube, said that CapCut is essential to making content that performs well online. “It’s a specific style,” he said. “You’ll see ads on Reddit and all over made to mimic the CapCut look.”

MOST READ



1 Closing asset loophole could add billions to tax collections, IRS says

2 Analysis | The most common job in America is an incredible three-way tie



3 Mike Johnson’s Intelligence Committee choices anger some GOP lawmakers



4 The 2024 ‘Deciders’: Who are they and what makes them tick?



5 Incoming Post editor tied to self-described ‘thief’ who claimed role in his reporting




intel CORE ULTRA

UNLOCK A DEFINITIVE AI PC EXPERIENCE WITH INTEL VPRO

Stay informed with a subscription to The Washington Post.

Subscribe for \$120 \$40



operates on Instagram and YouTube, said that CapCut is essential to making content that performs well online. “It’s a specific style,” he said. “You’ll see ads on Reddit and all over made to mimic the CapCut look.”

No other major social media platform offers the same suite of creative tools that CapCut does, creators said. Creating captions, on-screen animations and visual effects are all as easy as clicking a button or two on CapCut; re-creating those same effects in Adobe Premiere or After Effects (other editing platforms) would take hours.

“If you make something natively on Instagram it looks cheugy,” said Wong, using the internet slang term to mean corny and passé.

Lauren Moore, the founder and creator of Book Huddle, an online book community, said content created in CapCut consistently outperforms content made using other programs. The tools the platform offers automatically make nearly any piece of content more engaging, she explained.

“Most video editing tools require you to have all the assets and a vision in mind; you’re really starting with a blank slate,” she said. “With CapCut, it takes you about three steps ahead from that blank slate. You don’t have to be a knowledgeable video editor to be able to create really effective viral content.”

That viral content performs particularly well outside the ByteDance ecosystem. The style of editing pioneered by MrBeast, called “retention editing,” was birthed from CapCut.

“Everyone’s using the same basic tools,” Noah Kettle, co-founder of Moke Media Co., a video editing and social media monetization consultancy, told The Post last month. “I’ve seen 10 to 15 creators use the exact same animated money-on-screen effect, and it’s all from CapCut.”

CapCut users are scrambling since news of the potential TikTok ban broke. Some said they were worried they wouldn’t be able to continue to make videos without access to CapCut.

“There’s a unique form of artistry that CapCut enables,” said Moore. “Social media is all about connection, and a really big part of connecting with other people is creating content that elicits an emotional reaction or shows an emotional side of yourself. By using cap cuts tools, you can quickly and easily create a video to demonstrate what’s on your mind, or how you’re feeling about things, and that is going to be so much harder to do if we don’t have CapCut at our disposal.”

Many creators spoke about the potential removal of these creative tools as if there were suddenly a ban on language. They said that while older people seem



Stay informed with a subscription to The Washington Post.

[Subscribe for \\$120 \\$40](#)

×

Many creators spoke about the potential removal of these creative tools as if there were suddenly a ban on language. They said that while older people seem to harbor a hostility toward short form, highly edited video, it has become an essential mode of expression.

“It’s like you’re taking away a language from people,” said Griffin-Ortiz. “Banning CapCut would be the book burning of the digital age. I think we’ll look back on this time and history and see it in a lens very similar to book burnings.”

Creators who are immersed in the short form online video world said that reverting to previous tools would feel like a step back.

“CapCut has transformed the way a lot of content creators create video online,” said Connor Clary, a Gen Z content creator and potter in Kansas City, Mo. “Before CapCut existed, short-form video was a lot simpler. It was a lot of basic, one take videos. CapCut elevated vertical video.”

Len Necefer, who runs the Instagram account @sonoran.avalanche.center aimed at raising awareness around the climate crisis, said that CapCut is a crucial tool when it comes to creating pieces of media that feel native to young people. “CapCut allows me to craft videos and messaging in a style that reaches Gen Z voters,” he said. “We’ve been doing voter outreach and turning out the vote, and that’s where we’ve used CapCut the most. It allows us to target the younger audience in a more playful way.”

While TikTok is the law’s main focus, the terms of the legislation are written to apply to any app that qualifies as a “foreign adversary controlled application.” The law defines a foreign adversary controlled application as any app that’s operated by ByteDance, TikTok, or a subsidiary of either of the two — which would presumably include CapCut.

CapCut has so far received relatively little mention in the debate surrounding the TikTok ban. Rep. Cathy McMorris Rodgers (R-Wash.), one of the bill’s architects, did mention it twice in her opening statements at a March hearing of the House Energy and Commerce Committee, claiming that CapCut is subject to the influence of the Chinese Communist Party, though she provided no evidence to support her claims.

Gahan said the TikTok ban is drastic, but cutting off CapCut could have just as far-reaching impact on the online landscape.

If a CapCut ban were to pass alongside TikTok, “there’s a mode of self expression that’s going to be disappearing from the internet,” he said.



Stay informed with a subscription to The Washington Post.

[Subscribe for \\$120 \\$40](#)

×

CapCut has so far received relatively little mention in the debate surrounding the TikTok ban. Rep. Cathy McMorris Rodgers (R-Wash.), one of the bill's architects, did mention it twice in her opening statements at a March hearing of the House Energy and Commerce Committee, claiming that CapCut is subject to the influence of the Chinese Communist Party, though she provided no evidence to support her claims.

Gahan said the TikTok ban is drastic, but cutting off CapCut could have just as far-reaching impact on the online landscape.

If a CapCut ban were to pass alongside TikTok, "there's a mode of self-expression that's going to be disappearing from the internet," he said.

Possible TikTok ban

President Biden announced he has signed legislation to ban or force a sale of TikTok after Congress passed legislation to ban or force a sale of TikTok, delivering a historic rebuke of the video-sharing platform's Chinese ownership.

What the bill does: The bill, which saw bipartisan support in the House and Senate, would require the social media app's Chinese parent company, ByteDance, to sell off the immensely popular app or face a nationwide ban. Here's what you should know about the potential ban.

What's next: The provision gives ByteDance roughly nine months to sell the wildly popular app or face a national ban, a deadline Biden could extend the deadline by 90 days. TikTok is expected to challenge the measure, setting up a high-stakes, and

Show more ▾

Share

247 Comments



By Taylor Lorenz

Taylor Lorenz is a columnist at The Washington Post covering technology and online culture. Before joining The Post, she was a technology reporter for the New York Times. Previously, she was a technology reporter at the Atlantic and the Daily Beast.

MORE FROM THE POST

They once humbled navies: The secret of tiny shipworms' mighty gut

June 15, 2024



Maryland governor pardons 175,000 marijuana convictions in sweeping order

Today at 2:44 p.m. EDT



intel CORE ULTRA

UNLOCK A DEFINITIVE AI PC EXPERIENCE WITH INTEL VPRO

LEARN MORE

Intel technologies may require enabled hardware, software or service activation. Results may vary. Learn more at intel.com/IT/usa. © Intel Corporation.

Stay informed with a subscription to The Washington Post.

Subscribe for \$120 \$40



EXHIBIT 12



How TikTok recommends videos #ForYou

TikTok's mission is to inspire creativity and bring joy. We're building a global community where you can create and share authentically, discover the world, and connect with others. The For You feed is part of what enables that connection and discovery. It's central to the TikTok experience and where most of our users spend their time.

When you open TikTok and land in your For You feed, you're presented with a stream of videos curated to your interests, making it easy to find content and creators you love. This feed is powered by a recommendation system that delivers content to each user that is likely to be of interest to that particular user. Part of the magic of TikTok is that there's no one For You feed – while different people may come upon some of the same standout videos, each person's feed is unique and tailored to that specific individual.

The For You feed is one of the defining features of the TikTok platform, but we know there are questions about how recommendations are delivered to your feed. In this post we'll explain the recommendation system behind the For You feed, discuss how we work to counter some of the issues that all recommendation services can grapple with, and share tips for how you can personalize your discovery experience on TikTok.

The basics about recommendation systems

Recommendation systems are all around us. They power many of the services we use and love every day. From shopping to streaming to search engines, recommendation systems are designed to help people have a more personalized experience.

In general, these systems suggest content after taking into account user preferences as expressed through interactions with the app, like posting a comment or following an account. These signals help the recommendation system gauge the content you like as well as the content you'd prefer to skip.

What factors contribute to For You?

On TikTok, the For You feed reflects preferences unique to each user. The system recommends content by ranking videos based on a combination of factors – starting from interests you express as a new user and adjusting for things you indicate you're *not* interested in, too – to form your personalized For You feed.

Recommendations are based on a number of factors, including things like:

- **User interactions** such as the videos you like or share, accounts you follow, comments you post, and content you create.
- **Video information**, which might include details like captions, sounds, and hashtags.
- **Device and account settings** like your language preference, country setting, and device type. These factors are included to make sure the system is optimized for performance, but they receive lower weight in the recommendation system relative to other data points we measure since users don't actively express these as preferences.

All these factors are processed by our recommendation system and weighted based on

device type. These factors are included to make sure the system is optimized for performance, but they receive lower weight in the recommendation system relative to other data points we measure since users don't actively express these as preferences.

All these factors are processed by our recommendation system and weighted based on their value to a user. A strong indicator of interest, such as whether a user finishes watching a longer video from beginning to end, would receive greater weight than a weak indicator, such as whether the video's viewer and creator are both in the same country. Videos are then ranked to determine the likelihood of a user's interest in a piece of content, and delivered to each unique For You feed.

While a video is likely to receive more views if posted by an account that has more followers, by virtue of that account having built up a larger follower base, neither follower count nor whether the account has had previous high-performing videos are direct factors in the recommendation system.

Curating your personalized For You feed

Getting started

How can you possibly know what you like on TikTok when you've only just started on the app? To help kick things off we invite new users to select categories of interest, like pets or travel, to help tailor recommendations to their preferences. This allows the app to develop an initial feed, and it will start to polish recommendations based on your interactions with an early set of videos.

For users who don't select categories, we start by offering you a generalized feed of popular videos to get the ball rolling. Your first set of likes, comments, and replays will initiate an early round of recommendations as the system begins to learn more about your content tastes.

Finding more of what you're interested in

Every new interaction helps the system learn about your interests and suggest content – so the best way to curate your For You feed is to simply use and enjoy the app. Over time, your For You feed should increasingly be able to surface recommendations that are relevant to your interests.

Your For You feed isn't only shaped by your engagement through the feed itself. When you decide to follow new accounts, for example, that action will help refine your recommendations too, as will exploring hashtags, sounds, effects, and trending topics on the Discover tab. All of these are ways to tailor your experience and invite new categories of content into your feed.

Seeing less of what you're not interested in

TikTok is home to creators with many different interests and perspectives, and sometimes you may come across a video that isn't quite to your taste. Just like you can long-press to add a video to your favorites, you can simply long-press on a video and tap "Not Interested" to indicate that you don't care for a particular video. You can also choose to hide videos from a given creator or made with a certain sound, or report a video that seems out of line with our guidelines. All these actions contribute to future recommendations in your For You feed.

Addressing the challenges of recommendation engines

One of the inherent challenges with recommendation engines is that they can inadvertently limit your experience – what is sometimes referred to as a "filter bubble." By optimizing for personalization and relevance, there is a risk of presenting an increasingly homogenous stream of videos. This is a concern we take seriously as we maintain our recommendation system.

Interrupting repetitive patterns

To keep your For You feed interesting and varied, our recommendation system works to



By optimizing for personalization and relevance, there is a risk of presenting an increasingly homogenous stream of videos. This is a concern we take seriously as we maintain our recommendation system.

Interrupting repetitive patterns

To keep your For You feed interesting and varied, our recommendation system works to intersperse diverse types of content along with those you already know you love. For example, your For You feed generally won't show two videos in a row made with the same sound or by the same creator. We also don't recommend duplicated content, content you've already seen before, or any content that's considered spam. However, you might be recommended a video that's been well received by other users who share similar interests.

Diversifying recommendations

Diversity is essential to maintaining a thriving global community, and it brings the many corners of TikTok closer together. To that end, sometimes you may come across a video in your feed that doesn't appear to be relevant to your expressed interests or have amassed a huge number of likes. This is an important and intentional component of our approach to recommendation: bringing a diversity of videos into your For You feed gives you additional opportunities to stumble upon new content categories, discover new creators, and experience new perspectives and ideas as you scroll through your feed.

By offering different videos from time to time, the system is also able to get a better sense of what's popular among a wider range of audiences to help provide other TikTok users a great experience, too. Our goal is to find balance between suggesting content that's relevant to you while also helping you find content and creators that encourage you to explore experiences you might not otherwise see.

Safeguarding the viewing experience

Our recommendation system is also designed with safety as a consideration. Reviewed content found to depict things like graphic medical procedures or legal consumption of regulated goods, for example – which may be shocking if surfaced as a recommended video to a general audience that hasn't opted in to such content – may not be eligible for recommendation. Similarly, videos that have just been uploaded or are under review, and spam content such as videos seeking to artificially increase traffic, also may be ineligible for recommendation into anyone's For You feed.

Improving For You

Developing and maintaining TikTok's recommendation system is a continuous process as we work to refine accuracy, adjust models, and reassess the factors and weights that contribute to recommendations based on feedback from users, research, and data. We are committed to further research and investment as we work to build in even more protections against the engagement bias that can affect any recommendation system.

This work spans many teams – including product, safety, and security – whose work helps improve the relevance of the recommendation system and its accuracy in suggesting content and categories you're more likely to enjoy.

Ultimately, your For You feed is powered by your feedback: the system is designed to continuously improve, correct, and learn from your own engagement with the platform to produce personalized recommendations that we hope inspire creativity and bring joy with every refresh of your For You feed.

Note: At the [TikTok Transparency Center](#) in Los Angeles, invited experts will have the opportunity to learn how our algorithm operates along with reviewing TikTok source code, which will be made available at the center for testing and evaluation.



News Jun 18, 2024

TikTok ushers in a new era of creative bravery at Cannes Lions Festival showing marketers how to boost returns on creative

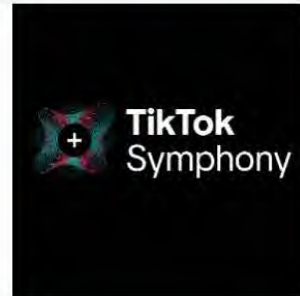
Creative freedom and experimentation are the most critical tools in today's marketing arsenal to thrive and meet audiences where they are...



Product Jun 17, 2024

Meet Symphony Avatars: TikTok's New Creative AI Tool

Creativity thrives on TikTok. When brands truly lean into creative bravery and experimentation, they are able to speak directly to their communit...



News Jun 13, 2024

Announcing Off the Record: A New TikTok Series Featuring Today's Top Artists

Behind-the-scenes content series providing an inside look at making an album Today, TikTok is unveiling Off the Record, a new series that...



Download now

QR CODE | Download on the App Store | GET IT ON Google Play | available at amazon appstore | Get it from Microsoft



Company
About TikTok

Programs
TikTok for Good

Resources
Help Center

Legal
Terms of Service



boost returns on creative

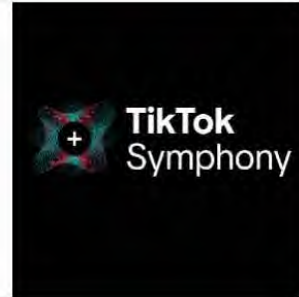
Creative freedom and experimentation are the most critical tools in today's marketing arsenal to thrive and meet audiences where they are...



Product Jun 17, 2024

Meet Symphony Avatars: TikTok's New Creative AI Tool

Creativity thrives on TikTok. When brands truly lean into creative bravery and experimentation, they are able to speak directly to their communit...



News Jun 13, 2024

Announcing Off the Record: A New TikTok Series Featuring Today's Top Artists

Behind-the-scenes content series providing an inside look at making an album Today, TikTok is unveiling Off the Record, a new series that...



Download now



Company

- [About TikTok](#)
- [Newsroom](#)
- [Contact](#)
- [Careers](#)

Programs

- [TikTok for Good](#)
- [TikTok for Developers](#)
- [Effect House](#)
- [Advertise on TikTok](#)
- [TikTok Rewards](#)
- [TikTok Browse](#)
- [TikTok Embeds](#)

Resources

- [Help Center](#)
- [Safety Center](#)
- [Creator Portal](#)
- [Community Guidelines](#)
- [Transparency](#)
- [Accessibility](#)

Legal

- [Terms of Service](#)



EXHIBIT 13

Getting started

Using TikTok

- Creating videos
 - AI Self
 - Making a post
 - Camera tools
 - Effects
 - Sounds
 - Editing, posting, and deleting
 - TikTok Studio
 - Editing TikTok videos and photos
- Duets
- Stitch
- TikTok Stories
- TikTok Notes
- Create playlists of your videos
- Credit a video
- Add Yours
- Movies and TV shows
- Accessibility for your videos
- About AI-generated content
- Tools for creators
- Effect Creator Center
- Support nonprofits on TikTok

Exploring videos

- For You
- Friends Tab
- TikTok Now
- Liking
- Sharing
- Accessibility for watching videos
- Your favorite books
- Your favorite movies and TV shows
- Add songs from TikTok

How TikTok recommends content

Jump to a section

[What are recommender systems?](#) • [How content is recommended across TikTok](#) • [Other factors that influence how TikTok recommends content](#) • [How you can influence what you see on TikTok](#)

What are recommender systems?

TikTok's mission is to inspire creativity and bring joy. We have a wide variety of content and we want you to discover interesting and relevant videos. That's why we use recommender systems to offer you a personalized experience. These systems suggest content based on your preferences as expressed through interactions on TikTok, such as following an account or liking a post.

When you first sign up for TikTok, we may invite you to select categories of interest, like pets or travel, which help us form your For You and LIVE feeds. If you don't select any categories of interest, we start by offering you a feed of recent videos that are popular with others on TikTok. When selecting your initial set of videos, the recommender system looks for popular videos that are appropriate for a broad audience and influenced by your location and language settings. In addition to categories, we'll suggest popular creators for you to follow. If you don't select any followers or have any friends on TikTok, then you may not see content in your Friends Tab or Following feed.

Once you start interacting on the app, your interactions act as signals that help the recommender system predict content you're more likely to be interested in as well as the content you might be less interested in and may prefer to skip. Your interactions across TikTok can impact how the system ranks and serves you content.

How content is recommended across TikTok

We recommend content based on several factors to predict how relevant and interesting content might be to a user. The three main factors are user interactions, content information, and user information.

Each recommender system selects from a large collection of eligible content and ranks them based on the system's prediction of how likely you'll be interested in each one. In certain recommender systems, these predictions are also influenced by the interactions of other people on TikTok who appear to have similar interests. For example, if User A likes videos 1, 2, and 3 and User B likes videos 1, 2, 3, 4, and 5, the recommender system may predict User A will also like videos 4 and 5. While some may see the same content, features like the For You, Following, Friends, and LIVE feeds are unique to each person.

You can view content through several feeds and features, which we continually improve and expand over time. Below, we've provided some popular examples.

- Your favorite books
- Your favorite movies and TV shows
- Add songs from TikTok
- Watch videos in a Series
- Donations on TikTok
- Watch videos in a playlist
- How TikTok recommends content**
- Cast TikTok to a TV
- Video downloads
- Discover and search
- Messaging and notifications
- Comments
- Direct messages
- Mentions on TikTok
- Notifications
- TikTok stickers
- Followers and Following
- Following and unfollowing
- Finding friends from your contacts
- Removing followers
- Blocking users
- Finding your blocked list
- Growing your audience
- How to grow your audience
- Verified accounts on TikTok
- Personal and Business Accounts on TikTok
- Government, Politician, and Political Party Accounts
- My videos aren't getting views
- How can creators earn on TikTok?
- Use Promote to grow your TikTok audience
- Report a problem

Account and privacy settings ▾

some may see the same content, features like the For You, Following, Friends, and LIVE feeds are unique to each person.

You can view content through several feeds and features, which we continually improve and expand over time. Below, we've provided some popular examples.

For You

The For You feed displays a stream of content just for you, so you can find content and creators you love.

Factors that may influence your For You feed include:

- **User Interactions:** Content you like, share, comment on, and watch in full or skip, as well as accounts of followers that you follow back.
- **Content Information:** Sounds, hashtags, number of views, and the country the content was published.
- **User Information:** Device settings, language preference, location, time zone and day, and device type.

These factors help us predict how relevant and interesting content might be to a user. Different factors can play a larger or smaller role in what's recommended, and the importance—or weighting—of a factor can change over time. For many users, the time spent watching a specific video is generally weighted more heavily than other factors.

Following

The Following feed displays content from creators you follow. Each Following feed is unique—even when two users follow the same set of creators, each feed will rank and serve content in a way that is tailored to how you use TikTok.

Factors that may influence your Following feed include:

- **User Interactions:** Visits to the user profiles you follow and the content you like, share, comment on, and watch in full or skip.
- **Content Information:** Sounds, hashtags, number of video views, and the country the content was published.
- **User Information:** Device settings, language preference, location, time zone and day, and device type.

These factors help us predict how relevant and interesting content might be to a user. Different factors can play a larger or smaller role in what's recommended, and the importance—or weighting—of a factor can change over time. For many users, the time spent watching specific videos is generally weighted more heavily than other factors.

Friends

The Friends Tab displays content from followers that you follow back (your friends), accounts you follow, and other [suggested accounts](#). Even when two users follow the same set of creators, their Friends Tab will rank and serve content in a way that is unique to each person.

Factors that may influence the Friends Tab include:

- **User Interactions:** Visits to the profiles of your friends or people you may know and the content you like, share, comment on, and watch in full or skip.
- **Content Information:** Sounds, hashtags, number of video views, and the country the content was published.
- **User Information:** Device settings, contacts (with your permission), language preference, location, time zone and day, and device type.

These factors help us predict how relevant and interesting content might be to a viewer. Different factors can play a larger or smaller role in what's recommended, and the importance—or weighting—of a factor can change over time. For many users, likes and comments on a video are generally weighted more heavily than other factors.

LIVE



audience

Report a problem

Account and privacy settings

Safety

Log in and troubleshooting

TikTok LIVE, Gifts, and wallet

Monetize on TikTok

These factors help us predict how relevant and interesting content might be to a viewer. Different factors can play a larger or smaller role in what's recommended, and the importance—or weighting—of a factor can change over time. For many users, likes and comments on a video are generally weighted more heavily than other factors.

LIVE

The LIVE feed displays a stream of LIVE videos that allows you to find content and creators you love. You can view LIVE videos by selecting the LIVE button at the top of the For You feed, or you may see recommended LIVE videos in your For You Feed.

Factors that may influence your LIVE feed include:

- **User Interactions:** LIVE videos you like and comment on, creators you follow, watch time, and Gifts sent.
- **Content information:** Hashtags, number of LIVE views, number of likes, number of Gifts sent, number of followers of that creator, and the country in which the LIVE is taking place.
- **User Information:** Device settings, language preference, location, time zone and day, and device type.

These factors help us predict how relevant and interesting content might be to a user. Different factors can play a larger or smaller role in what's recommended, and the importance—or weighting—of a factor can change over time. For many users, the time spent watching a specific LIVE is generally weighted more heavily than other factors.

Search

Our search feature allows you to search for content on TikTok. It also recommends search terms for you to discover content.

Factors that may influence your search results include:

- **User Interactions:** Your past search behavior and the content you like, share, comment on, and watch in full or skip.
- **Content information:** How relevant the content is to your search, hashtags, and the sound used.
- **User information:** Device settings, language preference, and location.

These factors help us predict how relevant and interesting content might be to a viewer. Different factors can play a larger or smaller role in what's recommended, and the importance—or weighting—of a factor can change over time. For many users, how relevant the content is to the specific term entered is generally weighted more heavily than other factors.

Comments

We recommend comments on posts that we think you'll be interested in and to build connections within the TikTok community.

Factors that may influence what comments we show you:

- **User Interactions:** Comments you like, reply to, and if you follow the video creator or author of the comment.
- **Content information:** Number of likes and the language of the comment.
- **User Information:** Your location and language preference, and device settings.

Different factors can play a larger or smaller role in what's recommended, and the importance—or weighting—of a factor can change over time. For many users, the language of the comment and how many likes it has are generally weighted more heavily than other factors.

Notifications

We'll send you notifications to recommend content you might like, people you might know, or search terms you might be interested in.

Factors that may influence what notifications we send you:

- **User Interactions:** How active you've been on TikTok and your previous interactions with notifications.
- **Content information:** Creator of the content, hashtags, number of views, and the country the



terms you might be interested in.

Factors that may influence what notifications we send you:

- **User interactions:** How active you've been on TikTok and your previous interactions with notifications.
- **Content information:** Creator of the content, hashtags, number of views, and the country the content was published.
- **User information:** Your location, language preference, and device type.

Different factors can play a larger or smaller role in what's recommended, and the importance—or weighting—of a factor can change over time. For many users, the number of notifications you receive and open is generally weighted more heavily than other factors.

Account recommendations

On TikTok, you can connect with people you may know and creators that might interest you, based on who you're already engaging with.

Factors that may influence your account recommendations include:

- **User interactions:** Your activity on TikTok, such as the types of accounts you follow, like, or share content with.
- **Content information:** Number of followers and views an account has, account location, and the likelihood that you know another user, for example if they're in your contacts (with your permission).
- **User information:** Device settings, language preference, and location.

Different factors can play a larger or smaller role in what's recommended, and the importance—or weighting—of a factor can change over time. For many users, the number of mutual connections between two accounts is generally weighted more heavily than other factors.

Other factors that influence how TikTok recommends content

Diversifying recommendations

When you view content in your Friends Tab, For You, Following, and LIVE feeds, our goal is to find a balance between suggesting content that's relevant to you while also allowing you to discover new and diverse content and creators, and experience new perspectives and ideas. That's why you may come across content in your For You and LIVE feeds that doesn't appear to be relevant to your expressed interests. We typically don't recommend content you've already seen and we'll encourage you to explore different categories of content and creators through recommendations.

Similarly with your Friends Tab and Following feed, you may see multiple videos from the same creator, but we generally won't recommend two videos in a row from that creator. If you follow only them, then we may recommend multiple videos in a row. If you run out of videos to watch on your Friends Tab or Following feed, then we'll suggest for you to explore videos on your For You feed.

Safeguarding your experience

Our recommender systems are designed with safety as a key consideration and we remove any content identified as violating our [Community Guidelines](#).

Our safety team takes additional precautions to review content as they rise in popularity to reduce the likelihood of recommending content that may not be suitable for everyone on TikTok. For example, we strive to not recommend—or to limit the recommendation of—certain categories of content that may not be suitable for a general audience, even if that content is not removed from TikTok altogether. [We continually review LIVE videos](#) to interrupt and stop LIVE content that violates our Community Guidelines. We may also restrict creators from going LIVE who violate our Community Guidelines. Users under the age of 18 are not permitted to host a LIVE or to send Gifts, and are restricted from watching certain LIVE videos. [Learn more about age-restricted content on LIVE.](#)

You can learn more about our standards on content eligibility in our [Community Guidelines](#).



content that may not be suitable for a general audience, even if that content is not removed from TikTok altogether. [We continually review LIVE videos](#) to interrupt and stop LIVE content that violates our Community Guidelines. We may also restrict creators from going LIVE who violate our Community Guidelines. Users under the age of 18 are not permitted to host a LIVE or to send Gifts, and are restricted from watching certain LIVE videos. Learn more about [age-restricted content on LIVE](#).

You can learn more about our standards on content eligibility in our [Community Guidelines](#).

How you can influence what you see on TikTok

For You

In addition to selecting categories of interest when you sign up for TikTok, you can use the following features to help shape your For You feed:

- **Not interested:** If you don't enjoy a specific piece of content you can let us know by sharing feedback that you're not interested in and we'll show you fewer content like it.
- **Filter video keywords:** Filter out specific words or hashtags from the content recommended to you in your For You and Following feeds.

If the recommendations on your For You feed don't feel relevant to you anymore, or you're looking for more variety in your feed, you can [refresh your For You feed](#) to view a new set of popular content, as if you've just signed up for TikTok.

Following

Use the following features to help shape your following feed:

- **Unfollow:** Unfollowing a creator can directly remove the creator's posts in the Following feed.
- **Filter video keywords:** Filter out specific words or hashtags from the content preferences section in your settings to stop seeing content with those keywords in your For You and Following feeds.

Friends

Use the following features to help shape your Friends Tab:

- **Unfollow:** Unfollowing the creator or friend could remove the posts from that account in the Friends Tab.
- **Not interested:** If you don't enjoy recommended content from people you may know based on suggested accounts, you can let us know by sharing feedback that you're not interested and we'll show you fewer content from that creator.

LIVE

In addition to selecting categories of interest when you sign up for TikTok, you can use the following features to help shape your LIVE feed:

- **Not interested:** If you don't enjoy a specific piece of LIVE content, you can let us know by sharing feedback that you're not interested and we'll show you fewer content from that creator.

Comments

Let us know if you're not interested in a comment by disliking it within the comments section of a post.

Notifications

[Manage notifications](#) in your settings to choose what type of notifications you'd like to receive for suggested posts. Turn all notifications off or choose which interactions you'd like to receive notifications for.

Account recommendations

Use the following features to help shape your account recommendations:

- **Unsync your contacts:** Remove previously synced contacts or turn off synced contacts in your privacy settings.
- **Remove suggested accounts:** When we recommend accounts for you to follow, you can remove it from the suggested list to let us know you're not interested.



features to help shape your LIVE feed:

- **Not interested:** If you don't enjoy a specific piece of LIVE content, you can let us know by sharing feedback that you're not interested and we'll show you fewer content from that creator.

Comments

Let us know if you're not interested in a comment by disliking it within the comments section of a post.

Notifications

Manage notifications in your settings to choose what type of notifications you'd like to receive for suggested posts. Turn all notifications off or choose which interactions you'd like to receive notifications for.

Account recommendations

Use the following features to help shape your account recommendations:

- **Unsync your contacts:** Remove previously synced contacts or turn off synced contacts in your privacy settings.
- **Remove suggested accounts:** When we recommend accounts for you to follow, you can remove it from the suggested list to let us know you're not interested.

Was this helpful?



Helpful links

- [Creating an account](#)
- [Setting up your profile](#)
- [Creating a TikTok video](#)



Company

- [About TikTok](#)
- [Newsroom](#)
- [Contact](#)
- [Careers](#)

Programs

- [TikTok for Good](#)
- [TikTok for Developers](#)
- [Effect House](#)
- [Advertise on TikTok](#)
- [TikTok Rewards](#)
- [TikTok Browse](#)
- [TikTok Embeds](#)

Resources

- [Help Center](#)
- [Safety Center](#)
- [Creator Portal](#)
- [Community Guidelines](#)
- [Transparency](#)
- [Accessibility](#)

Legal

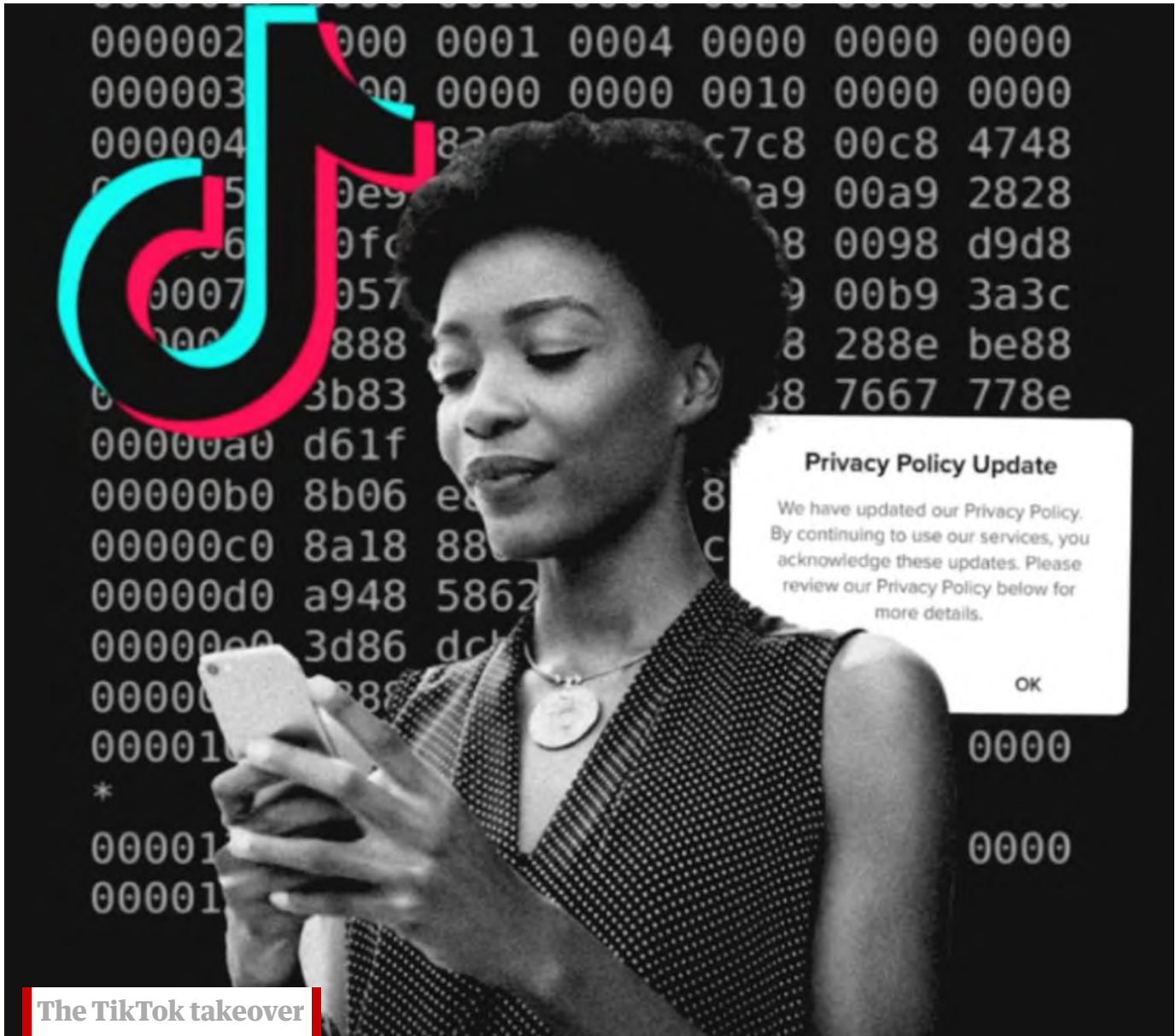
- [Terms of Service](#)

English ▼

© 2024 TikTok



EXHIBIT 14



The TikTok takeover

This article is more than 1 year old

How TikTok's algorithm made it a success: 'It pushes the boundaries'

The company's secret sauce is what populates its For You Page, which predicts the videos that will pique a viewer's interest

[Read the new Guardian series exploring the increasing power and reach of TikTok](#)

By [Alex Hern](#)

Mon 24 Oct 2022 01.00 EDT

It is, quite literally, the trillion dollar question: how did TikTok go from a niche social network for lip-syncing teens to the most popular app in the western world, threatening to knock [Facebook](#) off its perch entirely, in just a few short years?

There are no end of possible answers, and [TikTok](#) owes its phenomenal success to a host of canny choices: easy-to-use video creation tools blurred the line between creator and consumer far more than YouTube had ever managed; a vast library of licensed music allowed teens to soundtrack their clips without fear of copyright strikes; a billion-dollar advertising campaign across Facebook and Instagram bought new users as quickly as Zuckerberg's company would send them over.

But the most powerful tool TikTok has to grab users and keep them hooked is the company's feted "For You Page", the FYP, and the algorithm that populates it.



TikTok's For You Page has the ability to grab users and keep them hooked. Photograph: Martin Meissner/AP

The FYP is the default screen new users see when opening the app. Even if you don't follow a single other account, you'll find it immediately populated with a never-ending stream of short clips culled from what's popular across the service. That decision already gave the company a leg up compared to the competition: a Facebook or Twitter account with no friends or followers is a lonely, barren place, but TikTok is engaging from day one.

It's what happens next that is the company's secret sauce, though. As you scroll through the FYP, the makeup of videos you're presented with slowly begins to change, until, the app's regular users say, it becomes almost uncannily good at predicting what videos from around the site are going to pique your interest.

The company is disarmingly open about how that algorithm works - at least, on the surface. "Recommendations are based on a number of factors," [it said in 2020](#), "including things like user interactions such as the videos you like or share, accounts you follow, comments you post, and content you create; video information, which might include details like captions, sounds, and hashtags; [and] device and account settings like your language preference, country setting, and device type."

But how those various inputs are weighted, and what precise factors lead any particular video to end up on your feed, is opaque, says Chris Stokel-Walker, author of *TikTok Boom*. "One person at TikTok in charge of trying to track

what goes viral and why told me in my book that ‘There’s no recipe for it, there’s no magic formula.’ The employee even admitted that ‘It’s a question I don’t think even the algo team have the answer to. It’s just so sophisticated.’”

One crucial innovation is that, unlike older recommendation algorithms, TikTok doesn’t just wait for the user to indicate that they like a video with a thumbs up, or satisfy itself by judging what a user chooses to view. Instead, it appears to actively test its own predictions, experimenting by showing videos that it thinks might be enjoyable and gauging the response. “It pushes the boundaries of your interests and monitors how you engage with those new videos it seeds in your For You Page,” Stokel-Walker says. “If it thinks you like videos about Formula One, it might show you some videos about supercars.”



TikTok creators, such as Gabby Murray, in Palm Beach, Florida, had amassed 8.5 million followers in 2021. Photograph: Bloomberg/Getty Images

That experimentation doesn’t just allow the service to rapidly discern the contours of an individual viewer’s interests, it’s also an important part of what the site offers creators, says Sascha Morgan-Evans, head of the TikTok studio at creative agency OK COOL. “Every video posted on TikTok gets served to at least one person on the For You Page. We’ve figured out, based on how views accumulate, that TikTok serves each individual video to batches of people. The number of users in these batches increases with each

successful round, one where a majority of users within a batch had a high number of positive interactions with the video.”

That means that every user has the chance of global fame. Even if you have no followers at all, your video will eventually make it on to someone’s For You Page, and if they are deemed to have engaged positively, you can reach thousands or millions of viewers extremely quickly. And the speed of the videos helps TikTok hone its data rapidly: “Think about how many videos you watch in an hour on YouTube,” Stokel-Walker says, “and the data that generates about you - versus how many you can watch on TikTok.”

The FYP isn’t magic, though, and the ways it fails can be just as instructive as the ways it succeeds. New users of the app will notice that it is obsessive about harvesting personal data, begging for access to the contacts list and tracking every inbound and outbound shared video. Deny it those datapoints, and it is forced to present the most generic possible version of the feed, personalised to what little it can determine from broad geolocation and device details.

But when it works, the algorithm is so good at what it sets out to do that TikTok appears almost overwhelmed by its power, Stokel-Walker says. “It’s even slipped in messages to users it thinks are too addicted, saying they should put the phone down.”

One such message, shown from the company’s TikTokTips account to users scrolling through their feed for hours straight late at night, features TikTok star Gabe Erwin imploring the viewer to “go get some extra sleep, turn your phone off, do yourself that favour and have a great night”. The company has also added new “screen time” features, particularly for younger users, **turning off notifications** past bedtime and allowing users to **set a maximum time** on the app each day, in an effort to limit the most compulsive use of its app.



TikTok has added features that allow users to limit compulsive use of its app. Photograph: Manjunath Kiran/AFP/Getty Images

As TikTok moves into its second year of online dominance - the app overtook YouTube for average time per user in September 2021 and has stayed at the top ever since - the big question is whether its algorithmic success can remain a unique selling point. Facebook certainly hopes not: the social network, along with corporate sibling Instagram, recently announced an overhaul of its apps to focus on an aggressive new algorithmic curation engine. Just like TikTok, Facebook and Instagram will now show you vast quantities of content from users you don't follow, with posts from friends buried in between, or hidden on a separate "following" feed behind a tab.

The change was **poorly received**, leading to an apology video from Instagram boss Adam Mosseri, who said the company would be dialing back some of the alterations - but that ultimately, this was the future. "We're going to try and get better at recommendations," he said, "because we think it's one of the best ways to help creators reach a new audience and grow their following."

If there is a threat to TikTok's algorithmic crown, it might be from the company itself. The app dominates user attention, but has historically been lightly monetised. As a privately held company, TikTok doesn't publish

revenue figures but in 2021, research firm eMarketer estimates it took in \$4bn a year - less than 5% of Facebook's revenue.

In 2022, the company has tried to grow that. It's taken the traditional approach, with more adverts injected into the feed, but also tried more novel opportunities, including a push for QVC-style live shopping experiences, lifted from Chinese sister app Douyin. The launch went poorly. Hosts and brands had to be subsidised by TikTok, which pushed deep discounts in sales but failed to garner a regular returning audience.

Worse, sales with too-good-to-be-true prices were undercut by other items whose prices really were too good to be true: the platform struggled with a counterfeiting problem, leaving users unclear if a Dyson hairdryer worth £450 is selling for £14 because of a subsidy or a scam.

But if TikTok can work out how to balance the commercially-necessary tweaks to its algorithm with the pure compulsion of the FYP at its best (or worst), then it will have created an artefact of tech history that will go down alongside the News Feed, Infinite Scroll and (Snapchat) Story as emblematic of the social media era.

EXHIBIT 15

Get All Access for \$5/mo

How TikTok Changed the Social Media Game With Its Unique Algorithm

Here's what makes TikTok's algorithm different from other social media platforms and how the algorithm led to the app's explosive growth.

BY AJ KUMAR EDITED BY CHELSEA BROWN AUG 16, 2022

Share

Subscribe to the Entrepreneur Daily newsletter to get business news, tips and inspiration sent to your inbox

Subscribe

I understand that the data I am submitting will be used to provide me with the above-described products and/or services and communications in connection therewith.

Read our [privacy policy](#) for more information.

Opinions expressed by Entrepreneur contributors are their own.

TikTok is rewriting the rules for how we create, share and discover visual content. The [TikTok algorithm](#), specifically the "For You Page" (FYP) feed, has changed the game for social networks propelling entertainment and discovery to the forefront.

In this article, I'm diving into the rise and fall of social media, what led to TikTok's explosive growth, how the TikTok algorithm is different from other social networks, and how TikTok's success is influencing other platforms.

Related: [How Brands Are Capitalizing TikTok to Win New Audiences](#)

The rise and fall of social media

As [social networks](#) and media platforms evolve, so do our habits and behaviors. Think back to your early social media days. Before the explosive growth of apps like TikTok and Instagram, our social media experiences and the content we consumed were largely

The rise and fall of social media

As [social networks](#) and media platforms evolve, so do our habits and behaviors. Think back to your early social media days. Before the explosive growth of apps like TikTok and Instagram, our social media experiences and the content we consumed were largely dependent on those we chose to "friend" on Facebook (and before that, MySpace).

These connections were bi-directional with both parties accepting the friendship. Initially, this was with classmates and friends. Later, our connections evolved to include extended family (remember the first time you saw Grandma was on Facebook?) and random acquaintances (that friend you met on the bus while traveling abroad). Naturally, we age out of those connections, and eventually, their content no longer feels as relevant or interesting to us.

In search of a more curated experience, we seek out new platforms. For many, this was Instagram, Twitter or LinkedIn. The differentiator is the ability to one-way follow. This enabled us to tighten that circle of family and friends to just those whose posts we wanted to see.

Simultaneously, it enabled us to expand our feeds beyond those we know personally to include people and brands we were interested in following — a shift that propelled [the rise of influencers](#), creators and businesses building out their social media presence while fueling our need for more relevant content. However, it wasn't long until many of us found ourselves "doom scrolling" these apps in search of content that could keep up with our changing interests, need for entertainment and short-term attention spans.

Like many others, I found myself spending an excessive amount of time consuming information on my feeds that (again) didn't feel relevant while comparing my life to the social highlight reels of those I follow, all while absorbing negative news and feeling pressure to share and measure social interactions. This leads to an increased social and emotional burden of navigating social media, often leading to the desire to shut off the apps completely and turn to Netflix or YouTube videos for passive entertainment.

Related: [Here's Why Not Being on TikTok Is a Huge Mistake](#)

What led to TikTok's explosive growth?

Ultimately, social media platforms were built to [foster connections](#), not to discover and explore our interests. The issue is that we, as users, take on the additional burden and effort of trying to personalize our feeds to feel more relevant and interesting to us as

What led to TikTok's explosive growth?

Ultimately, social media platforms were built to [foster connections](#), not to discover and explore our interests. The issue is that we, as users, take on the additional burden and effort of trying to personalize our feeds to feel more relevant and interesting to us as individuals by muting or unfollowing, making Twitter lists, searching hashtags, typing subjects into the search bar, etc.

If only there was a platform that personalized our feeds for us without having to lift a finger ... and in the blink of an eye, TikTok completely takes the social media world by storm. After years of irrelevant, disconnected news feeds, TikTok has revamped the scrolling experience, enabling discovery and curating interest-based entertainment.

The "For You Page" (FYP) was designed to share content with users based on what the TikTok algorithm has learned to be the most relevant and of the highest interest to them. Within minutes, FYP feeds are personalized to our interests, beliefs, curiosities and passions just by passively watching entertaining [short-form videos](#).

Why is it so addicting? Because it's personalized specifically for YOU. TikTok is about discovery, and the algorithm works like a speedy matchmaker, discovering things for you that you didn't even realize you wanted to see. In 2021, TikTok surpassed Google on Cloudflare's most popular domains.

Related: [3 Reasons TikTok Is Here To Stay](#)

How is the TikTok algorithm different?

Most social media platforms, such as [Facebook and Instagram](#), rely on what is called a "social graph." They intend to connect you within a network of every person you may have any relation to and use this insight to inform advertising. However, these suggestions are under the assumption that we have the same interests and buying behaviors as those we are connected to, which is simply not the case.

TikTok's key differentiator is that the algorithm was built on an "interest graph." It works using your interests and content that you interact with, capturing your likes and dislikes and associating you with other user groups who share those interests.

TikTok does have a social graph aspect with their following feed, but the FYP is what has catapulted user discovery and creator growth. All a user has to do is watch a few videos without adding a single follower, and the TikTok algorithm can quickly curate what you will like.

How does it work? TikTok uses [artificial intelligence](#) (AI). It evolves to our changing interests in real-time without us having to do much of the work (removing that burden I mentioned earlier). The algorithm discovers what is interesting to us while we passively scroll. The short-form videos allow for this to happen at lightning speed. This removes the burden of other social apps if you want it to. You can remove the social aspect entirely. Many use TikTok solely as a discovery and entertainment platform.

AI technology is not new. You've seen it before with shopping suggestions on Amazon based on what others with similar tastes have purchased. Amazon isn't built on a social graph, so they use your past behavior and match you with those with similar [purchasing behavior](#).

The difference with TikTok is that it's hyper-personalized, and it's eerily accurate. It's so specific to your personal and professional interests that no two individuals' feeds are the same. Try it yourself — go on a friend's For You Page, and you will see the content they are matched with is entirely different from what you see on yours. At this point, TikTok may even know us better than we know ourselves.

How is TikTok's success influencing other platforms to evolve?

An essential piece to the TikTok algorithm is the focus on personalized short-form video content. This is a fundamental shift in the way people around the world engage and discover online. With short-form videos, the system receives information on our behaviors much quicker with large amounts of data in a short amount of time. They make it fun and easy for users to do the work for them while keeping us entertained along the way.

The use of short-form videos benefits all parties — users, creators and the platform itself. For users, we can consume a high dose of personalized content in a relatively short amount of time. For creators, you can get discovered more quickly while repurposing longer-form content into bite-size pieces. And for the app, short-form videos get the data they need faster, so they can personalize the [in-app experience](#) and algorithm more efficiently.

It's no surprise that the global leaders in social media are taking note. TikTok's popularity and the success of the FYP has literally propelled all the other large social platforms to build their own short-form video products (i.e., Pinterest Idea Pins, Youtube Shorts, Instagram Reels, Snapchat Spotlight, etc.) and shift their focus to prioritizing interest graphs over social graphs.

Short-form videos (and specifically, TikTok videos) are essential for any creators' [content](#)

build their own short-form video products (i.e., Pinterest Idea Pins, Youtube Shorts, Instagram Reels, Snapchat Spotlight, etc.) and shift their focus to prioritizing interest graphs over social graphs.

Short-form videos (and specifically, TikTok videos) are essential for any creators' [content strategy](#) in 2022 and beyond. Try making your own interest graph for your audience. What might they be searching for? What will make your content relevant to them? As TikTok continues to grow and other platforms follow suit, creators who are leading their niche in short-form video content will increase their discovery and grow their audience.



Half of All Businesses Fail Within the First 5 Years! Increase Your Chances of Success to 92% With...

Take our quick 2-minute assessment to find the franchise that's right for you!

[Find My Match](#)

[7]



AJ Kumar

ENTREPRENEUR LEADERSHIP NETWORK® CONTRIBUTOR


Digital Maestro

AJ Kumar, the "Digital Maestro," is the founder of The Limitless Company, a smart content creation engine for your brand. AJ and his team are on a mission to help entrepreneurs in the Creator Economy build for-profit human-healing brands.

[Want to be an Entrepreneur Leadership Network contributor? Apply now to join.](#)

EDITOR'S PICK

- [Steve Jobs' 3 Public Speaking Power Moves](#) Remain Just as Relevant Today, [13 Years After His Final Keynote at the Apple Developers Conference](#)

 I Blocked a Toxic Childhood Friend and [It Taught Me an Important Lesson About Managing People](#)

 [10 of the Biggest Business Blunders in 2024 \(So Far\)](#)



AJ Kumar

ENTREPRENEUR LEADERSHIP NETWORK® CONTRIBUTOR
Digital Maestro

Aj Kumar, the “Digital Maestro,” is the founder of The Limitless Company, a smart content creation engine for your brand. AJ and his team are on a mission to help entrepreneurs in the Creator Economy build for-profit human-healing brands.

Want to be an Entrepreneur Leadership Network contributor? [Apply now to join.](#)

EDITOR'S PICK

- [Steve Jobs' 3 Public Speaking Power Moves](#) Remain Just as Relevant Today, [13 Years After His Final Keynote at the Apple Developers Conference](#)
- 🔒 I Blocked a Toxic Childhood Friend and [It Taught Me an Important Lesson About Managing People](#)
- 🔒 10 of [the Biggest Business Blunders in 2024 \(So Far\)](#)
- 'I've Never Regretted Leaving the Corporate World Behind': [This Former Lawyer Now Makes Six Figures on YouTube](#) — Here's How
- 🔒 5 Ways to [Fix Your Lack of Inspiration](#)
- 'Unpredictability in Various Forms' — [How Franchisees Can Adapt and Protect Themselves From Election Year Uncertainty](#)

EXHIBIT 16

TikTok Is A Beacon Of Democracy In The Social Media Landscape

James Broughel

Contributor

I am an economist focused on the economics of regulation.

Apr 19, 2024, 10:06am EDT
Updated Apr 19, 2024, 01:22pm EDT



The proposed TikTok ban in Congress fail's to recognize how the app's algorithm is more democratic ...
getty

Recent developments in the U.S. House of Representatives have put TikTok, the immensely popular Chinese-owned social media app, in the crosshairs of lawmakers. The House has tied a revised proposal to ban or force the sale of TikTok's U.S. operations to a massive \$95 billion [aid package](#) for Ukraine, Israel, and Gaza. If passed, the *Wall Street Journal* reports the the Senate could vote on the measure as early as next week, potentially fast-tracking the

Document title: TikTok Is A Beacon Of Democracy In The Social Media Landscape
Capture URL: <https://www.forbes.com/sites/jamesbroughel/2024/04/19/tiktok-is-a-beacon-of-democracy-in-the-social-media-hellscape/?sh=7c0849fd1278>
Capture timestamp (UTC): Wed, 19 Jun 2024 14:09:06 GMT

legislation. However, this move to force TikTok's parent company ByteDance to divest the app or cease operations in the U.S. would be a misguided measure that fails to recognize TikTok's unique strengths and its potential as a model for more democratic social media.

TikTok has faced scrutiny over its Chinese ownership and content algorithm, with concerns raised about [national security](#) as well as the app's [influence](#) on young users. While these concerns warrant discussion, they should not overshadow the platform's remarkable ability to democratize content creation and distribution. TikTok's algorithm is particularly effective at surfacing content from a wide range of users, regardless of their follower count or prior popularity.

In contrast, consider the recent changes at Twitter (now rebranded as X) under Elon Musk's leadership. The platform's "[blue check](#)" system systematically favors paying users, creating a two-tiered system that disadvantages those who can't or won't pay for verification. Moreover, X suffers from an incumbent advantage, where users with established followings benefit from a self-reinforcing cycle of visibility and growth, making it harder for new voices to break through.

TikTok, on the other hand, has leveled the playing field through its superior use of hashtags and its algorithm's ability to surface content based on [engagement with internet trends](#) rather than metrics indirectly tied to follower count. It's not uncommon for amateur creators with modest followings to have their videos seen by hundreds or even thousands of strangers, sparking lively discussions in the comments section. This democratization of reach is a refreshing departure from the entrenched hierarchies that can be found on other social media platforms.

Document title: TikTok Is A Beacon Of Democracy In The Social Media Landscape

Capture URL: <https://www.forbes.com/sites/jamesbroughel/2024/04/19/tiktok-is-a-beacon-of-democracy-in-the-social-media-hellscape/?sh=7c0849fd1278>

Capture timestamp (UTC): Wed, 19 Jun 2024 14:09:06 GMT

Another issue plaguing X is the prevalence of bots, which has prompted Elon Musk to propose [charging](#) new users to post in an effort to combat the “[relentless onslaught](#)” of automated accounts, he said in a recent [post](#) on the platform. While this may help mitigate the bot problem, it also erects a barrier to entry for genuine new users, further concentrating power in the hands of established accounts.

Even if the proposed ban results in TikTok’s divestiture rather than an outright shutdown, the app’s acquisition by a U.S. company—perhaps one of the Big Tech firms in Silicon Valley—could lead to a watering down of its egalitarian algorithm. American social media giants have [a history](#) of prioritizing established creators and brands over emerging or outside-the-mainstream voices, a recent *Fox Business* segment noted. There’s a risk that TikTok’s unique democratizing features could be lost in the transition.

TikTok’s triumph in fostering a more open environment for creators and users alike should be celebrated and emulated, not punished through the misguided legislation making its way through Congress. Compelling ByteDance to shut down or sell the app would not only deprive millions of Americans of a vibrant platform for self-expression, it also sets a dangerous precedent for government overreach in the digital realm.

A version of the TikTok ban already [passed](#) the House of Representatives last month and has been stalled in the Senate. Now, with the TikTok provision attached to what is viewed as must-pass legislation, the Senate could be forced to act. As they deliberate on what to do, senators should weigh carefully the costs and benefits of targeting a single company based on its national origin. They should ask themselves whether they’d like to see U.S. tech companies treated in a similar manner by lawmakers abroad.

Document title: TikTok Is A Beacon Of Democracy In The Social Media Landscape

Capture URL: <https://www.forbes.com/sites/jamesbroughel/2024/04/19/tiktok-is-a-beacon-of-democracy-in-the-social-media-hellscape/?sh=7c0849fd1278>

Capture timestamp (UTC): Wed, 19 Jun 2024 14:09:06 GMT

Instead of penalizing the app for its success in creating an immensely popular online platform, policymakers should look to TikTok as a model for promoting a more inclusive and intellectually diverse online ecosystem. Banning or forcing the sale of TikTok would be a step in the wrong direction for both free speech and the future of social media.

Follow me on [Twitter](#) or [LinkedIn](#).



James Broughel

Follow

I am a Senior Fellow at the Competitive Enterprise Institute with a focus on innovation and dynamism. I'm author of the book *Regulation and Economic Growth: Applying Economic Theory to Public Policy*. My writing has appeared in the *Wall Street Journal*, the *Los Angeles Times*, and the *Washington Post*. I have also published in scholarly journals, including *Regulation & Governance*, *Contemporary Economic Policy* and *PLOS ONE*. I received my PhD in economics from George Mason University and my BA and MA in economics from Hunter College of the City University of New York.

Read Less

EXHIBIT 17

Thanks to Kustomer
HEXCLAD eliminated
the need for 49
different tabs & tools.

KUSTOMER Official Site

Optimize support volume, act early. Provide help before it's needed. Boost CX.

Kustomer [Learn More >](#)

yahoo/finance

TikTok: Are influencers panicking about bans? We asked three to weigh in.



Alexandra Garfinkle · Senior Reporter
Updated Thu, Jan 19, 2023 · 5 min read

In This Article:
GOOG +0.83% GOOGL +0.79% META -0.34%

As talk of banning TikTok grows, the so-called influencers whose livelihoods are linked to the platform aren't panicking – at least, not yet.

Yahoo Finance spoke to three of those influencers, with nearly 5.5 million followers between them. The topic of conversation: How they're thinking about the escalating series of bans on state and university devices, as well as the fiery rhetoric coming out of Washington. For the most part, though they're concerned, they haven't yet seen their

Quote Lookup

U.S. markets close in 4h 17m
[Customize Your Dock](#)

MARKETS

US	Europe	Asia	Rates
S&P 500 5,415.65 -18.09 (-0.33%)	Dow 30 38,501.17 -145.99 (-0.38%)	Nasdaq 17,622.62 -44.95 (-0.25%)	Russell 2000 2,005.89 -33.26 (-1.63%)
Crude Oil 78.31 -0.31 (-0.39%)	Gold 2,343.30 +25.30 (+1.09%)		

MY PORTFOLIOS →
Sign in to access your portfolio
[Sign in](#)

TRENDING TICKERS →

ADBE Adobe Inc.	525.04 +66.30 (+14.45%)
NFLX Netflix, Inc.	671.40 +18.14 (+2.78%)
RH RH	226.40 -48.65 (-17.50%)
KAVL Kaival Brands In...	5.34 +3.98 (+292.05%)
CCL Carnival Corporation...	15.12 -1.39 (-8.42%)

TOP ECONOMIC EVENTS →
United States
U Mich Sentiment Prelim
Jun 14, 2024, 10:00 AM EDT

fiery rhetoric coming out of Washington. For the most part, though they're concerned, they haven't yet seen their businesses affected so far.

yahoo! **BEST SUMMER EVER**
Find deals and expert picks all season long. [Shop Now](#)

"The current bans do not have a direct impact on our business," influencer and digital marketer [Chase Chappell](#) told Yahoo Finance. "If they were to ban TikTok for everyone in the U.S., that'd be a cause for concern, as 50% of all our clients come from TikTok specifically. This is also my biggest platform in terms of followers and views, and our business does rely on this platform as a source of growth."

Chappell's business focuses on helping others grow their social media reach and TikTok is a major part of his life. He spends two to four hours a day on the platform, and his business isn't the only one on TikTok that he's apprehensive about. He's worried about the fate of the businesses he deals with as well.

"If TikTok were to be banned, thousands of our clients would be impacted financially as this platform has become a major source of their customer base and revenue," he said. "Not only that, this would have a major economic impact across the U.S., as millions of users are buying items from U.S. companies that they discovered specifically on TikTok."

chase_chappell
Chase Chappell
[Follow](#)
146 Following 229.6K Followers 1.4M Likes
tiktok, ad, adobe to brands
Love what I do
learn more
debutify.sj.cj.e/m/YQ63

Videos Liked

- #ad Shopify Store Owner?...
- How I made Nike's ads for...
- Top 3 AI tools for business...
- Binging fine wine invest...

Chase Chappell's TikTok page, taken on Jan. 19, 2023.

There's only so much data on the growing role of small

Quote Lookup

U.S. markets close in 4h 17m

[Customize Your Dock](#)

US	Europe	Asia	Rates
S&P 500 5,415.65 -18.09 (-0.33%)	Dow 30 38,501.17 -145.93 (-0.38%)	Nasdaq 17,622.62 -44.95 (-0.25%)	Russell 2000 2,005.89 -33.26 (-1.03%)
Crude Oil 78.31 -0.31 (-0.39%)	Gold 2,343.30 +25.30 (+1.09%)		

MY PORTFOLIOS

Sign in to access your portfolio

[Sign in](#)

TRENDING TICKERS

ADBE Adobe Inc.	525.04 +66.30 (+14.45%)
NFLX Netflix, Inc.	671.40 +18.14 (+2.78%)
RH RH	228.40 -48.65 (-17.56%)
KAVL Kavai Brands Inn...	5.33 +3.97 (+290.78%)
CCL Carnival Corporation...	15.12 -1.39 (-8.42%)

TOP ECONOMIC EVENTS

United States

- U Mich Sentiment Prelim**
Jun 14, 2024, 10:00 AM EDT
P: 09.1 N: 05.8
- MBA 30-Yr Mortgage Rate**
Jun 20, 2024, 7:00 AM EDT
P: 7.02 N: -
- Mortgage Market Index**
Jun 20, 2024, 7:00 AM EDT
P: 208.5 N: -
- Initial Jobless Clm***
Jun 20, 2024, 8:30 AM EDT
P: 242 N: -

[Terms and Privacy Policy](#)
[Privacy Dashboard](#)
[Ad Terms](#) [Feedback](#)

Chris Chapman's TikTok page, taken on Jan. 19, 2020.

There's only so much data on the growing role of small businesses on TikTok and, candidly, it's worth taking what we have with a grain of salt – but what we do have shows a picture of a platform where the influencer economy is thriving.

Data from digital marketer Higher Visibility suggests that as much as 65% of the most prominent, full-time online creators are using TikTok as their primary platform going into this year. The 'why' is pretty simple – creators and small businesses, which are often one and the same, are frequently drawn to TikTok's now-storied organic reach. Additionally, TikTok itself has been studying small businesses on its platform, gathering data based on 7,000 responses. Bottom line: As many as 78% of small businesses currently on the platform are planning to increase investment in it.

So, as influencers wait for the Washington-TikTok standoff to play out, what are they doing to protect themselves? For one, many have been diversifying away from TikTok. Mik Zenon, whose TikTok presence focuses on products and "life hacks" like finding the most useful home gadgets on Amazon (AMZN), has been building out on other platforms for years now.

"If the bans were to ever extend to personal devices, then the impact would be significant," he said. "There was talk of something like this happening in summer 2020 under Trump's presidency. Back then, 100% of my business was on TikTok. I learned quickly the need to have a presence on as many platforms as possible... I have a substantial following now on Instagram, Facebook, and YouTube and I have collected tens of thousands of emails over the years. I no longer feel like I am over-leveraged on one platform."

Still, about 25% of Zenon's livelihood is entwined with TikTok.

Quote Lookup

U.S. markets close in 4h 17m

Customize Your Dock

US	Europe	Asia	Rates
S&P 500 5,415.65 -18.09 (-0.33%)	Dow 30 38,501.17 -145.93 (-0.38%)	Nasdaq 17,622.62 -44.85 (-0.25%)	Russell 2000 2,005.89 -33.26 (-1.03%)
Crude Oil 78.31 -0.31 (-0.39%)	Gold 2,343.30 +25.30 (+1.09%)		

MY PORTFOLIOS

Sign in to access your portfolio

Sign in

TRENDING TICKERS

ADBE Adobe Inc.	525.04 +86.30 (+14.45%)
NFLX Netflix, Inc.	671.40 +18.14 (+2.78%)
RH RH	228.40 -48.65 (-17.56%)
KAVL Kaival Brands Inn...	5.33 +3.97 (+292.17%)
CCL Carnival Corporatio...	15.11 -1.40 (-8.45%)

TOP ECONOMIC EVENTS

United States

- U Mich Sentiment Prelim**
Jun 14, 2024, 10:00 AM EDT
P: 69.1 N: 65.8
- MBA 30-Yr Mortgage Rate**
Jun 20, 2024, 7:00 AM EDT
P: 7.02 N: -
- Mortgage Market Index**
Jun 20, 2024, 7:00 AM EDT
P: 208.5 N: -
- Initial Jobless Clm***
Jun 20, 2024, 8:30 AM EDT
P: 242 N: -

Terms and Privacy Policy
Privacy Dashboard
Ad Terms - Feedback



Mik Zenon's TikTok page, taken on Jan. 19, 2023.

Security concerns?

As far as data security is concerned, our Yahoo Finance influencers were mixed on the problem. For Zenon, he's no more worried about TikTok, which is owned by Beijing-based ByteDance, than any other platform.

"I've come to accept that all social media platforms collect our personal data to some degree when we use their apps," he said.

Chappell, meanwhile, said the government's concern makes him question the long-term ramifications.

"It certainly makes me question how this could be used against the U.S. in a future scenario, [but] as of right now, I have no specific personal reasons to be worried about," he said. "My only concerns are around potential 'what ifs,' but I can't worry about 'what ifs' all the time, otherwise I'd always be in a worry and that's not good for anyone."

For TikTok's part, the company is in the midst of a negotiation with the Committee on Foreign Investment in the United States (CFIUS) to address the government's security concerns. "We believe that the proposal under review by CFIUS—made up of our country's top national security agencies—will address all national security concerns about TikTok so that our community can feel confident in their safety, privacy, and security," a company spokesperson said.

'My followers are everything'

The prospects of the ban aside, TikTok is clearly important to the small businesses on the platform.

For Fafa Araujo, who runs [Fafa Fitness](#) and frequently goes by her first name, the platform has done nothing short of changing her life, she said. She joined TikTok in 2021, and

Quote Lookup

U.S. markets close in 4h 17m

Customize Your Dock

US	Europe	Asia	Rates
S&P 500 5,415.65 -18.09 (-0.33%)	Dow 30 38,501.17 -145.93 (-0.38%)	Nasdaq 17,622.62 -44.85 (-0.25%)	Russell 2000 2,005.89 -33.26 (-1.03%)
Crude Oil 78.31 -0.31 (-0.39%)	Gold 2,343.30 +25.30 (+1.09%)		

MY PORTFOLIOS

Sign in to access your portfolio

Sign in

TRENDING TICKERS

ADBE	525.04
Adobe Inc.	+66.30 (+14.45%)
NFLX	671.40
Netflix, Inc.	+18.14 (+2.78%)
RH	228.40
RH	-48.65 (-17.56%)
KAVL	5.33
Kaival Brands Inn...	+3.97 (+292.17%)
CCL	15.11
Carnival Corporatio...	-1.40 (-8.45%)

TOP ECONOMIC EVENTS

United States

U Mich Sentiment Prelim
Jun 14, 2024, 10:00 AM EDT
P: 09.1 N: 05.8

MBA 30-Yr Mortgage Rate
Jun 20, 2024, 7:00 AM EDT
P: 7.02 N: -

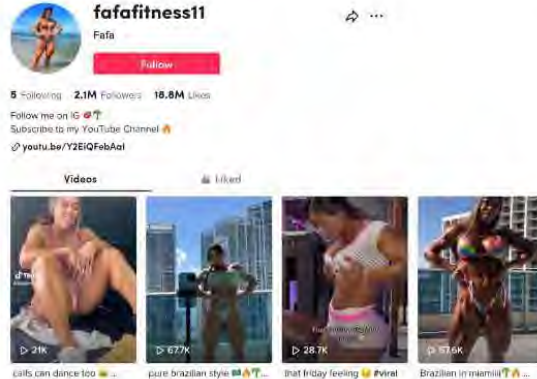
Mortgage Market Index
Jun 20, 2024, 7:00 AM EDT
P: 208.5 N: -

Initial Jobless Clm*
Jun 20, 2024, 8:30 AM EDT
P: 242 N: -

Terms and Privacy Policy
Privacy Dashboard
Ad Terms - Feedback



by her first name, the platform has done nothing short of changing her life, she said. She joined TikTok in 2021, and has gained her 2.1 million followers in the short time since.



Fafa's TikTok page, taken on Jan. 19, 2023.

"I would be really hard for me to move forward right now or even be where I am without TikTok," she told Yahoo Finance.

"TikTok brings me what I'm looking for—people that I can help," she added. "I know it's only been two years for me on TikTok, but it's helped me find my happiness helping others. TikTok is the love of my life."

For Araujo, who is based in Miami, the fear of a ban comes down to her connection with those followers – she doesn't want to lose them, professionally and especially on a personal level.

"My followers are everything," she said. "Without them, what am I?"

Allie Garfinkle is a Senior Tech Reporter at Yahoo Finance. Follow her on Twitter at @agarfinks.

[Click here for the latest trending stock tickers of the Yahoo Finance platform.](#)

[Read the latest financial and business news from Yahoo Finance.](#)

[Download the Yahoo Finance app for Apple or Android.](#)

[Follow Yahoo Finance on Twitter, Facebook, Instagram, LinkedIn, and YouTube.](#)

Quote Lookup

U.S. markets close in 4h 17m

Customize Your Dock

US	Europe	Asia	Rates
S&P 500 5,415.65 -18.09 (-0.33%)	Dow 30 38,501.17 -145.93 (-0.38%)		
Nasdaq 17,622.62 -44.95 (-0.25%)	Russell 2000 2,005.89 -33.26 (-1.03%)		
Crude Oil 78.31 -0.31 (-0.39%)	Gold 2,343.30 +25.30 (+1.09%)		

MY PORTFOLIOS

Sign in to access your portfolio

Sign in

TRENDING TICKERS

ADBE Adobe Inc.	525.04 +66.30 (+14.45%)
NFLX Netflix, Inc.	671.40 +18.14 (+2.78%)
RH RH	228.40 -48.65 (-17.56%)
KAVL Kavai Brands Inn...	5.33 +3.97 (+292.17%)
CCL Carnival Corporatio...	15.11 -1.40 (-8.48%)

TOP ECONOMIC EVENTS

United States	
U Mich Sentiment Prelim	Jun 14, 2024, 10:00 AM EDT
P: 69.1	N: 65.6
MBA 30-Yr Mortgage Rate	Jun 20, 2024, 7:00 AM EDT
P: 7.02	N: -
Mortgage Market Index	Jun 20, 2024, 7:00 AM EDT
P: 208.5	N: -
Initial Jobless Clm*	Jun 20, 2024, 8:30 AM EDT
P: 242	N: -

Terms and Privacy Policy
Privacy Dashboard
Ad Terms - Feedback

"TikTok brings me what I'm looking for—people that I can help," she added. "I know it's only been two years for me on TikTok, but it's helped me find my happiness helping others. TikTok is the love of my life."

For Araujo, who is based in Miami, the fear of a ban comes down to her connection with those followers – she doesn't want to lose them, professionally and especially on a personal level.

"My followers are everything," she said. "Without them, what am I?"

Allie Garfinkle is a Senior Tech Reporter at Yahoo Finance. Follow her on Twitter at @agarfinks.

[Click here for the latest trending stock tickers of the Yahoo Finance platform.](#)

[Read the latest financial and business news from Yahoo Finance.](#)

[Download the Yahoo Finance app for Apple or Android.](#)

[Follow Yahoo Finance on Twitter, Facebook, Instagram, LinkedIn, and YouTube.](#)

[View Comments \(1\)](#)

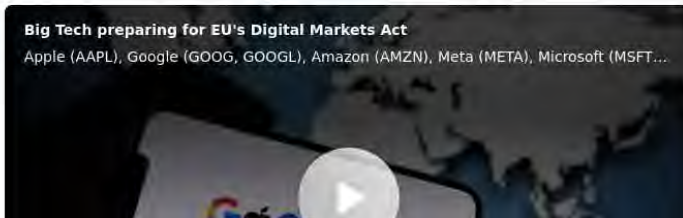
[Terms/Privacy Policy](#) [Privacy Dashboard](#) [About Our Ads](#)

yahoo/finance

How Meta, TikTok, and the social media industry are changing to survive

Big Tech preparing for EU's Digital Markets Act

Apple (AAPL), Google (GOOG, GOOGL), Amazon (AMZN), Meta (META), Microsoft (MSFT...)



Quote Lookup

U.S. markets close in 4h 17m

Customize Your Dock

US Europe Asia Rates

S&P 500 5,415.65 -18.09 (-0.33%)	Dow 30 38,501.17 -145.93 (-0.38%)
Nasdaq 17,622.62 -44.95 (-0.25%)	Russell 2000 2,005.89 -33.26 (-1.03%)
Crude Oil 78.31 -0.31 (-0.39%)	Gold 2,343.30 +25.30 (+1.09%)

MY PORTFOLIOS

Sign in to access your portfolio

Sign in

TRENDING TICKERS

ADBE Adobe Inc.	525.00 +86.26 (+14.44%)
NFLX Netflix, Inc.	671.40 +18.14 (+2.78%)
RH RH	228.40 -48.65 (-17.56%)
KAVL Kavai Brands Inn...	5.33 +3.97 (+291.19%)
CCL Carnival Corporatio...	15.11 -1.40 (-8.48%)

TOP ECONOMIC EVENTS

United States

U Mich Sentiment Prelim
Jun 14, 2024, 10:00 AM EDT
P: 69.1 N: 65.6

MBA 30-Yr Mortgage Rate
Jun 20, 2024, 7:00 AM EDT
P: 7.02 N: -

Mortgage Market Index
Jun 20, 2024, 8:30 AM EDT
P: 208.5 N: -

Initial Jobless Clm*
Jun 20, 2024, 8:30 AM EDT
P: 242 N: -

[Terms and Privacy Policy](#)
[Privacy Dashboard](#)
[Ad Terms - Feedback](#)

EXHIBIT 18



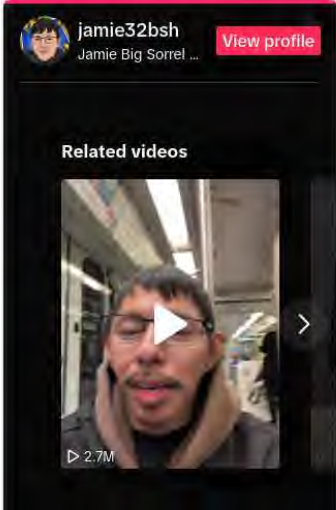
This man has gone viral on TikTok for dancing to Nelly Furtado in front of his bathroom sink

The vibes are immaculate and the dancing is breathtaking

2 YEARS AGO

Frances Gurney | Trends **UK**

Jamie Big Sorrel Horse, aka @jamie32bsh, uploaded possibly the best TikTok of all time which shows him dancing in front of his bathroom sink to Say It Right by Nelly Furtado and oh man, it's iconic. The video has since surpassed 146.3 million views and has over 22 million likes. So it's fair to say the dancing Nelly Furtado man is officially a TikTok icon. If you need to jog your memory, or want to watch the video again for the *vibes* then check it out below.



MOST READ

Bridgerton creator reveals how long we have to wait until season four and now I'm crying

'Cut them out, get rid': Inside the shock end to Lucinda and Timothy's MAFS friendship

This TikToker got fired for saying the n-word in a video, and now she's doubling down on it

The staggeringly high net worths of the Big Bang Theory cast, ranked from lowest to highest

THE TAB

Follow us on Insta for the latest uni news, memes and gossip

[Click here](#)

THE TAB

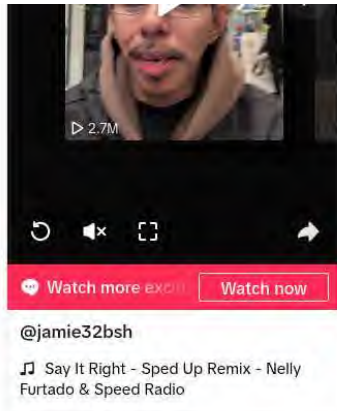
Follow us on Insta for the latest uni news, memes and gossip

[Click here](#)

A rundown of what actually went down with Georgia and Dom after winning Perfect Match

So, Love Island's Harriett's brother isn't a Premiership footballer – that was a complete lie

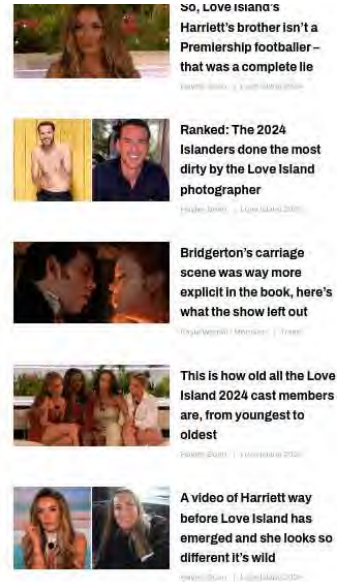
Ranked: The 2024 Islanders done the most dirty by the Love Island

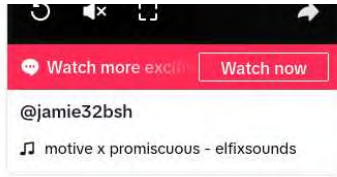


Since Jamie's original bathroom mirror TikTok video was uploaded, he has been raking in followers, likes and views. He's now at 1.9 million followers and he's gained attraction from some of the biggest creators on TikTok. There have even been calls to get our Nelly Furtado king into the Hype House!!

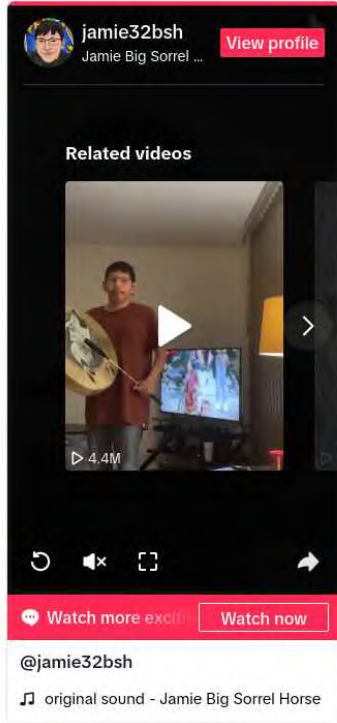
Recently he uploaded [this](#) video grooving to Ariana Grande's Motive and his dancing is phenomenal to say the least. The top comment says: "POV: He started a new trend and you're here to say you are early to it." And that's exactly right, this bathroom sink Nelly Furtado dancing man did start a trend and we all are absolutely here to stay for it. Let's take a deep ol' dive into his vibey TikTok account:

1. Ariana Grande should be quaking rn

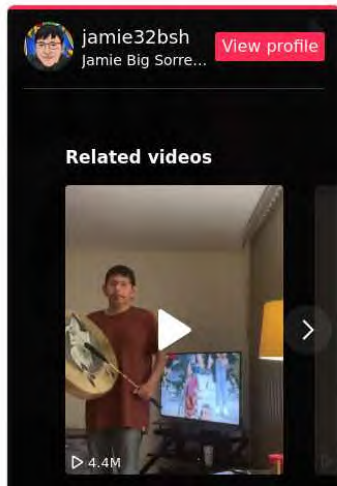


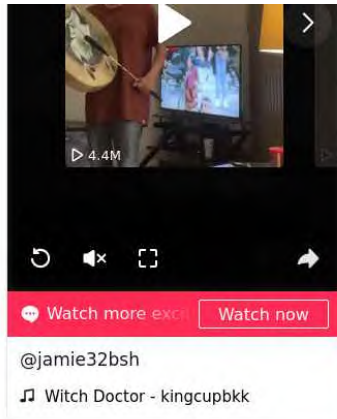


2. Icon energy



3. I have no idea what this is

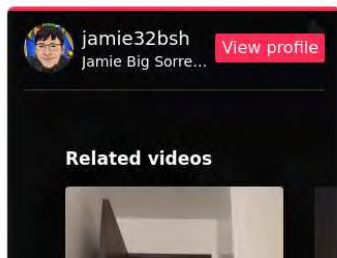


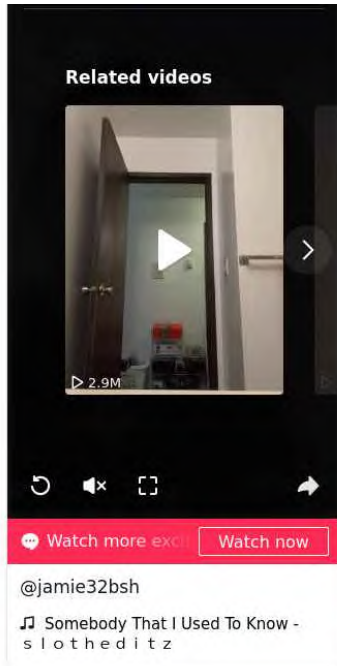


4. Bonk memes are elite, end of

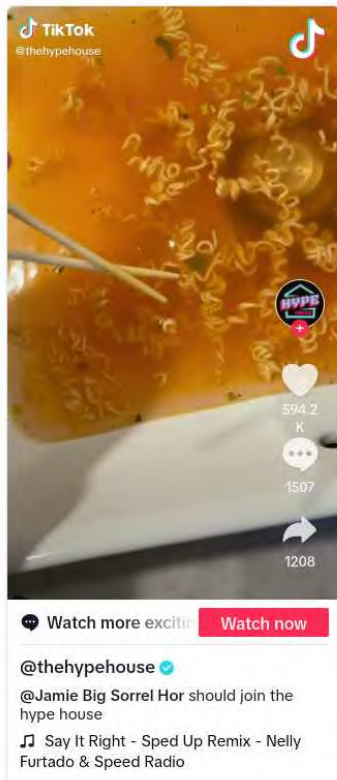


5. Pretty sure he started this trend too x



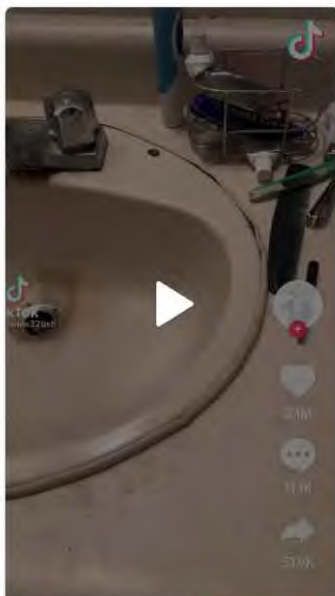


6. 'Jamie should join the Hype House'



@thehypehouse 
@Jamie Big Sorrel Hor should join the hype house
🎵 Say It Right - Sped Up Remix - Nelly Furtado & Speed Radio

7. This is sensational



Watch more exciting videos [Watch now](#)

@osketit
The king himself @Jamie Big Sorrel Hor #fyp
🎵 Say It Right - Sped Up Remix - Nelly Furtado & Speed Radio

You can follow Jamie our Nelly Furotdo bathroom mirror dancing king on TikTok [here](#).

Related stories recommended by this writer:

- [Ten year transformations: What the UK YouTubers you watched growing up look like now](#)
- [Matilda the musical is taking over TikTok and everyone seems to have been cast in it](#)
- [‘Very good very nice’: Everything you need to know about Tenerife’s most cherished vendor](#)



UK




Watch more exciting videos [Watch now](#)

@osketit
The king himself @Jamie Big Sorrel Hor
#fyp
♪ Say It Right - Sped Up Remix - Nelly Furtado & Speed Radio

You can follow Jamie our Nelly Furotdo bathroom mirror dancing king on TikTok [here](#).

Related stories recommended by this writer:

- [Ten year transformations: What the UK YouTubers you watched growing up look like now](#)
- [Matilda the musical is taking over TikTok and everyone seems to have been cast in it](#)
- ['Very good very nice': Everything you need to know about Tenerife's most cherished vendor](#)

 Frances Gurney | Trends
UK



THE INSULTINGLY HUGE NET WORTHS OF THE POLITICAL PARTY LEADERS, RANKED

 PHOEBE KOWHAI | AGENDA
UK

IT'S FAIR TO SAY THEY CAN ALL COMFORTABLY AFFORD A SKY BOX



THEY'RE FUMING! A RUNDOWN OF THE LOVE ISLANDERS WHO WERE SALTIER AFTER GETTING DUMPED

 HARRISON BROCKLEHURST | LOVE ISLAND 2024
UK

EXHIBIT 19

Alex Consani Is TikTok's 2024 It Girl



by Jillian Glandurco
Jan. 9, 2024

She's not known for GRWMs or OOTDs. Instead, it's her unique sense of humor that followers love.

If you spend some time exploring the TikTok FYP, chances are you'll probably come across a video of Alex Consani or two. And if her icy blonde hair and effortlessly cool style don't catch your eye, then her hilarious mannerisms and unique sense of humor certainly will. The creator has been making waves on the platform for a few years now, but after another video of hers went viral in late December 2023, she's already on her way to solidifying her spot as TikTok's favorite "It Girl" of 2024.

ADVERTISEMENT

Get Even More From Bustle –
Sign Up For The Newsletter

Who Is TikToker Alex Consani?

Get Even More From Bustle – Sign Up For The Newsletter

From hair trends to relationship advice, our daily newsletter has everything you need to sound like a person who's on TikTok, even if you aren't.

email@email.com

By subscribing to this BDG newsletter, you agree to our [Terms of Service](#) and [Privacy Policy](#)

- Bustle Daily
- Up Next

More like this



OK, So, Here's Why Every Video Starts The Same Way Now

By Alexis Morillo



The "Invisible String Theory" Is TikTok's Favorite Meet-Cute

By Carolyn Steber



These 3 Zodiac Pairings Are The Definition Of "Black Cat" & "Golden Retriever" Energy

By Nina Kahn



TikTok's "Blue Mind Theory" Is Your Excuse To Book A Beach Vacation

By Carolyn Steber

Who Is TikTok Alex Consani?

Though TikTok users may have only become aware of her when started making TikToks in 2020, Consani, 20, has been working adjacent to the limelight for longer than you'd think. Originally from the San Francisco Bay Area and currently residing in New York City, the creator began her modeling career in 2015 at the age of 12, before signing with IMG Models in 2019. She was able to make her mark on the industry before she was even a teenager by becoming the youngest transgender model in the world at the time.

On TikTok, Consani (who you can find at [@captincrook](#) and [@ms.mawma](#)) has amassed over 3 million followers on the app, but that's nothing compared to the amount of views her videos get. Her most recent TikTok, posted on Dec. 22, accumulated a whopping 29.3 million views, and the model has earned a collective 159.5 million likes across both accounts as of Jan. 9.



TikTok/@captincrook

Unlike other TikTokers, Consani doesn't have a niche or a schtick that audiences can latch onto. She's not interviewing random people on the street with a tiny mic, and despite her fashion background, she doesn't film OOTDs or GRWMs either. Instead, the appeal of Consani's content is her singular sense of humor, absurdist facial expressions, and mesmerizing mannerisms. Most influencers become "It Girls" through styling videos and aesthetically

fashion background, she doesn't film OOTDs or GRWMs either. Instead, the appeal of Consani's content is her singular sense of humor, absurdist facial expressions, and mesmerizing mannerisms. Most influencers become "It Girls" through styling videos and aesthetically pleasing vlogs — for Consani, it's her clever subversion of what we expect from a supermodel that has earned her the favorable title.

Consani's Groundbreaking Career

Consani already has several designer-label runway shows under her belt, including Alexander McQueen, Versace, Roberto Cavalli, BOSS By Hugo Boss, Burberry, Chloé, Coperni, and more. She also walked in the Victoria's Secret World Tour fashion show in September 2023 and served as the campaign covergirl for Jean Paul Gaultier's collaboration with KNWLS that same month.

In October 2022, *Vogue* named the creator as one of the Standout Models Of Spring/Summer 2023.





Gotham/WireImage/Getty Images

ADVERTISEMENT

Going Viral Is A Lifestyle

If you've encountered Consani's indescribable content on the FYP before, you know that her supermodel level of confidence transcends the runway.

Some of her most viral moments on the app include a video chronicling her struggle to enter NYU's campus with an ID that clearly doesn't belong to her, and a hilarious rendition of "Mean" by Taylor Swift (which earned her a strange look from a fellow customer). She's been known to share some on-set BTS with followers as well, with this video from the Victoria's Secret World Tour fashion show earning over 707.5K likes, and a clip of her shaking like a skeleton during a recent Balenciaga show gaining more than 1.1 million likes.

Most recently, Consani posted a video of herself celebrating with a large carafe of water as if it were a bottle of champagne with the caption, "When they be giving me the fancy [water]." The video has since inspired a host of memes, and the song she used in the OG vid ("Lifestyle" by Rich Gang featuring Young Thug and Rich Homie Quan) has been used in 18.5K videos and counting. The TikTok has received over 4.4 million likes and was posted just in time to be remembered as one of the best viral moments of 2023.



TikTok/@captincrook



TikTok/@captincrook

Time and again, Consani manages to equally bewilder and inspire her followers. "I gotta get like this I think it would be exposure therapy for social anxiety," @carrigangiles commented on the popular video. "There's just something about this video I can't stop watching," wrote @mylese_spamm. Looks like she's got the makings of a future TikTok "It Girl" to me.

With Fashion Week coming up in February and her dedicated fanbase on TikTok, it's safe to assume we'll be seeing a lot more of Alex Consani in 2024.

Beauty

Sponsored by

HERO COSMETICS

Everyone's Talking About This OG Pimple Patch – Here's Why



Written by **Deanna Pai**
June 3, 2024

It's both effective and gentle.

Forget spot treatments. Pimple patches are the go-to zit solution these days, and for good reason: They really do work. But they're not created equal, with some infused with harsh active ingredients and others that fall off if you sneeze. The number one acne patch brand, Hero Mighty Patch pimple patches, was among the first brands to bring the South Korean innovation stateside that supports a healing environment for clearer-looking skin to everyone, everywhere.



TikTok/@captincrook

Time and again, Consani manages to equally bewilder and inspire her followers. “I gotta get like this I think it would be exposure therapy for social anxiety,” @carrigangiles commented on the popular video. “There’s just something about this video I can’t stop watching,” wrote @mylese_spamm. Looks like she’s got the makings of a future TikTok “It Girl” to me.

With Fashion Week coming up in February and her dedicated fanbase on TikTok, it’s safe to assume we’ll be seeing a lot more of Alex Consani in 2024.

Beauty

Sponsored by

HERO COSMETICS

Everyone’s Talking About This OG Pimple Patch – Here’s Why



Hero Cosmetics

Written by **Deanna Pai**
June 3, 2024

It’s both effective and gentle.

Forget spot treatments. Pimple patches are the go-to zit solution these days, and for good reason: They really do work. But they’re not created equal, with some infused with harsh active ingredients and others that fall off if you sneeze. The number one acne patch brand, [Hero Mighty Patch pimple patches](#), was among the first brands to bring the South Korean innovation stateside that supports a healing environment for clearer-looking skin to everyone, everywhere.

EXHIBIT 20

BOOKS

21 popular BookTok books and why they went viral

Let enthusiastic Booktokers choose your next read.



Create your free account or log in to save this article

March 15, 2023, 8:03 PM UTC / Source: TODAY

By Ryan Hudgins

Before perusing bookstore shelves for the book to break your reading slump, you may just want to scroll through TikTok first. Turns out all the recommendations you need could be right at your fingertips.

Fittingly called BookTok (short for "Book TikTok"), the subcommunity of the social media platform is self-described as "the biggest book club on the planet."

Enthusiastic readers connect with one another to share book reviews, reactions and curated lists of recommended must reads.

Sponsored Stories

by Taboola



SPONSORED LINKS

Volvo's New EX90 SUV Is A Leader In It's Category - Find Latest Offers

Learn More



COMMONSEARCHES

New Electric Car As So Cheap New / Take A

Click Here

of the social media platform is self-described as “the biggest book club on the planet.”

Enthusiastic readers connect with one another to share book reviews, reactions and curated lists of recommended must reads.



These readers say BookTok changed the way they read: 'Friends at your fingertips'

For these readers, social media has helped them get off their phones and into books.

TODAY · Feb 13, 2023



COMMONSEARCHES

[click here](#)

New Electric Cars Are So Cheap Now (Take A Look)

This niche corner of TikTok, with the hashtag #booktok, has amassed over 112 billion views. With numbers like that, no surprise it's a powerful force within the publishing industry with BookTok darlings tending to fly off the shelves. It has been credited for helping authors sell over 20 million books in 2021, according to NPD BookScan data per the [New York Times](#).

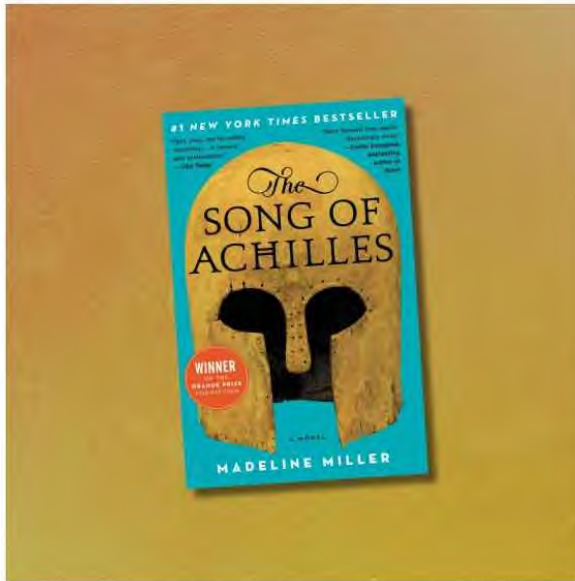
Even Hollywood is taking notice of this BookTok effect with some of the most popular reads being adapted into movies and TV series, like “It Ends with Us” by Colleen Hoover and “Daisy Jones & the Six” by Taylor Jenkins Reid.

Trending page-turning titles range from highly anticipated new releases to older hidden gems. So, what is BookTok recommending right now? We rounded up 21 of the most buzz-worthy books on the social media platform to add to your reading list.

TODAY independently determines what we cover and recommend. When you buy through our links, we may earn a commission. [Learn more.](#)

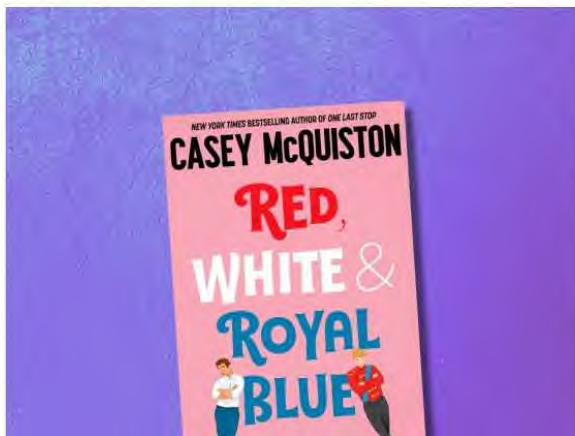
'Song of Achilles' by Madeline Miller





"Song of Achilles" is the Iliad like you've never read it before. Patroclus, in Classics professor Madeline Miller's rendering, is a young prince who's been exiled from his homeland and befriends the powerful Achilles. When the two find out Helen of Sparta has been kidnapped, Achilles joins the heroes of Greece to surround and attack Troy. And Patroclus feels compelled to join him out of both fear and love. But as the two embark on their journey, they will be tested by Fates who will demand a sacrifice.

'Red White and Royal Blue' by Casey McQuiston





"Red White and Royal Blue" is a bestseller turned TikTok sensation. When photos of a confrontation at a royal wedding between the first son of the United States, Alex Claremont-Diaz, and his nemesis, Prince Henry, heir to the British throne, leak to tabloids, they are forced to do damage control. That is, stage a fake friendship. But as the two spend more time together, it becomes harder to deny that there is a connection between them. And now, as his mother enters a presidential re-election campaign, Alex finds himself in a secret relationship that will impact not only his country, but another, if it's unveiled.

'The Night and its Moon' by Piper C.J.



The first book in a four-part series, which touches on subjects such as race, abuse and LGBTQ+, "The Night and its Moon" has BookTok absorbed in a fantasy that feels so real. Ornhans Nox and Amaris have

The first book in a four-part series, which touches on subjects such as race, abuse and LGBTQ+, "The Night and its Moon" has BookTok absorbed in a fantasy that feels so real. Orphans Nox and Amaris have just been separated. They're just now, for the first time, life outside of an orphanage. Their journeys take them to brothels and to mountains, past foes and assassins and toward a war between humans and magical creatures.

'A Court of Thorns and Roses' by Sarah Maas



Slaughtering a wolf is not a big deal for Feyre. In fact, the 19-year-old huntress thinks nothing of it. But after killing one in the woods one day, the mortal is captured by a creature who demands retribution for her actions. Feyre is taken to a magical land and realizes the beast, Tamlin, is a faerie who used to rule her world. And as she spends more time in her new home, she begins to discover feelings for Tamlin and uncover the truth about his world. But trouble looms ahead, as a wicked shadow grows in the land and Feyre has to find a way to stop it. This fantasy read is the first of a five-part series that has transcended the bookish realm and is being adapted as a TV series on Hulu.

'Someone Else's Shoes' by Jojo Moyes

it. This fantasy read is the first of a five-part series that has transcended the bookish realm and is being adapted as a TV series on Hulu.

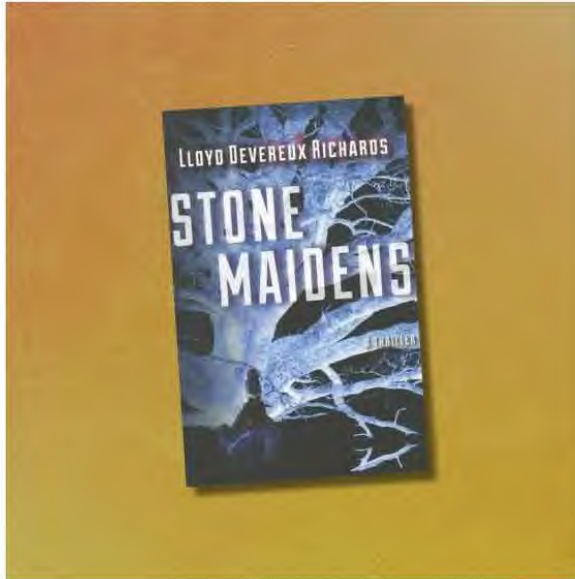
'Someone Else's Shoes' by Jojo Moyes



Imagine walking in another person's shoes, *literally*. Two women accidentally swap bags at a London gym, leaving them both not only in possession of new shoes but also a different reality. Sam Kemp is struggling to keep her family afloat but when she suddenly sports six-inch high red crocodile Christian Louboutins, she begins to exude a newfound confidence. And while globetrotting Nisha Cantor is in the midst of the bag-switching chaos, her life is upended when her husband cuts her off financially. Despite the differing adversities the two women face, they are tied together through their shoes. It's a lighthearted book but moving book about the mix-ups and opportunities brought on by colliding with a stranger.

"Stone Maidens" by Lloyd Devereux Richards





This mystery novel published in 2012 just skyrocketed onto the [bestseller list](#) when the author's daughter posted a TikTok about her dad's modestly selling book.

As the chief forensic anthropologist for the FBI Chicago field office, Christine Prusik has seen her fair share of creepy cases. But her newest assignment seems to top them all. A serial killer is strangling young women and leaving their lifeless bodies in southern Indiana ravines with a curious calling card of carved stone figurines. And even more peculiar, the figurines are replicas of the spirit stones found among the primitive tribe in Papua New Guinea that Christine narrowly escaped while doing field research a decade prior. Now she has to determine if this haunting connection to her past is just a coincidence or is there more at play.

'The Inheritance Games' by Jennifer Lynn Barnes

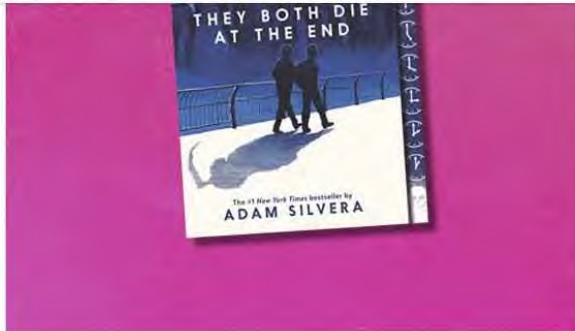




For Avery Grambs, current plans are simply to survive high school. Then, the unexpected happens and she becomes heir to an enormous fortune. Billionaire Tobias Hawthorne leaves Avery all his money — only she has no clue who he is and why she needs to move into his former home to receive the inheritance. When she arrives at Hawthorne House, occupied by Tobias' family whom he just excluded from his will, she gets caught in a world of wealth and privilege with danger around every turn. And the longer Avery stays, the more certain she becomes that the inheritance and house are clues to something that she'll have to solve in order to just survive. The book, with *Knives Out* vibes, has two other titles in the series with a fourth expected later this year.

'They Both Die at the End' by Adam Silvera





For Mateo Torrez and Rufus Emeterio, the hypothetical question of what would you do if you only had 24 hours left to live is more than something to casually consider, it is their reality. On a day in September, shortly after midnight, both teenage boys receive a call from the futuristic Death-Cast notifying them of their impending doom. Mateo and Rufus are each looking for a friend to spend their End Day with and find one another through an app called Last Friend. The two strangers team up for one final hurrah, experiencing life in a way they never have, before going their separate ways forever. The prequel to this 2017 book, “The First to Die at the End,” was released last October — and has left BookTokers in tears, too.

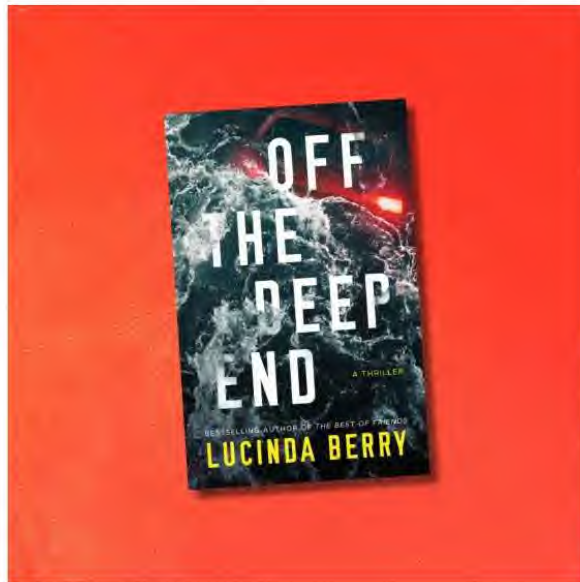
'Mexican Gothic' by Silvia Moreno-Garcia





In the 1950s, glamorous débutante Noemí Taboada heads to the Mexican countryside after her father receives an ominous letter from her newlywed cousin begging for someone to save her from mysterious doom. Arriving at High Place, where her cousin now lives, Noemí uncovers secrets behind the walls of the decaying mansion. Yet she is also drawn to the seductive world of the house, which makes it hard for her to leave High Place behind. This suspenseful read, which offers commentary on racism, generational trauma and domestic abuse, has BookTokers obsessed.

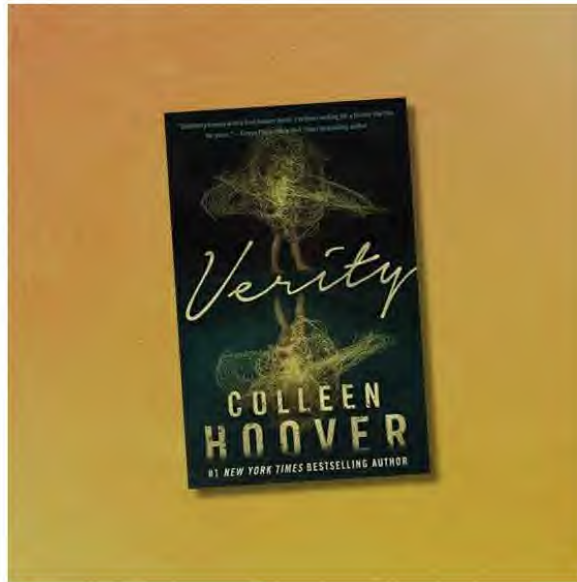
'Off the Deep End' by Lucinda Berry



Jules Hart's idyllic life is shattered when she swerves to avoid hitting a deer in the road and her car, along with her son and his friend, plunges into an icy lake. The therapist turned stay-at-home mom can only manage to save one of the teenage boys from drowning in the frigid murky water, and it's not her son. Ten months after the accident, Jules is still reeling from the death of her child and grappling with the fact that she inadvertently saved the *wrong* boy. But then the boy suddenly and inexplicably vanishes, and Jules is now taking center stage in a police investigation. The author, a former clinical psychologist herself, has captivated BookTok with her ability to

frigid murky water, and it's not her son. Ten months after the accident, Jules is still reeling from the death of her child and grappling with the fact that she inadvertently saved the *wrong* boy. But then the boy suddenly and inexplicably vanishes, and Jules is now taking center stage in a police investigation. The author, a former clinical psychologist herself, has captivated BookTok with her ability to capture profound grief in a realistic way.

'Verity' by Colleen Hoover



Lowen Ashleigh is a struggling writer who has just landed the opportunity of a lifetime. She is hired by Jeremy Crawford, the husband of a best-selling author, to complete the remaining books of his injured wife's successful series. In the Crawford home, Lowen uncovers an unfinished autobiography that was never intended to be read — and contains terrible secrets about the family's past. As she begins to have feelings for the author's husband, Lowen struggles to determine if she should share the autobiography with him as it's bound to forever alter his relationship with his wife. This sensational psychological thriller, penned by the same author as "It Ends with Us," has led to debate between BookTokers over its ambiguous ending.

'Things We Never Got Over' by Lucy

Score

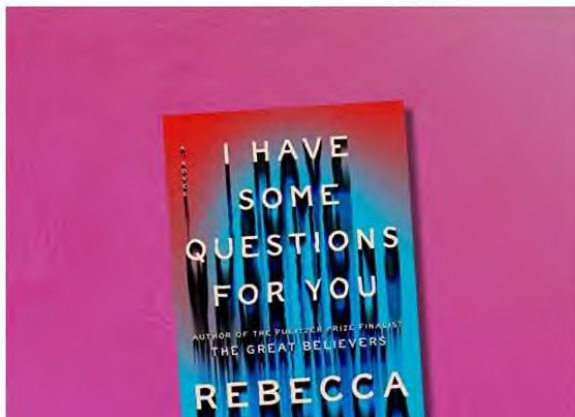


'Things We Never Got Over' by Lucy Score



Lucy Score's steamy romance novels are popular on BookTok for their plot *and*, uh, other things. Check out the three books in Score's Knockemout series: "Things We Never Got Over," "Things We Hide From the Light" and "Things We Left Behind," all following bad boys whose hearts of gold are there, even if they're hard to find at hfirst.

'I Have Some Questions for You' by Rebecca Makkai





Successful film professor and podcaster Bodie Kane is content forgetting her past — not the least of which includes the murder of her senior year roommate, Thalia Keith, at a boarding school in New Hampshire. But when the Granby School invites her to return to teach a course, Bodie is forced to confront the things that happened in 1995 that she has been trying so hard to forget. Bodie starts to question if the conviction of the school athletic trainer, Omar Evans, was a rush to judgment and if Thalia’s real killer could still be out there. And what if she has unknowingly held a clue all along that might have held the key to solving the case. The literary mystery unspools like the podcast series *Serial*, addressing themes such as racism, classism, sexism and memory.



Rebecca Makkai wrote 'I Have Some Questions for You.' We have some questions for her

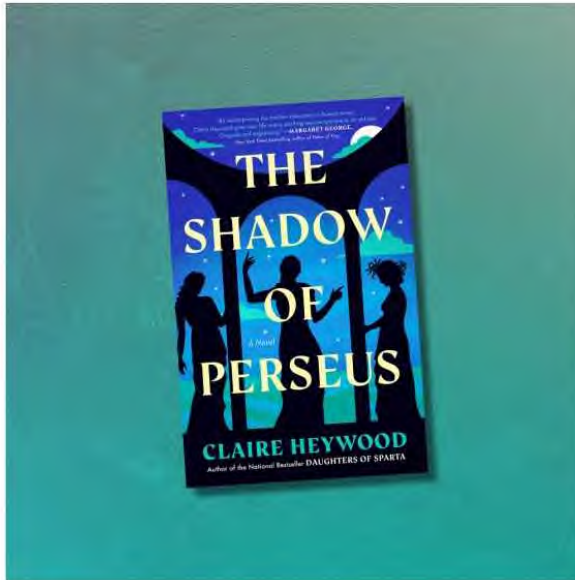
The novel tackles society's obsession with true crime.

TODAY / Feb 21, 2023

“The Shadow of Perseus” by Claire Heywood



Heywood



The story of Greek mythological hero, Perseus, is told through the voices of three women who are sidelined in the traditional version: His mother, Danae; his temptress, Medusa; and his wife, Andromeda. This all-female mythological reinterpretation takes Perseus down from his heroic pedestal, revealing him to be a man obsessed with his own destiny, not good.

'Dark Matter' by Blake Crouch





Jason Dessen is an ordinary college physics professor who lives with his family in Chicago. Everything in his life seems predictable until a masked abductor knocks him unconscious. When he awakens, he finds himself strapped to a gurney and surrounded by unfamiliar people in hazmat suits. He is greeted with, "Welcome back, my friend," only Jason has no idea who the man is smiling down at him. In fact, everything seems different. He has a different wife, his son has never been born and he is now a celebrated genius who has achieved something remarkable. As Jason tries to find a way to return to his family, he has to confront how far he will go to reclaim his old life. This science-fiction thriller has captivated BookTok readers who wonder what their lives would look like if they'd made different choices.

'Big Swiss' by Jen Beagin



Greta spends her time transcribing therapy sessions for a sex coach.

Greta spends her time transcribing therapy sessions for a sex coach. She becomes fascinated with the newest client, a repressed married woman whom she refers to as Big Swiss since she's tall, stoic and originally from Switzerland. Greta is especially intrigued by Big Swiss' refreshing attitude surrounding her trauma since they both have a dark past. When the pair accidentally cross paths at a dog park and Greta recognizes Big Swiss' voice, she introduces herself with a fake name. As the two begin a relationship, Greta will go to any length to maintain the connection. This contemporary fiction novel tackles issues surrounding mental health and infidelity.

'Pineapple Street' by Jenny Jackson



Three women, one Brooklyn family ... and lots of money. Darley, the eldest in the family, gave up her job and her inheritance for motherhood. Sasha, who married into the well-connected family, always feels like an outsider. And the youngest of the family, Georgiana, is in love with someone she ultimately can't have. With shifting narrators, this highly anticipated debut novel by Jenny Jackson gives readers a glimpse of New York's elite.

'Central Places' by Delia Cai

shifting narrators, this highly anticipated debut novel by Jenny Jackson gives readers a glimpse of New York's elite.

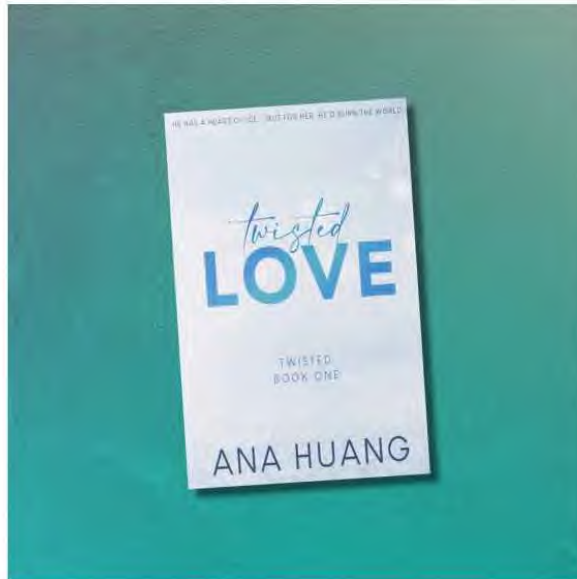
'Central Places' by Delia Cai



Audrey Zhou has traded the small Illinois town she grew up in for New York City. Far from Hickory Grove, she's now living her best life with an impressive high paying job and a faultless fiancé, Ben. In order to move forward in Manhattan, she has to confront unresolved issues that she left behind. Returning home is complicated. Her relationship with her mother is strained and she feels less connected to the friends she left behind. And there is a lingering crush from high school, a laid-back stoner named Kyle, whom she finds herself inexplicably drawn to years later. Audrey tries to navigate her past life without jeopardizing the future she's worked so hard to create. Along the way, she starts to question if it's the new Audrey or the old one that truly brings her happiness. This character-driven read, which includes interracial relationships and challenging family dynamics, has BookTokers hooked.

'Twisted Love' by Ana Huang





Ava Chen is a free spirit who thinks positively, despite her difficult past. When her overprotective brother embarks on a year-long trip, he asks his best friend, Alex Volkov, to look after her. Alex, cloaked in mystery, is running toward success so he can outrun his past. When the pair begin to spend more time together, the undeniable chemistry that develops threatens to destroy them both. The first book in the “Twisted” series, BookTokers are loving the brother’s best friend and opposites attract romance trope.

'Georgie, All Along' by Kate Clayborn





George Mulcahy always puts others first. Endlessly busy as a personal assistant in Hollywood, she doesn't even have time to realize she puts everyone else first. When she unexpectedly returns home to her small town in Virginia, she has to confront the uncomfortable truth. Worse, Georgie finds her teenage diary which is filled with pages of a dynamic life and dreams for her future. She decides to use it to get back on track and teams up with the former town rebel, Levi Fanning, to cross bucket items off her list. Along the way, they discover that chasing childhood dreams can unexpectedly lead to current happiness. BookTokers are charmed by these two damaged souls trying to better their lives.

'A Good Girl's Guide to Murder' by Holly Jackson



Pippa Fitz-Amobi selects a topic for her high school senior project that

Pippa Fitz-Amobi selects a topic for her high school senior project that the rest of her Connecticut town would otherwise like to forget. Five years prior, popular high school student Andie Bell was murdered by her boyfriend, Sal Singh, who then took his own life. And while everyone in Fairview is convinced the crime has been long solved, Pip isn't so sure. As she digs around, her research suggests a trail of secrets that points to Sal being innocent. But it seems like not everyone is happy with her newfound discovery and her own safety may now be threatened. The dark secrets of Fairview don't end when Pip submits her final project, the sequel "Good Girl, Bad Blood" is another favorite among BookTok. 📖



Ryan Hudgins

Ryan Hudgins is an editorial intern at TODAY.com. She is currently pursuing a major in Journalism at the University of Richmond. In her free time, Ryan enjoys reading, running, hiking and surfing.



Related



BOOKS / Updated June 17, 2024
'Beach Read' director Yulin Kuang reveals her favorite romance novels



BOOKS / Updated June 14, 2024
6 must-read books for Pride Month, according to Steven Rowley and Byron Lane



BOOKS / Updated June 11, 2024
30 books and 25 years later, Elin Hilderbrand is ready for a vacation



BOOKS / Updated June 6, 2024
The best books to read according to John Seabury



Taboola Feed

among BookTok.



Ryan Hudgins

Ryan Hudgins is an editorial intern at TODAY.com. She is currently pursuing a major in Journalism at the University of Richmond. In her free time, Ryan enjoys reading, running, hiking and surfing.



Related



BOOKS / Updated June 17, 2024
'Beach Read' director Yulin Kuang reveals her favorite romance novels



BOOKS / Updated June 14, 2024
6 must-read books for Pride Month, according to Steven Rowley and Byron Lane



BOOKS / Updated June 11, 2024
30 books and 25 years later, Elin Hilderbrand is ready for a vacation



BOOKS / Updated June 6, 2024
The best books to read according to John Seab



SPONSORED / POPULAR SEARCHES
The All-New Nissan Altima Is Turning Heads (See Why!)



SPONSORED / GOSEARCHES
Killer New 2024 Cadillac Escalade Lineup (Take A Look)



ORAL ARGUMENT SCHEDULED FOR SEPTEMBER 16, 2024

Case No. 24-1130
Consolidated With No. 24-1113

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

TIKTOK INC. and BYTEDANCE LTD.

Petitioners,

v.

MERRICK B. GARLAND, in his official capacity as Attorney General of
the United States,

Respondent.

(continued on inside cover)

**ON PETITION FOR REVIEW OF THE PROTECTING AMERICANS
FROM FOREIGN ADVERSARY CONTROLLED APPLICATIONS
ACT (H.R. 815)**

**ADDENDUM TO OPENING BRIEF OF CREATOR PETITIONERS
VOLUME 3 of 4 (Add. 271–404)**

Ambika Kumar
Tim Cunningham
Xiang Li
DAVIS WRIGHT TREMAINE LLP
920 Fifth Avenue, Suite 3300
Seattle, Washington 98104
(206) 757-8030
ambikakumar@dwt.com
timcunningham@dwt.com
xiangli@dwt.com

Jeffrey L. Fisher
O'MELVENY & MYERS LLP
2765 Sand Hill Road
Menlo Park, California 94025
(650) 473-2633
jlfisher@omm.com

(continued on inside cover)

Attorneys for Creator Petitioners

BRIAN FIREBAUGH, CHLOE JOY SEXTON, TALIA CADET,
TIMOTHY MARTIN, KIERA SPANN, PAUL TRAN, CHRISTOPHER
TOWNSEND, and STEVEN KING,

Petitioners,

v.

MERRICK B. GARLAND, in his capacity
as United States Attorney General,

Respondent.

BASED Politics Inc.,

Petitioner,

v.

MERRICK B. GARLAND, in his official capacity as Attorney General of
the United States,

Respondent.

Elizabeth A. McNamara
Chelsea T. Kelly
DAVIS WRIGHT TREMAINE LLP
1251 Avenue of the Americas
New York, New York 10020
(212) 489-8230
lizmcnamara@dwt.com
chelseakelly@dwt.com

James R. Sigel
Adam S. Sieff
DAVIS WRIGHT TREMAINE LLP
50 California Street, Suite 2300
San Francisco, California 94111
(415) 276-6500
jamessigel@dwt.com
adamsieff@dwt.com

Joshua Revesz
O'MELVENY & MYERS LLP
1625 Eye Street NW
Washington, DC 20006
(202) 383-5261
jrevesz@omm.com

Attorneys for Creator Petitioners

TABLE OF CONTENTS

	<u>PAGE</u>
Protecting Americans from Foreign Adversary Controlled Applications Act, Pub. L. No. 118-50, Division H	1
Declaration of Talia Cadet	8
Declaration of Brian Firebaugh	18
Declaration of Steven King	28
Declaration of Timothy Martin	35
Declaration of Chloe Joy Sexton	44
Declaration of Kiera Spann.....	52
Declaration of Christopher Townsend	63
Declaration of Paul Tran.....	73
Declaration of Ambika Kumar.....	81

EXHIBIT 21

Addendum - 271

Flash sale! \$1 for 1 year [Subscribe Now](#)

USA TODAY BEST MOVIES AND TV: SIGN UP NOW [Watch Party Newsletter](#) MUST-SEE SHOWS THIS SEASON [Summer TV to watch](#) THE ESSENTIALS: JOHN STAMOS [Hair secrets revealed](#) FROM 'FURIOSA' TO 'TWISTERS' [Summer movies](#) [SUBSCRIBE NOW \\$1 for 1 year](#)

U.S. Elections Sports Entertainment Life Money Tech Travel Opinion 74°F [Subscribe](#) [Sign In](#)



Switch to Fios Home Internet
 Leave your old internet behind. Get Fios 1 Gig w/ a year price guarantee. Terms apply.

Fios Home Internet [Shop Now](#)

BOOKS

Books and Literature

[Add Topic+](#)

Want to get on BookTok? Tips from creators on how to find the best book recommendations

Clare Mulroy
USA TODAY

Published 6:05 a.m. ET Dec. 18, 2023 | Updated 11:56 a.m. ET March 21, 2024



Purchases you make through our links may earn us and our publishing partners a commission.

Are you a fan of those [ASMR slime videos](#) on TikTok? How about [cooking videos](#)? Mini [stand-up comedy](#) specials? There's a niche for everyone on the app, including people who spend most of their time reading books.

We're talking about BookTok of course, a place where book lovers come to connect and share recommendations for the next great read.

Looking to get out of a reading slump or make new friends? Here are tips from BookTok creators about how to get the best experience on the most well-read side of TikTok.



More Stories

- Julia Louis-Dreyfus criticizes Jerry Seinfeld's political correctness comments**
ENTERTAINMENT
- Jake Gyllenhaal opens up about benefits of being legally blind**
ENTERTAINMENT
- Four sisters learn their babies are half-siblings**
[Play J...](#) [Ad](#) [Read More](#)

Document title: What is BookTok? How to find book recommendations, community on TikTok

Capture URL: <https://www.usatoday.com/story/entertainment/books/2023/12/18/what-is-booktok-user-tips/71825963007/>

Capture timestamp (UTC): Mon, 17 Jun 2024 19:06:27 GMT

Page 1 of 10

Addendum - 272

Flash sale! \$1 for 1 year [Subscribe Now](#)

USA TODAY [BEST MOVIES AND TV: SIGN UP NOW Watch Party Newsletter](#) [MUST-SEE SHOWS THIS SEASON Summer TV to watch](#) [THE ESSENTIALS: JOHN STAMOS Hair secrets revealed](#) [FROM 'FURIOSA' TO 'TWISTERS' Summer movies](#) [SUBSCRIBE NOW \\$1 for 1 year](#)

U.S. Elections Sports Entertainment Life Money Tech Travel Opinion 74°F [Subscribe](#) [Sign In](#)



Nina Haines, founder of Sapph-Lit, reading one of her recent favorite books. *Clare Mulroy*

We're always working to improve your experience. [Let us know what you think.](#)

What is BookTok?

BookTok isn't a separate app – it's a subsection of TikTok that you can get on just by typing the word "BookTok" in the search bar. When people say they're "on BookTok" it means either they create book-related videos or have a "for you page" full of them.

Check out: [USA TODAY's weekly Best-selling Booklist](#)

Advertisement:

Search for

1. TOP 5 MUST READ NOVELS
2. CURRENT TOP 10 FICTION BOOKS
3. BEST FICTION BOOKS 2024
4. TOP 10 BOOK CLUB BOOKS
5. CURRENT TOP 10 BEST SELLING BOOKS
6. BEST-SELLING NONFICTION BOOKS TO READ

Yahoo! Search

"It's like a big virtual ongoing book club where there's always someone who wants to read the book you do, somebody wants to talk about the same kinds of books you like," says Kelsey Bogan, a high school librarian from Pennsylvania who runs the ["Don't Shush Me" blog](#).

How to get involved on BookTok

While you can use BookTok exclusively to find new recommendations, there are also book clubs born on the app where users can find virtual and in-person communities.



Advertisement:

STORY FROM **Hilton** ALL-INCLUSIVE

Hilton is reimagining the all-inclusive resort

[LEARN MORE](#)

Flash sale! \$1 for 1 year [Subscribe Now](#)

USA TODAY [Watch Party Newsletter](#) [Summer TV to watch](#) [Hair secrets revealed](#) [Summer movies](#) [Subscribe Now \\$1 for 1 year](#)

U.S. Elections Sports Entertainment Life Money Tech Travel Opinion 74°F [Subscribe](#) [Sign In](#)



[Learn more](#)

Advertisement



New York-based content creator [Nina Haines](#) found this in [Sapph-Lit](#), a sapphic book club she created and has lovingly dubbed her “sweet little gay corner of the internet.”

Sapph-Lit is a product of queer BookTok, a side of BookTok where users share the latest LGBTQ+ reads. It now has about 8,000 members in 60 countries, but started on BookTok with a comment on one of Haines’ book-related videos in 2021: “[Can we start a book club](#)”.

Get the Daily Briefing newsletter in your inbox.

The day’s top stories, from sports to movies to politics to world events.

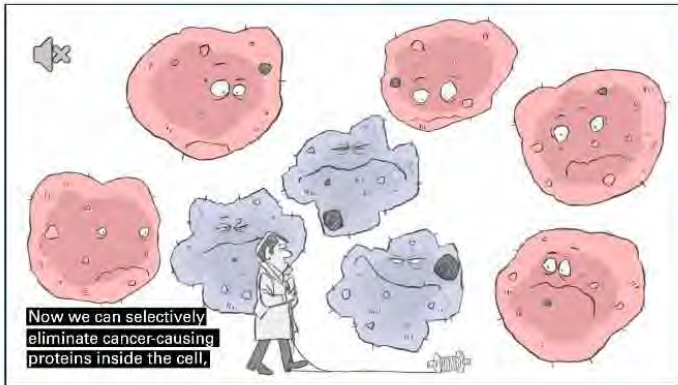
Delivery: Daily

Your Email →

Since its genesis on TikTok, the group has found a home on the community app Geneva, on monthly Zoom calls and even in the streets of New York. Haines has seen [IRL](#) friend groups form from Sapph-Lit and even hosted unofficial bar takeovers and in-person book swaps.

Sapph-Lit has been credited by some members as the first queer community they’ve felt safe in or the reason they came out to their parents, Haines says. And at the heart of this warm and fuzzy feeling is books.

Advertisement



Advertisement

“Sapphics and queer women in history have been rendered invisible for so long,” Haines says. “I want to use the power that Sapph-Lit has granted me to uplift stories of authors and writers and voices that wouldn’t be on popular BookTok.”



Flash sale! \$1 for 1 year [Subscribe Now](#)

USA TODAY BEST MOVIES AND TV: SIGN UP NOW [Watch Party Newsletter](#) MUST-SEE SHOWS THIS SEASON [Summer TV to watch](#) THE ESSENTIALS: JOHN STAMOS [Hair secrets revealed](#) FROM 'FURIOSA' TO 'TWISTERS' [Summer movies](#) [SUBSCRIBE NOW \\$1 for 1 year](#)

U.S. Elections Sports Entertainment Life Money Tech Travel Opinion 74°F [Subscribe](#) [Sign In](#)




Nina Haines, 26, created a sapphic book club after her BookTok videos gained traction among queer readers. *Clare Mulroy*

Inspired to start a bookish TikTok community of your own? Haines says to lead with vulnerability and aim to be a bridge between people who are looking for similar connections.

"Push the snowball off the cliff and it'll start getting bigger itself," she says. "Ask what (users) want, ask for feedback."

READ UP ON REVIEWS AND NEWS
The latest in books

- **Queer and compelling: 11 LGBTQ+ books for Pride you should be reading right now**
- **What is the 'best' children's book? Kids, parents and authors on why some rise to the top**
- **Don't break the bank with your reading habit: Here's where to buy cheap books near you**
- **Review: In Dolly Alderton's 'Good Material,' readers feel heartbreak unfold in real-time**
- **Want to get on BookTok? Tips from creators on how to find the best book recommendations**



Which BookTok book should I read?

Step 1: Figure out what genres you like to read

Do a quick keyword search in TikTok and you'll find yourself on BookTok easily, but maybe not the side of BookTok you want.

"People always make the joke that 'I don't know why everyone raves about BookTok, it's always the same five authors being promoted' and I think that is causing a barrier." Roan

Document title: What is BookTok? How to find book recommendations, community on TikTok

Capture URL: <https://www.usatoday.com/story/entertainment/books/2023/12/18/what-is-booktok-user-tips/71825963007/>

Capture timestamp (UTC): Mon, 17 Jun 2024 19:06:27 GMT

Flash sale! \$1 for 1 year [Subscribe Now](#)

USA TODAY BEST MOVIES AND TV: SIGN UP NOW [Watch Party Newsletter](#) MUST-SEE SHOWS THIS SEASON [Summer TV to watch](#) THE ESSENTIALS: JOHN STAMOS [Hair secrets revealed](#) FROM 'FURIOSA' TO 'TWISTERS' [Summer movies](#) [SUBSCRIBE NOW \\$1 for 1 year](#)

U.S. Elections Sports Entertainment Life Money Tech Travel Opinion 74°F [Subscribe](#) [Sign In](#)

"People always make the joke that 'I don't know why everyone raves about BookTok, it's always the same five authors being promoted,' and I think that is causing a barrier," Bogan says. "People are hitting that wall and not knowing why."

Advertisement

Advertisement



STORY FROM HILTON ALL-INCLUSIVE

What to look for in an all-inclusive resort

4 reasons travelers should consider all-inclusive for their next vacation.

[Learn More](#)

If you're a fan of [romance](#) or [fantasy](#), you've likely found your place on BookTok already, but others may have a harder time finding their niche. Before you go digging down the BookTok rabbit hole, first figure out which genres are appealing to you.

["It Ends with Us" at Amazon for \\$10](#)

["Divine Rivals" at Amazon for \\$14](#)

"Taste is subjective, and I think often on BookTok people can get very vitriolic," Haines says. "Don't feel [gaslit by the comments section](#). If you didn't like something, use that as information and just keep reading."

Bookseller and BookTok creator [Sera Wright](#) recommends looking to movie and TV preferences to guide your book taste. Are you an action movie lover? Romance? Thriller? You can even get more specific with tropes you enjoy – do you like movies that involve love triangles? [Murder solving senior citizens?](#)

["The Thursday Murder Club" at Amazon for \\$11](#)

Advertisement

Flash sale! \$1 for 1 year [Subscribe Now](#)

USA TODAY BEST MOVIES AND TV: SIGN UP NOW [Watch Party Newsletter](#) MUST-SEE SHOWS THIS SEASON [Summer TV to watch](#) THE ESSENTIALS: JOHN STAMOS [Hair secrets revealed](#) FROM 'FURIOSA' TO 'TWISTERS' [Summer movies](#) [SUBSCRIBE NOW \\$1 for 1 year](#)

U.S. Elections Sports Entertainment Life Money Tech Travel Opinion 74°F [Subscribe](#) [Sign In](#)

Advertisement

This is your "trial and error period," Wright says. Before she started posting on TikTok consistently, Wright says she spent an entire year scoping out the different sides of BookTok to find her favorites, which include the "friends to lovers" and "grumpy sunshine" tropes as well as paranormal rom-com and [hockey romances](#).

Step 2: Search specifically

There are a couple of ways to game the TikTok algorithm so it shows you the genres you like. One hack Haines recommends is to shape your "Following" feed. Find a creator that you connect with – try searching for a book you like and find someone with similar taste – then follow them. The more you interact with their videos by liking, sharing and commenting, the more the algorithm will feed you similar content.

Just as BookTok is a subsection of the broader TikTok app, there are even more niche sides of BookTok. To find topics, try searching some of these key terms based on your preferences:

Advertisement

- Horror BookTok.
- Queer BookTok.
- Romance BookTok.
- Spicy BookTok (Rated R romance BookTok content).
- Fantasy BookTok.
- Classics BookTok.
- Sci-Fi BookTok.
- YA BookTok.
- HistFic BookTok (Historical Fiction).
- Memoir BookTok.
- [Banned](#) BookTok.

How to diversify your BookTok recommendations

More popular BookTok videos involve books by white, cisgender, heterosexual authors and

Document title: What is BookTok? How to find book recommendations, community on TikTok

Capture URL: <https://www.usatoday.com/story/entertainment/books/2023/12/18/what-is-booktok-user-tips/71825963007/>

Capture timestamp (UTC): Mon, 17 Jun 2024 19:06:27 GMT

Page 6 of 10

Addendum - 277

Flash sale! \$1 for 1 year [Subscribe Now](#)

USA TODAY BEST MOVIES AND TV: SIGN UP NOW [Watch Party Newsletter](#) MUST-SEE SHOWS THIS SEASON [Summer TV to watch](#) THE ESSENTIALS: JOHN STAMOS [Hair secrets revealed](#) FROM 'FURIOSA' TO 'TWISTERS' [Summer movies](#) [SUBSCRIBE NOW \\$1 for 1 year](#)

U.S. Elections Sports Entertainment Life Money Tech Travel Opinion 74°F [Subscribe](#) [Sign In](#)

How to diversify your BookTok recommendations

Many popular BookTok videos involve books by white, cisgender, heterosexual authors and feature characters with similar identities, something Wright says frustrates her as a Black creator and bookseller.

"You have to put the descriptor 'Black BookTok,' 'BIPOC BookTok,' but then you have to go deeper. If you want a nonfiction book by a BIPOC person, you have to look up 'BIPOC non-fiction BookTok,'" Wright says. "People don't think about that - why do I have to add a descriptor just to see books by people with my same skin tone?"

In an ideal world, Wright says she would love to type in "BookTok" and see authors and characters of varied identities and experiences. But that can't happen, she says, if readers and BookTok users aren't actively diversifying their BookTok recommendations, something [she's used her platform](#) to discuss.

"If you were to go to your bookshelf right now and you were to pick out all the books that you have about BIPOC stories by BIPOC authors, how many would come off your shelf?" she [prompts followers in one video](#).



Sera Wright takes her bookish lifestyle from TikTok to Resist Booksellers, an independent Black-owned bookstore in Virginia. Courtesy Of Sera Wright



She points to Black History Month when many non-Black creators [post recommendations of books](#) by Black authors.

"They don't make it a habit in their life, so the (month) passes and the algorithm just goes right back to what it was, right back to reading books by white authors," Wright says. "I do think that it would change the algorithm immensely if (white creators) didn't treat it as so

Flash sale! \$1 for 1 year [Subscribe Now](#)

USA TODAY BEST MOVIES AND TV: SIGN UP NOW [Watch Party Newsletter](#) MUST-SEE SHOWS THIS SEASON [Summer TV to watch](#) THE ESSENTIALS: JOHN STAMOS [Hair secrets revealed](#) FROM 'FURIOSA' TO 'TWISTERS' [Summer movies](#) [SUBSCRIBE NOW \\$1 for 1 year](#)

U.S. Elections Sports Entertainment Life Money Tech Travel Opinion 74°F [Subscribe](#) [Sign In](#)

They don't make it a habit in their life, so the momentum passes and the algorithm just goes right back to what it was, right back to reading books by white authors," Wright says. "I do think that it would change the algorithm immensely if (white creators) didn't treat it as so much of a trend; if it was just normalized."

How to use BookTok for your library or bookstore

Do you make being a bookworm your 9-to-5 job, too? Good news – there may be a use for BookTok at work as well. Bogan says she's seen a "drastic increase in reading" at her library since the popularity of BookTok [skyrocketed during the pandemic](#).

"When we look to see which titles circulate the most in a year there, it's always seven out of 10 of them are ones I know have been trending on BookTok," Bogan says. "It's a definitive, noticeable impact. It's kind of thrilling."

Advertisement

What we do here changes lives everywhere
Dana-Farber Cancer Institute
[LEARN MORE](#)

Advertisement

RUN MAG MILE
ONE DAY TO RUN

10% OFF
with code **RUNMM10**

MAGNIFICENT MILE
SEPTEMBER 7, 2024
[REGISTER NOW](#)

Bogan says librarians, particularly for high school-age readers and up, should be using BookTok as a primary collection development resource. Bogan's library has a table marked "Popular on BookTok."

"If you serve teens or adults as a librarian, not checking BookTok would be like not checking the New York Times Bestseller," she says.

It's also a way to connect with a bookish community, something Wright has done [running the TikTok account of Resist Booksellers](#), an independent, Black-owned bookstore in Petersburg, Virginia. One day it's videos about author events, the next it's a "day in the life" recap of a bookseller, the next it's a [Barbie audio](#).

Bogan says she employed a similar tactic with her school's library TikTok account during the pandemic, sharing programming, humor and recommendations on what she calls her virtual "community bulletin board."

"I always think of social media – TikTok and Instagram for us – as being a window and a tether to help the community connect," Bogan says.

Advertisement

Flash sale! \$1 for 1 year [Subscribe Now](#)

USA TODAY BEST MOVIES AND TV: SIGN UP NOW [Watch Party Newsletter](#) MUST-SEE SHOWS THIS SEASON [Summer TV to watch](#) THE ESSENTIALS: JOHN STAMOS [Hair secrets revealed](#) FROM 'FURIOSA' TO 'TWISTERS' [Summer movies](#) [SUBSCRIBE NOW \\$1 for 1 year](#)

U.S. Elections Sports Entertainment Life Money Tech Travel Opinion 74°F [Subscribe](#) [Sign In](#)



STORY FROM HILTON ALL-INCLUSIVE
4 surprising benefits of all-inclusive travel

4 reasons travelers should consider all-inclusive for their next vacation.

[Learn More](#)

Check out: [USA TODAY's weekly Best-selling Booklist](#)

Just Curious for more? We've got you covered.

USA TODAY is exploring the questions you and others ask every day. From "How to return a book on Audible?" to "Where to donate books?" to "What is the highest-grossing animated movie?" – we're striving to find answers to the most common questions you ask every day. Head to our [Just Curious section](#) to see what else we can answer for you.



Advertisement

RUN MAG MILE
 ONE DAY TO RUN.

10% OFF
 with code **RUNMM10**

MAGNIFICENT MILE
 SEPTEMBER 7, 2024

[REGISTER NOW](#)

Taboola Feed



New Small Electric Car For Seniors - The Price May Surprise You

GoSearches | [Ad](#)



Unsold Camper Vans 2024 (See Prices)

Camper Vans | Search Ads | [Ad](#)



New Electric Cars Are So Cheap Now (Take A Look)

CommonSearches | [Ad](#) [Click Here](#)



Every New Car You Can Still Buy with a Manual Transmission

Car & Driver | [Ad](#)



Shawshank Redemption Cast Explain What Most Fans Never Figured Out

Jpost_magazine | [Ad](#) [Read More](#)



2024 Buick's Are Turning Heads

SUVs | Search Ads | [Ad](#) [Learn More](#)

Document title: What is BookTok? How to find book recommendations, community on TikTok

Capture URL: <https://www.usatoday.com/story/entertainment/books/2023/12/18/what-is-booktok-user-tips/71825963007/>

Capture timestamp (UTC): Mon, 17 Jun 2024 19:06:27 GMT

Flash sale! \$1 for 1 year [Subscribe Now](#)

USA TODAY BEST MOVIES AND TV: SIGN UP NOW [Watch Party Newsletter](#) MUST-SEE SHOWS THIS SEASON [Summer TV to watch](#) THE ESSENTIALS: JOHN STAMOS [Hair secrets revealed](#) FROM 'FURIOSA' TO 'TWISTERS' [Summer movies](#) [SUBSCRIBE NOW \\$1 for 1 year](#)

U.S. Elections Sports Entertainment Life Money Tech Travel Opinion 74°F [Subscribe](#) [Sign In](#)

Check out: [USA TODAY's weekly Best-selling Booklist](#)

Just Curious for more? We've got you covered.

USA TODAY is exploring the questions you and others ask every day. From ["How to return a book on Audible?"](#) to ["Where to donate books?"](#) to ["What is the highest-grossing animated movie?"](#) – we're striving to find answers to the most common questions you ask every day. Head to our [Just Curious](#) section to see what else we can answer for you.



Taboola Feed



New Small Electric Car For Seniors - The Price May Surprise You

[GoSearches](#) | [Ad](#)



Unsold Camper Vans 2024 (See Prices)

[Camper Vans](#) | [Search Ads](#) | [Ad](#)



New Electric Cars Are So Cheap Now (Take A Look)

[CommonSearches](#) | [Ad](#) [Click Here](#)



Every New Car You Can Still Buy with a Manual Transmission

[Car & Driver](#) | [Ad](#)



Shawshank Redemption Cast Explain What Most Fans Never Figured Out

[Jpost_magazine](#) | [Ad](#) [Read More](#)



2024 Buick's Are Turning Heads

[SUVs](#) | [Search Ads](#) | [Ad](#) [Learn More](#)



Advertisement

RUN MAG MILE
ONE DAY TO RUN

10% OFF
with code **RUNMM10**

MAGNIFICENT MILE
SEPTEMBER 7, 2024

[REGISTER NOW](#)



Document title: What is BookTok? How to find book recommendations, community on TikTok

Capture URL: <https://www.usatoday.com/story/entertainment/books/2023/12/18/what-is-booktok-user-tips/71825963007/>

Capture timestamp (UTC): Mon, 17 Jun 2024 19:06:27 GMT

EXHIBIT 22



Register

Sign In

Home News Sport Business Innovation Culture Travel Earth Video Live

ORACLE Database

Make your data naturally smarter with built-in AI.

Oracle Database 23ai

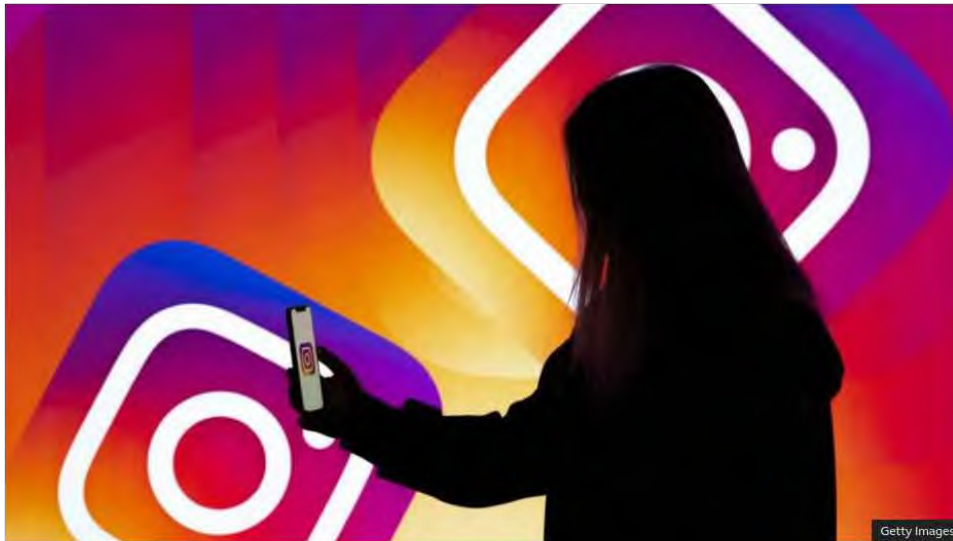
Learn more

Instagram courts TikTok users with algorithm revamp

3 May 2024

By Liv McMahon, Technology reporter

Share



Instagram is overhauling its recommendations algorithms in what analysts say is an attempt to capitalise on TikTok's woes.

Changes to its system for suggesting content, particularly on Reels - its short-form video service - will prioritise original content and "give all creators an equal chance of breaking through".

Experts say the Meta-owned platform is trying to copy what has driven the success of TikTok - as its potential ban in the US looms.

But some in the creator community say the changes may come too late for users who have lost patience with Instagram's approach to its Reels feature.

In a blog post, Instagram said it would "correct" its previous approach to recommending content, which favoured accounts with larger followings and "aggregators" which repost lots of other creators' content.

Document title: Instagram revamps algorithm in battle for TikTok creators

Capture URL: <https://www.bbc.com/news/articles/cmm3yn4pr17o>

Capture timestamp (UTC): Mon, 17 Jun 2024 19:07:29 GMT

Page 1 of 4

Addendum - 283



Register

Sign In

[Home](#) [News](#) [Sport](#) [Business](#) [Innovation](#) [Culture](#) [Travel](#) [Earth](#) [Video](#) [Live](#)

In a [blog post](#), Instagram said it would "correct" its previous approach to recommending content, which favoured accounts with larger followings and "aggregators" which repost lots of other creators' content.

The changes will be rolled out over the next few months.

Jasmine Enberg, principal social media analyst at eMarketer, said it was clear what Instagram had in its sights.

"The battle for TikTok creators is on," she told the BBC.

TikTok's highly-personalised algorithm and For You Page of recommended content has made it "the platform of choice" for smaller, emerging creators keen to break through, she said.

Being so adept at promoting viral videos, regardless of who makes them, is what has helped make TikTok so popular worldwide - and is what Meta is seeking to copy, especially with its rival's future in doubt, in the US at least.

"Instagram wants to become the go-to platform for those creators if TikTok were to be banned," Ms Enberg explained.

- [US TikTok ban: When and why could the app be outlawed?](#)

'Sick and tired'

But this is not the first time Meta has tinkered with Instagram - and there is no guarantee it will work, for creators or audiences.

Katy Cowan, who runs Creative Boom - a Manchester-based platform for design creatives - told the BBC this has been "a kick in the teeth" for smaller creators.

She thinks the changes may come "too late" for those frustrated by frequent platform and algorithmic changes.

"I think people are just sick and tired of Instagram changing things," she said.

"I love Instagram and it's where I built my audience but the constant fluctuations in reach and stifled growth have made it not worth the investment in time," wrote filmmaker Travis Meadors on Meta's app for text posts, Threads.

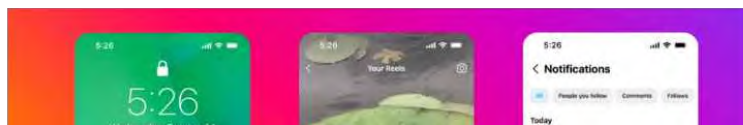
Under the changes in coming months, "aggregator" accounts that repeatedly post content they did not create, or make material edits to, will not be included in areas of the app where they are recommended to users, such as in Explore or Reels feeds.

Instagram will also "reward" original creators by replacing a duplicate of a video with its original in recommendations where it finds multiple versions.

This will not apply to content which is remixed or edited to become a meme or parody, it says.

It will also apply labels attributing original creators on reposted content.

"It takes a lot of time and effort to create original content, so those who create it should get credit and distribution even when it is reposted by other accounts," Instagram said.



Document title: Instagram revamps algorithm in battle for TikTok creators

Capture URL: <https://www.bbc.com/news/articles/cmm3yn4pr17o>

Capture timestamp (UTC): Mon, 17 Jun 2024 19:07:29 GMT

Page 2 of 4

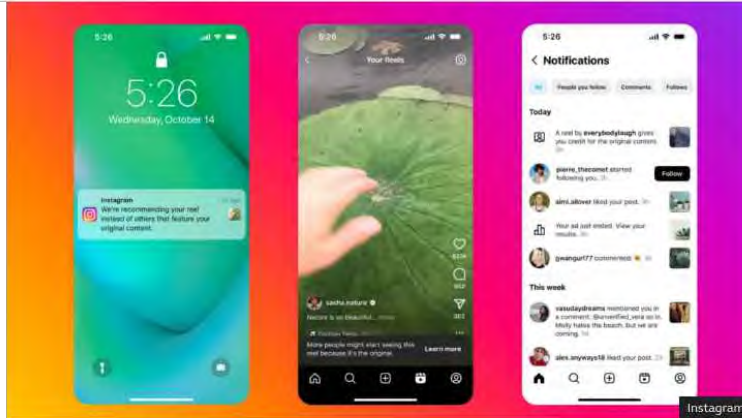
Addendum - 284



Register

Sign In

Home News Sport Business Innovation Culture Travel Earth Video Live



Instagram says creators will be notified when Reels featuring or reposting their content are replaced with their own, original content in recommendations.

Meta is not the only social media firm revamping its offering in the face of TikTok's travails.

Popular live-streaming platform Twitch - which is owned by Amazon - has also just rolled out its own TikTok-style short video feed to all users.

The "Discovery Feed" on Twitch's mobile app will provide users with a personalised, scrollable blend of clips and live streams to "help viewers find content to enjoy quickly and help streamers get discovered, even when they're not live".

Whether these changes are what creators - and customers - actually want is less clear, says Kate Cowan.

Many are now looking to other platforms such as LinkedIn for an audience.

Some, she says, feel the key to reaching people in the future may even lie with approaches from the past, and a "humble return to traditional marketing" such as in-person events and meet-ups.

Read more

TikTok and Universal settle music royalties dispute

Meta faces EU probe over Russian disinformation

TikTok to take on Instagram with photo app

Social media TikTok Instagram

Related

More people turning away from news, report says

13 hrs ago | Culture

Bot or not: Are fake accounts swaying voters towards Reform UK?

3 days ago | Technology

What happened when 10 teens gave up their smartphones?

6 days ago | Family & Education



Register

Sign In

Home News Sport Business Innovation Culture Travel Earth Video Live

Many are now looking to other platforms such as LinkedIn for an audience.

Some, she says, feel the key to reaching people in the future may even lie with approaches from the past, and a "humble return to traditional marketing" such as in-person events and meet-ups.

Read more

TikTok and Universal settle music royalties dispute

Meta faces EU probe over Russian disinformation

TikTok to take on Instagram with photo app

Social media TikTok Instagram

Related

More people turning away from news, report says

13 hrs ago | Culture

Bot or not: Are fake accounts swaying voters towards Reform UK?

3 days ago | Technology

What happened when 10 teens gave up their smartphones?

6 days ago | Family & Education

More

3 days ago

TikTok's Spudman heading to British Grand Prix

Ben Newman, aka Spudman, reveals that his popular food truck will be heading to Silverstone.



4 days ago

The battle for Gen Z social shoppers

If TikTok is banned in the US, where might its social shoppers go?

Technology



5 days ago

TikTok star encourages princess to play the organ

Organist and conductor Anna Lapwood talks to the Princess Royal as she receives her MBE.

Cambridgeshire



6 days ago

Couple's viral video on moving back in with parents



Document title: Instagram revamps algorithm in battle for TikTok creators

Capture URL: https://www.bbc.com/news/articles/cmm3yn4pr17o

Capture timestamp (UTC): Mon, 17 Jun 2024 19:07:29 GMT

Page 4 of 4

Addendum - 286

EXHIBIT 23



The Verge / Tech / Reviews / Science / Entertainment / AI / More +



CREATORS / TECH / YOUTUBE

YouTube is adding a slew of new TikTok-like features to Shorts



Illustration by Alex Castro / The Verge

/ New features include a vertical live video feed, side-by-side recording, and additional tools to make Shorts out of longform YouTube videos.

By **Mia Sato**, platforms and communities reporter with five years of experience covering the companies that shape technology and the people who use their tools.
Aug 1, 2023, 4:00 PM UTC

[Link](#) [Facebook](#) [Twitter](#) | 4 Comments (4 New)

YouTube is rolling out more features to its TikTok competitor, Shorts — including several that TikTok users will recognize.

Most notably, YouTube is experimenting with adding previews of live videos to a user’s feed of Shorts (this is how TikTok live videos also appear). Viewers can click in to watch the stream and then scroll through a feed filled with other livestreams. Creator monetization features like paid chatting and memberships will be available in this feed as well.

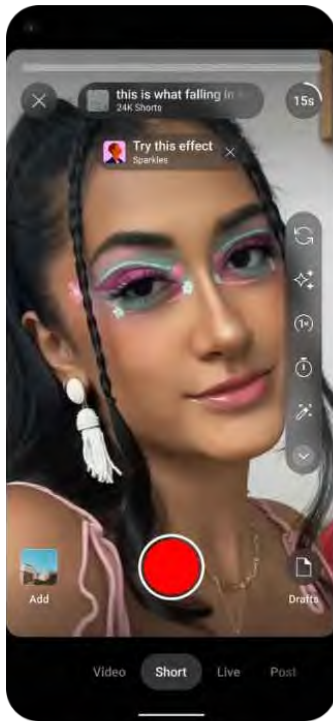
Placing live videos in more places on the app could help creators find a new audience with Shorts. It also mirrors the way TikTok has emphasized live videos as a way to sell products, fine-tune a target audience, and host splashy virtual events that boost engagement.





YouTube says full-screen live videos will roll out gradually over the coming months.

The company is introducing new features for making Shorts videos, too. First, it's testing new tools to make shortform videos from a horizontal YouTube clip, including the ability to zoom and crop the original video.



YouTube will suggest audio clips and effects. Image: YouTube

Shorts creators will also get a new suggestions feature that pulls the audio clip and effect used in a video they want to recreate. It's similar to other features on TikTok and Meta's Reels; the latter recently updated its version, making it even quicker to copy and use audio and effects from another video. YouTube's version will pick up the audio from the same time stamp as the clip a user is replicating.

Beginning today, the company is adding the ability to record a video side by side with another clip, similar to the TikTok feature Duet. The feature — called Collab — will include multiple layouts, and creators will be able to use the effect on Shorts and normal YouTube videos.

YouTube has been working to compete with TikTok's shortform dominance. In an effort to pull in more creators, YouTube recently lowered its eligibility requirements to monetize on the platform, opening up some features of the YouTube Partner Program to smaller creators.

4 COMMENTS (4 NEW)

FEATURED VIDEOS FROM THE VERGE

ChatGPT has a Scarlett Johansson problem | The

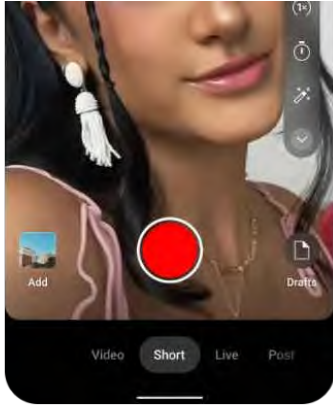
MOST POPULAR

- The surprisingly not so doomed effort to force US drivers to stop speeding**
- LinkedIn expands its AI job-hunting features for Premium subscribers**
- Finally, the Apple Watch will let you rest**
- The best small updates Apple didn't mention at WWDC**
- Spreadsheet Superstars**

Verge Deals / Sign up for Verge Deals to get deals on products we've tested sent to your inbox weekly.

Enter your email

By submitting your email, you agree to our [Terms](#) and [Privacy Notice](#). This site is protected by reCAPTCHA and the Google [Privacy Policy](#) and [Terms of Service](#) apply.



YouTube will suggest audio clips and effects. Image: YouTube

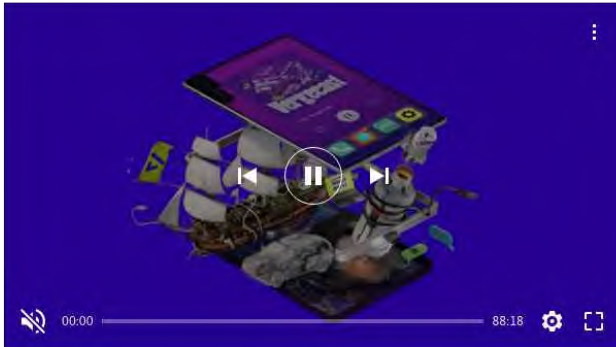
repeating.
Beginning today, the company is adding the ability to record a video side by side with another clip, similar to the TikTok feature Duet. The feature — called Collab — will include multiple layouts, and creators will be able to use the effect on Shorts and normal YouTube videos.

YouTube has been working to compete with TikTok's shortform dominance. In an effort to pull in more creators, YouTube recently lowered its eligibility requirements to monetize on the platform, opening up some features of the YouTube Partner Program to smaller creators.

4 COMMENTS (4 NEW)

FEATURED VIDEOS FROM THE VERGE

ChatGPT has a Scarlett Johansson problem | The Vergecast



The Verge's Nilay Patel, Alex Crazz, and David Pierce discuss announcements from Microsoft Build, the OpenAI's trouble with Scarlett Johansson, new Sonos headphones, and more.

Verge Deals / Sign up for Verge Deals to get deals on products we've tested sent to your inbox weekly.

By submitting your email, you agree to our [Terms](#) and [Privacy Notice](#). This site is protected by reCAPTCHA and the Google [Privacy Policy](#) and [Terms of Service](#) apply.

More from **Creators**



Interview: Figma's CEO on life after the company's failed sale to Adobe



Here's how dominant YouTube really is in redepositing

EXHIBIT 24



FORBESBUSINESS
BREAKING

TikTok Clones: How Spotify, Instagram, Twitter And More Are Copying Features Like The 'For You' Page

Conor Murray

Forbes Staff

Murray is a Forbes news reporter covering entertainment trends.

Mar 13, 2023,05:00pm EDT

TOPLINE

Social media platforms have a long history of lifting ideas from each other, but as TikTok continues to explode in popularity, competing platforms like Instagram, YouTube and even Spotify are adopting their own versions of TikTok's recommended For You Page and its endless scrolling video format.



Some social media platforms are releasing their own versions of TikTok's "For You" page and its ... [+]
GETTY IMAGES

Document title: TikTok Clones: How Spotify, Instagram, Twitter And More Are Copying Features Like The 'For You' Page

Capture URL: <https://www.forbes.com/sites/conormurray/2023/03/13/tiktok-clones-how-spotify-instagram-twitter-and-more-are-copying-features-like-the-for-you-page/?...>

Capture timestamp (UTC): Fri, 14 Jun 2024 15:52:22 GMT

TIMELINE

August 5, 2020 While TikTok's explosion was still fresh, **Instagram** introduced its own version of short-form video content: [Reels](#), which could only be 15 seconds at launch but [now](#) max out at 90 seconds, function like TikTok videos and can be shared with anyone, not just a user's followers, a feature the company said will allow people "the chance to become a creator."

September 2020 Soon after TikTok was banned in India, **YouTube** [released](#) its own algorithmic video-sharing feature, YouTube Shorts, in the country, allowing users to make 15-second videos with many creative tools and music options.

November 23, 2020 **Snapchat** [launched](#) its Spotlight feature, a TikTok-like algorithm-based vertical video sharing feed (and offered millions to creators to incentivize them to post viral content).

July 13, 2021 **YouTube** Shorts [launched](#) globally after racking up billions of views per day in its limited release, following months of beta testing in India and the [United States](#).

July 26, 2022 Head of **Instagram** Adam Mosseri [said](#) "more and more of Instagram is going to become video over time" in response to backlash that the app had become too much like TikTok.

January 10, 2023 As part of a host of [controversial changes](#) new **Twitter** CEO Elon Musk has made to the platform, one [update](#) splits a user's timeline into "Following" and "[For you](#)" tabs, the latter of which is an algorithm-based timeline that recommends tweets on topics users have engaged with.

Document title: TikTok Clones: How Spotify, Instagram, Twitter And More Are Copying Features Like The 'For You' Page

Capture URL: <https://www.forbes.com/sites/conomurray/2023/03/13/tiktok-clones-how-spotify-instagram-twitter-and-more-are-copying-features-like-the-for-you-page/?...>

Capture timestamp (UTC): Fri, 14 Jun 2024 15:52:22 GMT

March 8, 2023 Spotify announced a [redesign](#) of its homepage, in which users will be able to vertically scroll through a TikTok-like video feed of music and podcast recommendations.

KEY BACKGROUND

Social media platforms copying each other's features is nothing new—and TikTok has done it, too. TikTok merged with Musical.ly in 2018 after the latter launched in 2014; both have drawn many [comparisons](#) to Vine, a now-defunct social media platform that Twitter acquired in 2012 and [unceremoniously shut down](#) four years later, for its short-form video sharing format and its brand of humor. More recently, TikTok has launched features like [Now](#), which prompts users at a random time every day to post a short video or photo from their front and back phone cameras to show followers what they're up to. It's a near-identical clone of BeReal, whose brand has revolved around that same feature without video support. Instagram is working on its [own version](#), too. But lifting features from competitor platforms long predates TikTok. In 2016, Instagram [controversially](#) added a Stories feature, a clone of the feature that helped make Snapchat a global success.

CHIEF CRITICS

Twitter and Spotify have been criticized by some in recent months for their new TikTok-like features. “It's wild watching tech companies tear their user interfaces and business models apart trying to compete with TikTok because they can't do the one thing that makes TikTok work which is the AI that powers it,” tech writer Ryan Broderick [tweeted](#) after Spotify's announcement last week. Similarly, *Insider* tech editor Kyle Wilson [tweeted](#): “Just eww. Not everything should be TikTok. Spotify was fine as-is...” Twitter's new “for you” page has drawn similar criticism for Twitter users who feel it an unnecessary and confusing update. “The Twitter for you page is

Document title: TikTok Clones: How Spotify, Instagram, Twitter And More Are Copying Features Like The 'For You' Page

Capture URL: <https://www.forbes.com/sites/conormurray/2023/03/13/tiktok-clones-how-spotify-instagram-twitter-and-more-are-copying-features-like-the-for-you-page/?...>

Capture timestamp (UTC): Fri, 14 Jun 2024 15:52:22 GMT

really good because it only gives me the exact opposite of what i'd like to see," one user [tweeted](#). Kylie Jenner and Kim Kardashian also [spoke out](#) against Instagram's pivot to video in July 2022, sharing a post stating "Make Instagram Instagram Again" and urging the platform to stop trying to be like TikTok. Chrissy Teigen [tweeted](#) in response to Mosseri's statement that Instagram would continue to pivot to video content: "we don't wanna make videos Adam lol."

BIG NUMBER

1 billion. That's the number of active monthly users TikTok [surpassed](#) in September 2021. It's still behind competitors like Facebook, Instagram and YouTube, though it reached the 1 billion mark faster than any of them.

TANGENT

TikTok has more to fear than competition from other social media platforms. Some lawmakers on both sides of the aisle are pushing to [ban TikTok in the United States](#), citing national security and privacy concerns for the Chinese-owned platform.



Conor Murray

Follow

Conor Murray is a reporter covering trends in entertainment and culture. He is based in Jersey City and joined Forbes in 2022. Murray has covered the [messy rollout](#) for Kanye West's latest album, the [Stanley water bottle](#) craze and [right-wing backlash](#) against companies deemed "woke." He previously covered billionaires with the Forbes wealth team and covered pop culture and TikTok trends for NBC News. He graduated with a degree in political science from the University of Pennsylvania in 2022. Follow Murray for continued coverage of social media trends, celebrity controversies and the movie and music industries.

Read Less

Document title: TikTok Clones: How Spotify, Instagram, Twitter And More Are Copying Features Like The 'For You' Page

Capture URL: <https://www.forbes.com/sites/conormurray/2023/03/13/tiktok-clones-how-spotify-instagram-twitter-and-more-are-copying-features-like-the-for-you-page/?...>

Capture timestamp (UTC): Fri, 14 Jun 2024 15:52:22 GMT

EXHIBIT 25



DISCOURSE | TECH

How TikTok beat Instagram

Instagram is becoming as uncool as Facebook — and it has only itself to blame



Instagram is a victim of its own success. The reason it became popular is the reason it can't beat TikTok. Getty; Marianne Ayala/Insider

Chris Stokel-Walker

Feb 2, 2023, 10:01 AM UTC

Share Save

Instagram is entering its flop era. Despite launching the influencer economy, which has grown into a \$100 billion industry, the social-media platform is struggling to keep up with its new rival, TikTok.

Since its launch in 2010, Instagram's image-first design has helped attract the vanguard of digital creators, brand ambassadors, and marketers. Sponsorships and product integration, while accidental at first, quickly became an integral part of the platform. It was the place where brands could partner with seemingly regular people to

Document title: TikTok Vs Instagram: Why Instagram Will Never Be Able to Compete - Business Insider

Capture URL: <https://www.businessinsider.com/why-instagram-cant-compete-tiktok-videos-algorithm-influencers-engagement-2023-2>

Capture timestamp (UTC): Fri, 14 Jun 2024 15:53:44 GMT

Page 1 of 7

Addendum - 297



marketers. Sponsorships and product integration, while accidental at first, quickly became an integral part of the platform. It was the place where brands could partner with seemingly regular people to sell prospective customers on a more-ambitious lifestyle, with all the trappings that accompany it. Nearly every marketer surveyed by Shopify in 2021 — a staggering 97% — considered Instagram their most important channel for influencer marketing.

Instagram tailors itself to the *crème de la crème* of online influencers and creators. And the platform is designed with these top users in mind, tilting the algorithm to make it easy for users to keep up with their favorite personalities and for brands to build huge audiences. The platform even lends direct support and advice to its biggest names, some of which have hundreds of millions of followers. This has helped Instagram grow into an estimated \$43 billion ad-revenue machine, according to Insider Intelligence — but that status as a moneymaker is under threat.

Advertisement



SPONSORED CONTENT by Quickbooks

Intuit invests in the small business community with a new grant program to help them thrive

Enter: TikTok. In 2016, the competitor entered the market and sent Instagram spiraling. The app's addictive algorithm and snappy videos captured people's attention with its focus on spontaneous discovery, keeping users engaged for longer. Surveys by the Pew Research Center found the proportion of teenagers who said they're on TikTok "almost constantly" was 50% higher than those who said the same about Instagram.

To compete, Instagram launched its own short-form-video feature, Reels, in 2020. But it wasn't enough. According to data obtained by The Wall Street Journal, Instagram users spend 17.6 million hours a day watching Reels, while people spend an astounding 197.8 million hours a day on TikTok. Now, like Facebook before it, Instagram is becoming less and less relevant and struggling to do anything about it.



becoming less and less relevant and struggling to do anything about it.

Instagram's trouble lies in the very thing that drove its initial success. Its algorithm is optimized for the users who made the platform popular: influencers. But by focusing on its power users, the platform loses out on engagement by regular people. TikTok's secret sauce is its ability to keep users on the platform, and without sacrificing its core, Instagram won't be able to compete.

TikTok's unrivaled success

In just a few years, TikTok has become an unparalleled success story, growing to more than 1 billion worldwide users in a fraction of the time it took other apps to do so. TikTok's rate of growth has been roughly double that of its older competitors, partly thanks to timing — the platform launched into a more-mature social-media environment — but also because the app offered users something new.

Related stories



Advertisement



SPONSORED CONTENT by HPE

Powering the modern workforce with edge-to-cloud security

"TikTok, when it came into the international Western market, was already pretty well established as a short-video platform," D. Bondy Valdovinos Kaye, a postdoctoral research fellow at the University of Leeds and coauthor of a book on TikTok, told me. "It had been competing with other fairly well-established short-video platforms in China for some time. Some of the strategies that it developed had already been road tested in China. There wasn't as much of a learning curve that Instagram — and also, to an extent, YouTube — has faced in trying to replicate and compete with some of the things that make TikTok so unique and so appealing to its audiences."

Specifically, TikTok excels at quickly engaging users and keeping them on the platform. The average user spends as much time on the app every day as the length of an average feature film, according to



Specifically, TikTok excels at quickly engaging users and keeping them on the platform. The average user spends as much time on the app every day as the length of an average feature film, according to internal data I've seen.

Part of the key to the platform's success is how it recommends videos. In a recent article on TikTok's algorithm, the researcher Arvind Narayanan explained that on TikTok, every video had an equal chance of success, whether it was made by an account with 12 followers or an account with 120,000 followers. That means videos on the platform become popular purely based on their entertainment and engagement value, not on the size of the account that posted the video. Because of this, the likelihood of a random person going viral is greater on TikTok than on other platforms. But once a creator hits the viral-video jackpot, it's challenging to make their popularity stick. That's because on TikTok, every video a creator makes has to outperform every other TikTok video.

While the never-ending roulette is a boon for TikTok users, who are constantly enthused by the most interesting content, it's a pain for Instagram, whose users are accustomed to being able to build a following without the whims of an algorithmically dictated feed swapping them out for whoever's post is more interesting.

Advertisement



SPONSORED CONTENT by Meta

4 tips for advertisers to find quality leads and drive sales

Victim of its own success

Unlike TikTok, Instagram has long been seen as a secure place on which to build a digital following. A year ago, when the researcher Valdivinos Kaye was interviewing TikTok creators for his book, he found that they desperately sought to transport their audiences over to Instagram. "There was a little bit more stability there, and they could be a little bit surer that videos they posted would be seen by their followers, as opposed to the gamble dice roll that they were experiencing on TikTok," he explained.



could be a little bit surer that videos they posted would be seen by their followers, as opposed to the gamble dice roll that they were experiencing on TikTok," he explained.

That's because Instagram's algorithm works differently. On Instagram, whom you follow is weighted more heavily in terms of what content you see, meaning it's easier for larger accounts to grow and maintain their success since they can almost guarantee that anything they post will be served up to their entire audience.

Because of this, Instagram's cadre of top creators grouse about being penalized whenever the app tries to shift to be more like TikTok. Often, these shifts result in fewer people seeing the posts of big-time creators. Plus, people typically don't like change. Users who liked the clean, image-centric view of their feeds were annoyed by the intrusion of videos when Reels came along. And the people who have grown their audience on Instagram through photography have become discomfited by the forced pivot to video. Over the summer, the app's biggest names — including the Kardashians, who collectively have more than 1 billion followers on Instagram — rebelled against the platform's push to be more like TikTok. But the head of Instagram, Adam Mosseri, doubled down on the idea that video would be the future, saying the changes were for the good of all users. Despite that, two days later, the app quietly rolled back some changes.

"After the whole Kardashian intervention, it seems to have stopped Instagram becoming a real TikTok clone," Marcus Bösch, a TikTok researcher and fellow at the Hamburg University of Applied Sciences, told me.

Advertisement





It's a catch-22 for Instagram. The thing that gave it early success — its focus on building large, loyal audiences and rewarding users for doing so — has trapped the platform in an outmoded model for serving up content. Making too significant a change could spell disaster for the app, alienating power users and undermining its core business. For now, it is stuck somewhere in between the original Instagram model and a TikTok look-alike, not quite succeeding in either arena.

"Instagram these days is such a weird place," Bösch told me. He believes Instagram faces an identity crisis between at least three generations of the app: its first iteration, which was largely photo- and feed-based, its second one, which introduced stories, and its third, most recent version, which is focused on Reels.

If it were any other company, that would be enough to count it out of the social-media race. But because of its importance to Meta, its parent company, it's one of the few companies that is able to — and needs to — continue throwing ideas at the wall. It's uniquely well resourced to try and find the thing that helps it catch up with, and overtake, TikTok. However, to do that, the app would need to find a solution that kept its restless user base happy.

Part of what made TikTok so successful was that it stood out. It was different in a world where every social-media platform looked the same. Rather than copying TikTok's success, Instagram might need to focus on what separates it from the pack. Without that, the app will likely be stuck in second place forevermore, unwilling to annoy its creators while unable to make the changes that could keep it competitive.

Chris Stokel-Walker is a tech reporter and author of the book [TikTok Boom](#).

About Discourse Stories



Boom.

About Discourse Stories

Through our Discourse journalism, Business Insider seeks to explore and illuminate the day's most fascinating issues and ideas. Our writers provide thought-provoking perspectives, informed by analysis, reporting, and expertise. Read more Discourse stories [here](#).

INSIDER TODAY

Sign up to get the inside scoop on today's biggest stories in markets, tech, and business — delivered daily. [Read preview](#)

Sign up



By clicking "Sign Up", you accept our [Terms of Service](#) and [Privacy Policy](#). You can opt-out at any time by visiting our [Preferences](#) page or by clicking "unsubscribe" at the bottom of the email.

Related stories



MEDIA

How TikTok's rise impacted Instagram and YouTube differently, according to a top Meta exec



TECH

Gen Z is fleeing Instagram. The platform has a dumb new plan to win them back.



MEDIA

TikTok is for the olds now

More from Tech



TECH

All-powerful CEOs wrecked the tech industry. Here's who can save it.

To reignite innovation, Silicon Valley needs to get rid of the overpowered managers and put people who actually build the tech back in charge.



TECH

The scary secret behind the boom in data centers



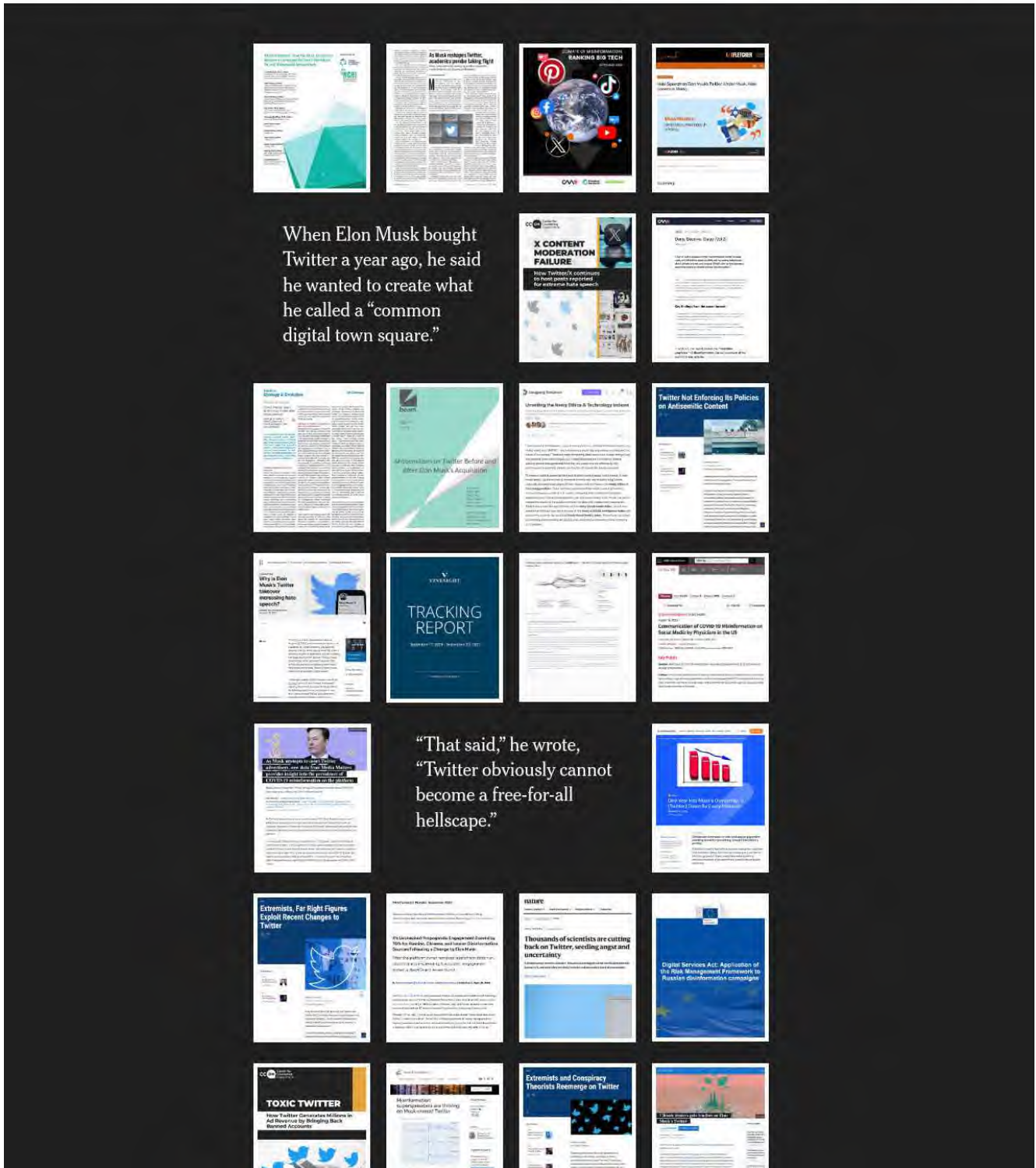
ECONOMY

China's new plan to dominate the future of tech will reshape the world

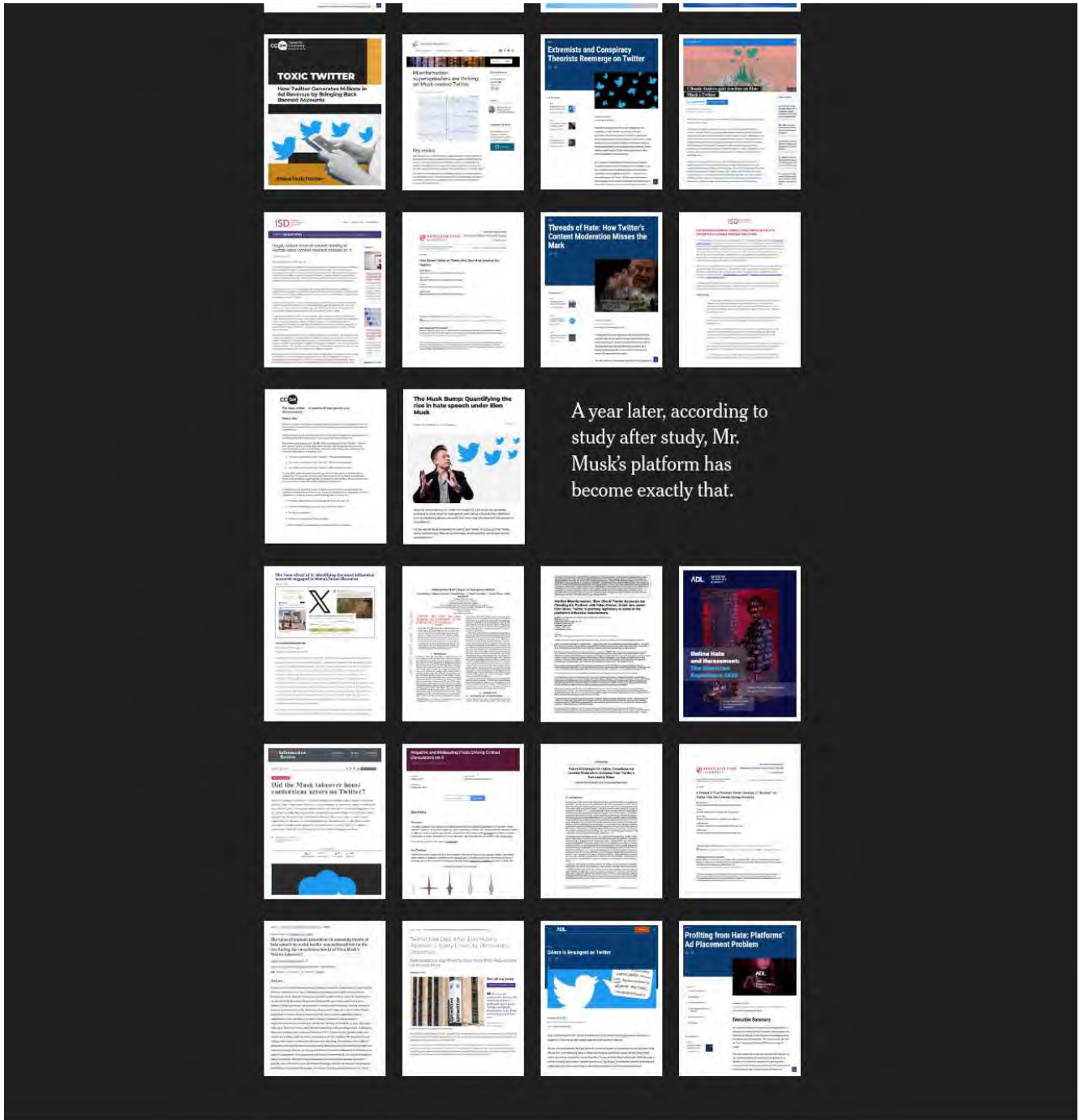
Most popular

- 1 Russian submarine in Cuba is one US, NATO has worried about for years
- 2 Real-estate investor fined \$180,000 over Airbnb says his tenant did it
- 3 Boeing 737 Max out of service for 20 days after 'Dutch roll'
- 4 Caught employee working 2 remote jobs and fired them
- 5 California couple on how they retired early by 35, quit corporate jobs
- 6 Retired in my 30s, now I'm going back to work in my 40s
- 7 I stopped going to Starbucks 4 years ago; What I've learned, downsides
- 8 We now know who holds the most power in Apple's deal with OpenAI

EXHIBIT 26



Document title: The Consequences of Elon Musk's Ownership of X - The New York Times
 Capture URL: <https://www.nytimes.com/interactive/2023/10/27/technology/twitter-x-elon-musk-anniversary.html>
 Capture timestamp (UTC): Fri, 14 Jun 2024 15:54:58 GMT



The Consequences of Elon Musk's Ownership of X

By Steven Lee Myers, Stuart A. Thompson and Tiffany Hsu Oct. 27, 2023

Document title: The Consequences of Elon Musk's Ownership of X - The New York Times

Capture URL: <https://www.nytimes.com/interactive/2023/10/27/technology/twitter-x-elon-musk-anniversary.html>

Capture timestamp (UTC): Fri, 14 Jun 2024 15:54:58 GMT

The Consequences of Elon Musk's Ownership of X

By Steven Lee Myers, Stuart A. Thompson and Tiffany Hsu Oct. 27, 2023

Now rebranded as X, the site has experienced a surge in racist, antisemitic and other hateful speech. Under Mr. Musk's watch, millions of people have been exposed to misinformation about climate change. Foreign governments and operatives — from Russia to China to Hamas — have spread divisive propaganda with little or no interference.

Mr. Musk and his team have repeatedly asserted that such concerns are overblown, sometimes [pushing back aggressively](#) against people who voice them. Yet dozens of studies from multiple organizations have shown otherwise, demonstrating on issue after issue a similar trend: an increase in harmful content on X during Mr. Musk's tenure.

The war between Israel and Hamas — the sort of major news event that once made Twitter an essential source of information and debate — has drowned all social media platforms in false and misleading information, but for Mr. Musk's platform in particular the war has been seen as a watershed. The conflict has captured in full how much the platform has descended into the kind of site that Mr. Musk had promised advertisers he wanted to avoid on the day he officially took over.

"With disinformation about the Israel-Hamas conflict flourishing so dramatically on X, it feels that it crossed a line for a lot of people where they can see — beyond just the branding change — that the old Twitter is truly gone," Tim Chambers of Dewey Square Group, a public affairs company that tracks social media, said in an interview. "And the new X is a shadow of that former self."

Reports on X's role during the Israel-Hamas war



Sources: [The Institute for Public Policy Studies](#), [Center for an Informed Public at the University of Washington](#), [InfoEcolab](#).

The growing sense of chaos on the platform has already hurt Mr. Musk's investment. While it remains one of the most popular social media services, people visited the website nearly 5.9 billion times in September, down 14 percent from the same month last year, according to the data analysis firm Similarweb.

Document title: The Consequences of Elon Musk's Ownership of X - The New York Times

Capture URL: <https://www.nytimes.com/interactive/2023/10/27/technology/twitter-x-elon-musk-anniversary.html>

Capture timestamp (UTC): Fri, 14 Jun 2024 15:54:58 GMT

Page 3 of 9

Addendum - 307

The growing sense of chaos on the platform has already hurt Mr. Musk's investment. While it remains one of the most popular social media services, people visited the website nearly 5.9 billion times in September, down 14 percent from the same month last year, according to the data analysis firm Similarweb.

Advertisers have also fled, leading to a sizable slump in sales. Mr. Musk noted this summer that ad revenue had fallen 50 percent. He blamed the Anti-Defamation League, one of several advocacy groups that have cataloged the rise of hateful speech on X, for "trying to kill this platform."

Most of the problems, however, stem from changes that Mr. Musk instituted – some intentionally, some not. Studies about the state of X have been conducted over the past year by researchers and analysts at universities, think tanks and advocacy organizations concerned with the spread of hate speech and other harmful content.

Research conducted in part by the Institute for Strategic Dialogue concluded that anti-Semitic tweets in English more than doubled after Mr. Musk's takeover. A report from the European Commission found that engagement with pro-Kremlin accounts grew 36 percent on the platform in the first half of this year after Mr. Musk lifted mitigation measures.

Mr. Musk disbanded an advisory council focused on trust and safety issues and laid off scores of employees who addressed them. For a monthly fee, he offered users a blue checkmark, a label that once conveyed that Twitter had verified the identity of the user behind an account. He then used algorithms to promote accounts of uncertain provenance in users' feeds. He removed labels that identified government and state media accounts for countries like Russia and China that censor independent media.

"The entire year's worth of changes to X were fully stress tested during the global news breaking last week," Mr. Chambers said, referring to the conflict in Israel. "And in the eyes of many, myself included, it failed utterly."

The company did not respond to a request for comment beyond a stock response it regularly uses to press inquiries: "Busy now, please check back later."

X trails only Facebook's 16.3 billion monthly visits and Instagram's 6.4 billion visits, according to Similarweb. TikTok, which is rising in popularity among certain demographic groups, has roughly two billion visits each month. Despite voluble threats by disgruntled users to move to alternative platforms – Mastodon, BlueSky or Meta's new rival to Mr. Musk's, Threads – none of them have yet reached the critical mass to replicate the public exposure that X offers.

Keeping X at the center of public debate is exactly Mr. Musk's goal, which he describes at times with a messianic zeal. The day after

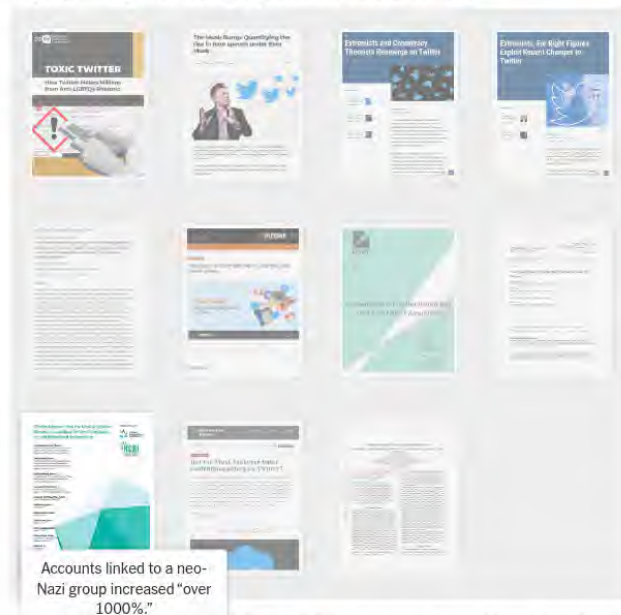
Meta's new rival to Mr. Musk's, Threads – none of them have yet reached the critical mass to replicate the public exposure that X offers.

Keeping X at the center of public debate is exactly Mr. Musk's goal, which he describes at times with a messianic zeal. The day after Hamas attacked Israel, Mr. Musk urged his followers to follow “the war in real time.”

He then cited two accounts that are notorious for spreading disinformation, including a false post in the spring that an explosion had occurred outside the Pentagon. Faced with a flurry of criticism, Mr. Musk deleted the post and later sounded chastened.

He urged his followers on X to “stay as close to the truth as possible, even for stuff you don't like. This platform aspires to maximize signal/noise of the human collective.”

Reports linking Mr. Musk's acquisition to hateful content



Source: [The Anti-Defamation League](#); [Journal of Computational Social Science](#); [The Fletcher School's Institute for Business in the Global Context at Tufts University](#); [Institute for Strategic Dialogue](#); [Montclair State University](#); [Network Contagion Research Institute and Combat Anti-Semitism Movement](#); [Harvard Kennedy School's Misinformation Review](#); [International AAAI Conference on Web and Social Media](#).

Mr. Musk, the prominent, outspoken executive behind Tesla and Space X, had been an avid Twitter user for years before taking it over, promoting his ventures and himself, at times with crude, offensive comments. During the Covid-19 pandemic, he sharply criticized lockdowns and other measures to slow the virus's spread and began to warn of a “woke” culture that silenced dissent.

Among his first acts as the site's owner was to reverse the bans on thousands of accounts, including those of users who had promoted

over, promoting his ventures and himself, at times with [crude, offensive comments](#). During the Covid-19 pandemic, he sharply criticized lockdowns and other measures to slow the virus's spread and began to warn of a "woke" culture that silenced dissent.

Among his first acts as the site's owner was to reverse the bans on [thousands of accounts](#), including those of users who had promoted the [QAnon conspiracy theory](#) and spread disinformation about Covid and the 2020 presidential election.

The impact was instantaneous. Researchers at [Tufts](#), Rutgers and [Montclair State](#) universities documented spikes in the use of racial and ethnic slurs soon after Mr. Musk's acquisition. One research institute found that a campaign on 4chan, a notorious bulletin board, encouraged [the use of a particular slur](#) within hours of his arrival, in what seemed to be a coordinated test of the new owner's tolerance for offensive speech.

The prevalence of such offensive language has, according to numerous studies, continued unabated. "The Musk acquisition saw a sustained rise in hateful speech on the platform," an article in The Misinformation Review, a peer-reviewed journal published by the Harvard Kennedy School, [said](#) in August.

Even worse, the article argued, Mr. Musk's changes appear to be boosting the engagements of the most contentious users.

A month into Mr. Musk's ownership, the platform stopped enforcing its policy against Covid-19 misinformation. The liberal watchdog group [Media Matters](#) later identified 250 accounts with high engagement on Covid-related tweets. Nine of the top 10 accounts were known anti-vaccine proponents, several of whom promoted unproven and potentially harmful treatments and attacked top public health officials.

Mr. Musk's first summer as X's boss also coincided with a [rash of climate-related disasters](#) around the world, including deadly heat waves, rampaging wildfires, torrential rains and intense flooding. Last month, a [scorecard](#) evaluating social media companies on their defenses against climate-related falsehoods awarded X a single point out of a possible 21 (Meta, which owns Facebook and Instagram, was given eight points).

How the discussion over climate change changed under Mr. Musk



The platform was "lacking clear policies that address climate



The platform was "lacking clear policies that address climate misinformation, having no substantive public transparency mechanisms, and offering no evidence of effective policy enforcement," said the accompanying report from Climate Action Against Disinformation, an international coalition of more than 50 environmental advocacy groups.

This year, hundreds of [researchers pushed back](#) against a decision by X to end free access to software that would allow them collect and analyze data about the site.

Perhaps the most impactful change under Mr. Musk has been the evolution of his subscription plans. The blue checkmark that once conveyed veracity and denoted verified accounts, often those of government agencies, companies and prominent users, was now available to any account for \$8 a month.

Reports on X bolstering foreign disinformation



In April, Mr. Musk [began removing](#) the blue badges from verified accounts. New ones impersonating public officials, government agencies and celebrities proliferated, causing confusion about which were real. The platform went on to reward those who paid for their blue labels by amplifying their posts over those without the badge.

Reset, a nonprofit research organization, discovered that dozens of anonymous accounts linked to the Kremlin received the checkmark, pushing Russian narratives on the war in Ukraine. This spring, the platform also removed the labels that identified official state media of countries like Russia, China and Iran. In the 90 days after the change, engagement with posts from the English-language accounts of those outlets soared 70 percent, NewsGuard, a company that tracks online misinformation, [reported](#) in September.

Mr. Musk has now run afoul of the European Union's [newly enacted Digital Services Act](#), a law that requires social media platforms to restrict misinformation and other violative content within the union's 27 nations.

September.

Mr. Musk has now run afoul of the European Union's [newly enacted Digital Services Act](#), a law that requires social media platforms to restrict misinformation and other violative content within the union's 27 nations.

A [report](#) commissioned by the union's executive body warned in August that Mr. Musk's dismantling of guardrails on the platform had resulted in a 36 percent increase in engagement with Kremlin-linked accounts from January through May, mostly pushing Russia's justifications for its illegal invasion of Ukraine last year.

After war erupted between Israel and Hamas, Thierry Breton, a European Commissioner who oversees the law's implementation, warned Mr. Musk in [a letter](#) that was posted on X, saying the company needed to address "violent and terrorist content that appears to circulate on your platform."

Reset, the research organization, reported recently that it had documented 166 posts that its researchers considered antisemitic. Many appeared to violate laws in several European countries, including calls for violence against Jews and denying the historical facts of the Holocaust. They accumulated at least 23 million views and 480,000 engagements.

Mr. Musk sounded incredulous, even as the company scrambled to delete accounts linked to Hamas and other terrorist groups. He responded two days later to an account identified by the Anti-Defamation League as one of the most prominent purveyors of disinformation. The account, which had been removed from Twitter but was restored last December after Mr. Musk took over, had claimed that the European Union was trying to police the truth.

"They still haven't provided any examples of disinformation," Mr. Musk replied.

READ 223 COMMENTS

 Share full article
 

 223

The World of Elon Musk

The billionaire's portfolio includes the world's most valuable automaker, an innovative rocket company and plenty of drama.

- **Tesla:** The electric car maker's shareholders reaffirmed a [pay award of more than \\$45 billion for Elon Musk](#), in a strong sign of support for Tesla's chief executive.
- **SpaceX:** [Eight former employees sued the rocket company](#), saying they were wrongfully fired for raising concerns about sexual harassment and discrimination.
- **Starlink:** The satellite-internet service has connected the Marubo people, an isolated tribe in the Amazon, to the outside world — [and divided it from within](#).
- **X:** Musk has increasingly been using his social media platform to [criticize President Biden](#) for his health and immigration policies, according to a New York Times analysis.

...stated that the European Union was trying to police the truth.
“They still haven’t provided any examples of disinformation,” Mr. Musk replied.

READ 223 COMMENTS

Share full article

The World of Elon Musk

The billionaire’s portfolio includes the world’s most valuable automaker, an innovative rocket company and plenty of drama.

- **Tesla:** The electric car maker’s shareholders reaffirmed a [pay award of more than \\$45 billion for Elon Musk](#), in a strong sign of support for Tesla’s chief executive.
- **SpaceX:** [Eight former employees sued the rocket company](#), saying they were wrongfully fired for raising concerns about sexual harassment and discrimination.
- **Starlink:** The satellite-internet service has connected the Marubo people, an isolated tribe in the Amazon, to the outside world — [and divided it from within](#).
- **X:** Musk has increasingly been using his social media platform to [criticize President Biden](#) for his health and immigration policies, according to a New York Times analysis.
- **Neuralink:** Musk’s first human experiment with a computerized brain device developed significant flaws, but the subject, who is paralyzed, [has few regrets](#).

More In Technology



Oliver Liela

If You Know What ‘Brainrot’ Means, You Might Already Have It



Zhouling Zhang for The New York Times

Now You Can Read the Classics With A.I.-Powered Expert Guides



PAID POST: Google Pixel

Photographing the Pop Girlies With Google Pixel 8 Pro

Google Pixel



Clara Meloni for The New York Times

Can Apple Rescue the Vision Pro?



Andrew Paerens/Missy Stock Photo

First Came ‘Spam.’ Now, With A.I., We’ve Got ‘Slop’



20th Century Fox, via Everett Collection

Remo Saraceni, 89, Dies; Inventor of the Walking Piano Seen in ‘Big’

Trending in The Times

It’s the Summer of ‘Brats’

Opinion: The Chilling Reason You May Never See the New Trump Movie

Officers Pull Over Van With Obscured Plate and Find an Armory

A Hollywood Heavyweight Is Biden’s Secret Weapon Against Trump

The Woman Who Could Smell Parkinson’s

Ancient Genomes Reveal Which Children the Maya Selected for Sacrifice

Putin Makes Cease-Fire Offer With Sweeping Demands on Ukraine’s Territory

A Rustic Cabin in the Woods Was His Dream. Not Hers.

Late Night Pounces on Trump’s First Meeting With Probation Officer

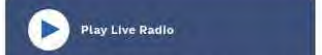
Editors’ Picks



EXHIBIT 27



NEWSLETTERS SIGN IN NPR SHOP DONATE



NEWS CULTURE MUSIC PODCASTS & SHOWS SEARCH

HOURLY NEWS LISTEN LIVE PLAYLIST

TECHNOLOGY

Why can't Twitter and TikTok be easily replaced? Something called 'network effects'

APRIL 12, 2023 · 5:00 AM ET

Bobby Allyn

3-Minute Listen + PLAYLIST



The Twitter logo is seen on a sign on the exterior of Twitter headquarters in San Francisco, California, on October 28, 2022. CONSTANZA HEVIA/AFP via Getty Images

Drew Austin is a writer and urban planner in New York City. He's also something of a Twitter addict.

Since Elon Musk acquired the platform in October, Austin has noticed his Twitter feed devolve into an engine of self-promotion for the billionaire's constantly shifting whims.

"To be honest," Austin said, "the biggest change I noticed right away when he took over was just that everyone was talking about Elon all the time. And all the content that users were generating was Elon-orientated content, which I found really annoying."

No matter, Austin is sticking around, like so many other Twitter users.

Sponsor Message

A Gripping Journey of Discovery. The Catalyst: RNA and the Quest to Unlock Life's Deepest Secrets. Thomas R. Cech, Winner of the Nobel Prize. IN STORES NOW.

Sponsor Message Become an NPR sponsor

found really annoying."

No matter, Austin is sticking around, like so many other Twitter users.

Sponsor Message



Some outside researchers have observed a small dip in usage since Musk assumed the reins, but in general people are still logging on.

"I've basically been using Twitter for 15 years at this point, and there's no way to quickly replace the followers and following that you accumulate over that amount of time," Austin said. "Twitter is still the default. It's the Schelling point — where everyone is."

As most daily users are quick to point out, Twitter has become clunkier, glitchier and less relevant than it used to be. Nonetheless, nearly six months into Musk's control, no serious competitor has emerged, leaving some wondering what more it will take for everyone to leave for another social media site.

"More than any other platform, it gives us a sense that we're witnessing the world beyond us, but in a really visceral and personal way," said Shannon McGregor, a social media researcher at the University of North Carolina at Chapel Hill.


"It makes you feel like you're in on the joke of the day," she said. "And people don't want to miss out on it."

Twitter, like TikTok, has a big advantage: 'network effects'

Another place where everyone on the internet seems to be: TikTok.

Sponsor Message

Thanks to Kustomer
HEXCLAD eliminated
 the need for **45**
 different tabs & tools.

 Kustomer

KUSTOMER Official Site



[Learn More](#)

But its future is uncertain. The Biden administration has threatened to ban

Play Live Radio

▶ HOURLY NEWS ▶ LISTEN LIVE ▶ PLAYLIST


A Gripping Journey of Discovery

RNA and the Quest to Unlock Life's Deepest Secrets

The Catalyst


Thomas R. Cech
 Winner of the Nobel Prize

IN STORES NOW



Sponsor Message


Become an NPR sponsor


Kustomer

Learn More

But its future is uncertain. The Biden administration has threatened to ban TikTok if it does not divorce from its China-based corporate parent company, ByteDance.

That has left many wondering, why hasn't a U.S. tech company swept in and built its own version of the viral video app.



TECHNOLOGY

TikTok CEO says company is 'not an agent of China or any other country'

Some analysts note TikTok's "secret sauce algorithm," as the reason for its formidable dominance.

But the reason TikTok is so hard to replace is the same reason people can't seem to quit Twitter: The so-called "network effects" of both platforms.

It essentially means that the more people join a platform, the better it becomes for everyone. Each user's individual experience and contribution adds value to the whole network.

"The idea is that you have to reach critical mass and before you do that, it's not a super valuable service. But after you reach that, it's very hard to beat, because it's very hard for others to replicate," said Zsolt Katona, a business professor at the University of California, Berkeley, who studies social media.

Decades ago, economists used it to describe the usefulness of fax machines, then the workings of the internet. And more recently, academics have studied social media's ills through an understanding of how network effects operate.

"And the reason this is called 'network effects' is because usually this value is realized through some sort of networking with an actual link between two people," Katona said.

Twitter competitors falling short amid platform's problems

In the case of Twitter, that's a link between 237 million monthly active users. On TikTok, more than a billion people worldwide.

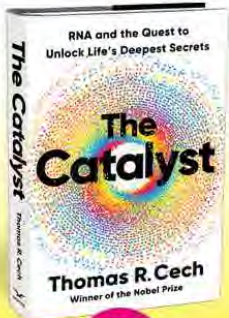
On top of that, many on both platforms have found niche communities around food, music, politics, memes, and whatever internet topic du jour is driving the conversation. Leaving for a smaller alternative can often feel like part of the community's vibrancy is missing.

Sponsor Message

Play Live Radio

▶ HOURLY NEWS ▶ LISTEN LIVE ▶ PLAYLIST

A Gripping Journey
of
Discovery



The Catalyst

RNA and the Quest to Unlock Life's Deepest Secrets

Thomas R. Cech

Winner of the Nobel Prize

IN
STORES
NOW

HARVARD

Sponsor Message
Become an NPR sponsor

Nonetheless, there have been a crop of challengers that have tried to seize on the disarray at Twitter, but, so far, there is no clear winner.

Mastodon, a Germany-based Twitter alternative, has gained traction in recent months, but because of its somewhat complicated "decentralized" structure, navigating the platform has proven cumbersome to many new users.

Another Twitter rival, Post, allows users to make "micropayments," to publishers so that individual news articles can be read without running into a paywall, though it has not gained much momentum yet.

"I think the reason people have stayed on Twitter is that despite all of the issues with it, it still seems to be working better than these other platforms for what people want it to do for them," McGregor said.

With Musk's crack down on national media organizations like the New York Times and NPR, some journalists are pining for a text-based, real time social media platform not controlled by a singular billionaire, but no such site has raced to the front of the pack.

"One of the reasons people are staying on, myself included, is that this isn't the first time bad things have happened to people on Twitter," McGregor said, noting how Twitter can be a place where harassment, trolling and direct messages being flooded with vitriol is not uncommon.



TECHNOLOGY
Elon Musk says NPR's 'state-affiliated media' label might not have been accurate

When the platform becomes 'uncool'

Even on huge platforms that have the benefit of network effects, copying a service does not mean it's going to take off.

Instagram introduced a TikTok-like feature called Reels in 2020, and it just has not come anywhere near threatening TikTok for a variety of reasons, including that the recommendation systems and basic features are very different.

Another factor is that when a big social media app tries to mimic a competitor, it usually does so as a kind of side experiment, not the main service of the app, said Julian McAuley, who studies social media at the University of California, San Diego. Reels is being heavily promoted by the app, but not at the expense of Instagram's endless stream of hyper-glamorized photos.

Sponsor Message



Play Live Radio
HOURLY NEWS LISTEN LIVE PLAYLIST

A Gripping Journey of Discovery
RNA and the Quest to Unlock Life's Deepest Secrets
The Catalyst
Thomas R. Cech
Winner of the Nobel Prize
IN STORES NOW

Sponsor Message

Become an NPR sponsor

Sponsor Message



"An obvious reason why Facebook or YouTube or whoever else doesn't implement that way is because these big incumbents are very reluctant to cannibalize what's already working well for them," McAuley said.

Another way to think about the network effects of social media is that the popular ones are sort of too big to fail — at least it seems so right now.

But they can falter. Other social networks like MySpace and Vine had their moments, only to eventually fade into obscurity.

There are three possible reasons network effects can backfire, according to research from Catherine Tucker, a professor at the MIT Sloan School of Management.

For one, a site can become too noisy or congested, leading users to seek out more curated communities.

Some people might become concerned about how their data is being used on a large platform and might try to find a more privacy-preserving alternative, as well.

And finally, once a platform becomes too mainstream, it could be seen and "uncool" or too predictable, prompting users to flee for more insular platforms.

Social platforms rise and fall with internet fads. And experts say when a new app becomes all the craze and amasses a huge network, Twitter and TikTok might find themselves in the social media graveyard with Myspace and Friendster.

Though, as technology writer Casey Newton wrote recently in his newsletter *Platformer*, journalists covering the tech industry do not appear to be ready to bolt from Twitter, despite all the upheaval.

"For the moment, though, Musk has learned the same lesson Jack Dorsey did: Twitter is extremely hard to kill," Newton wrote, referring to the former chief executive of Twitter. "And for the journalists who have come to rely on it, there is almost no indignity they won't suffer to get their fix."



Play Live Radio

▶ HOURLY NEWS ▶ LISTEN LIVE ▶ PLAYLIST

A Gripping Journey of Discovery

The Catalyst
RNA and the Quest to Unlock Life's Deepest Secrets
Thomas R. Cech
Winner of the Nobel Prize

IN STORES NOW


WILEY

Sponsor Message

Become an NPR sponsor

"For the moment, though, Musk has learned the same lesson Jack Dorsey did: Twitter is extremely hard to kill," Newton wrote, referring to the former chief executive of Twitter. "And for the journalists who have come to rely on it, there is almost no indignity they won't suffer to get their fix."





Sign up for NPR's Up First newsletter.

The news you need to start your day. Nothing more, never less.

SUBSCRIBE

[See more subscription options](#)

By subscribing, you acknowledge and agree to NPR's Terms of Use and Privacy Policy. NPR may share your name and email address with your NPR station. See Details.

More Stories From NPR

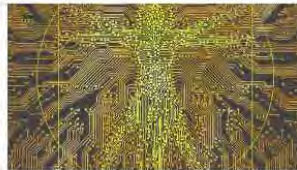
TECHNOLOGY

Apple doubles down on artificial intelligence, announcing partnership with OpenAI



BODY ELECTRIC

Screen apnea: What happens to our breath when we type, tap, scroll



CULTURE

Fake beauty queens charm judges at the Miss AI pageant



SHOTS - HEALTH NEWS

Parents are key when it comes to limiting screen time for kids, study finds



IT'S BEEN A MINUTE

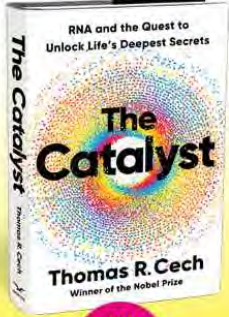
Republicans really want revenge; plus, can AI take a chill pill?



 **Play Live Radio**


▶ HOURLY NEWS ▶ LISTEN LIVE ▶ PLAYLIST

A Gripping Journey of Discovery



The Catalyst
RNA and the Quest to Unlock Life's Deepest Secrets
Thomas R. Cech
Winner of the Nobel Prize

IN STORES NOW



Sponsor Message Become an NPR sponsor

EXHIBIT 28



[Home](#) [News](#) [Media](#) [Research](#) [Myths vs Facts](#) [FAQ](#) [About](#)

Search



we care deeply about the privacy
and security of your data.

01 / 2:13



Learn more

Project Texas Milestones

Project Texas Milestones

January, 2023

December, 2022

August, 2022

Updates



Strengthening our commitment to transparency

We've continually taken concrete actions to earn people's trust. We aim to surpass the high expectations our community and stakeholders rightly have for us so we can continue to serve everyone who creates, connects, and is entertained on TikTok.





Home News Media Research Myths vs Facts FAQ About

Search



An update on our platform API for researchers

We're dedicated to hearing and incorporating feedback from testers and creating an API that will meet the needs of the scientific community while respecting the privacy of our community.



Strengthening how we protect and secure our platform in the US

As we continue to act on our commitment to the security of our platform, we're creating a Trust & Safety team within USDS to build further trust and confidence in the protection of US user data and compliance.



Our approach to security

We already have controls in place to protect user data, and we continue adding new technologies and programs focused on global data residency, data movement, and data storage access protections worldwide. We already...



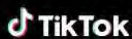
Delivering on our US data governance

For more than a year, we've been working with Oracle on several measures as part of our commercial relationship to better safeguard our app, systems, and the security of US user data. Today, 100% of US user traffic is being routed t...



Our approach to keeping U.S. data secure

USDS brings heightened focus and governance to our ongoing efforts to strengthen our data protection policies and protocols, further protect our users, and build confidence in our systems and controls in the U.S.



Company

About TikTok

Programs

TikTok for Good

Resources

Help Center

Legal

Cookies Policy



Our approach to security

We already have controls in place to protect user data, and we continue adding new technologies and programs focused on global data residency, data movement, and data storage access protections worldwide. We already...



Delivering on our US data governance

For more than a year, we've been working with Oracle on several measures as part of our commercial relationship to better safeguard our app, systems, and the security of US user data. Today, 100% of US user traffic is being routed t...



Our approach to keeping U.S. data secure

USDS brings heightened focus and governance to our ongoing efforts to strengthen our data protection policies and protocols, further protect our users, and build confidence in our systems and controls in the U.S.



Company

- About TikTok
- TikTok Browse
- Newsroom
- Contact
- Careers
- ByteDance

Programs

- TikTok for Good
- TikTok Embeds
- Effect House
- TikTok for Developers
- Advertise on TikTok
- TikTok Rewards

Resources

- Help Center
- Safety Center
- Creator Portal
- Community Guidelines
- Transparency
- Accessibility

Legal

- Cookies Policy
- Privacy Policy for Younger Users
- Intellectual Property Policy
- Law Enforcement
- Privacy Policy
- Terms of Service

EXHIBIT 29

TikTok Offered An Extraordinary Deal. The U.S. Government Took a Pass.

TikTok Offered An Extraordinary Deal. The U.S. Government Took a Pass.

Published: Wed May 29 17:30:32 EDT 2024

By Drew Harwell

(Washington Post) -- To save itself, TikTok in 2022 offered the U.S. government an extraordinary deal.

The video app, owned by a Chinese company, said it would let federal officials pick its U.S. operation's board of directors, would give the government veto power over each new hire and would pay an American company that contracts with the Defense Department to monitor its source code, according to a copy of the company's proposal. It even offered to give federal officials a kill switch that would shut the app down in the United States if they felt it remained a threat.

The Biden administration, however, went its own way. Officials declined the proposal, forfeiting potential influence over one of the world's most popular apps in favor of a blunter option: a forced-sale law signed last month by President Biden that could lead to TikTok's nationwide ban.

The government has never publicly explained why it rejected TikTok's proposal, opting instead for a potentially protracted constitutional battle that many expect to end up before the Supreme Court. Since federal officials announced an investigation into TikTok in 2019, the app's user base has doubled to more than 170 million U.S. accounts - including Biden's reelection campaign.

But the extent to which the United States evaluated or disregarded TikTok's proposal, known as Project Texas, is likely to be a core point of dispute in court, where TikTok and its owner, ByteDance, are challenging the sale-or-ban law as an "unconstitutional assertion of power."

The episode raises questions over whether the government, when presented with a way to address its concerns, chose instead to back an effort that would see the company sold to an American buyer, even though some of the issues officials have warned about - the opaque influence of its recommendation algorithm, the privacy of user data - probably would still be unresolved under new ownership.

Bloomberg Law

© 2024 Bloomberg Industry Group, Inc. All Rights Reserved. [Terms of Service](#)

// PAGE 1

Addendum - 327

TikTok Offered An Extraordinary Deal. The U.S. Government Took a Pass.

"The government essentially threw up its hands at the possibility of any kind of regulation or cybersecurity measure," said Anupam Chander, a Georgetown University law professor who researches international tech policy.

"TikTok proposed this incredible array of protections, but none of it mattered," he added. "In the government's thinking, it wasn't: 'Can this app be protected?' It was: 'There's a Chinese owner.' That became the death knell. The government had a complete absence of faith in [its] ability to regulate technology platforms, because there might be some vulnerability that might exist somewhere down the line."

A senior Biden administration official said in a statement that the administration "determined more than a year ago that the solution proposed by the parties at the time would be insufficient to address the serious national security risks presented. While we have consistently engaged with the company about our concerns and potential solutions, it became clear that divestment from its foreign ownership was and remains necessary." The official declined to specify what made the plan insufficient.

In their legal challenge, TikTok and ByteDance argue the sale-or-ban law violates the First Amendment by suppressing a platform Americans use for information and self-expression. Courts traditionally evaluate such speech disputes on whether the government is pursuing a compelling state interest through the least-restrictive means possible.

The government, some legal experts said, probably will be asked to explain why Project Texas wasn't a reasonable solution for its national security goals. The Biden administration hasn't publicly detailed why the proposal was inadequate, saying only that the possibility of future Chinese data-gathering or propaganda merited an aggressive response.

In a statement, a Justice Department spokesperson said the law "addresses critical national security concerns in a manner that is consistent with the First Amendment and other constitutional limitations. We look forward to defending the legislation in court."

Jodi Seth, a spokeswoman for TikTok, said in a statement that the company has voluntarily subjected itself to rigorous examination, including opening its source code to outside inspectors for ongoing technical review. "No other entertainment or social media platform provides a similar level of third-party oversight, even though they employ large numbers of foreign nationals and have development centers around the world," Seth said.

TikTok Offered An Extraordinary Deal. The U.S. Government Took a Pass.

TikTok and ByteDance leaders prepared the plan as part of their negotiations with the Committee on Foreign Investment in the United States, or CFIUS, a group composed of officials from nine federal agencies that reviews business deals for national security concerns.

TikTok outlined its proposals in a draft "national security agreement" totaling more than 90 pages, a copy of which The Washington Post reviewed last year. That proposal would have bound the company contractually to government controls in exchange for the ability to stay online in the United States.

The deal included extensive provisions never before offered to the government by a private company - including TikTok's U.S.-based peers in the tech industry, such as Google and Facebook.

The plan would have largely blocked ByteDance's global executives, including in its Beijing headquarters, from decision-making authority over the U.S. operation and would have siloed most of the U.S. app's functionality in a discrete subsidiary subject to Washington oversight.

An American board of directors shaped by federal authorities would have been empowered to scrutinize the company's content-moderation decisions and data flows, the draft agreement said. It also would have offered a "shutdown option" that the government could use to suspend TikTok in the United States if the company broke its part of the deal.

The plan was drafted over months of meetings in consultation with CFIUS officials, who told TikTok that they were close to a final agreement, according to two people familiar with the negotiations who spoke on the condition of anonymity to discuss internal talks.

But shortly after TikTok submitted the proposal in August 2022, "CFIUS without explanation stopped engaging," TikTok and ByteDance wrote in their legal petition to the appeals court. The companies said they "repeatedly asked why discussions had ended and how they might be restarted, but they did not receive a substantive response." (The administration official contends that the administration told TikTok at the time that divestment was the only viable option.)

TikTok officials requested meetings with Deputy Attorney General Lisa Monaco and other agency leaders, who declined, arguing that the company was already meeting with the appropriate officials, a U.S. official told The Post. Around that time, officials from the White House and Justice Department, including Monaco, were holding meetings with the forced-sale bill's co-sponsors and other lawmakers critical of TikTok to offer advice on how they could draw up a bill that would survive a legal challenge,

TikTok Offered An Extraordinary Deal. The U.S. Government Took a Pass.

congressional members and staffers told The Post.

"There was clearly a bait and switch that happened here," said a person who observed but was not involved in either side of the negotiations, who spoke on the condition of anonymity because they were not authorized to discuss what they had witnessed. "There was a 100-page national security agreement draft that was excruciatingly detailed. They went down the road and started building a lot of stuff to comply with that. Then at some point the government just changed its mind."

Despite the lack of agreement from the government, TikTok adopted a number of the proposal's components, saying in its legal filing that it has spent more than \$2 billion to "resolve the very concerns publicly expressed by [the law's] congressional supporters."

The company moved the TikTok teams responsible for overseeing U.S. user information, security and content moderation into an American subsidiary, U.S. Data Security, that now employs more than 2,000 workers. Nearly all are Americans, a company spokesperson said, except for a few dozen British and Australian workers hired for around-the-clock support.

The company also shifted American users' data to servers run by Oracle, the Texas-based tech giant that the U.S. military entrusts with some of its most highly classified cloud-computing work.

Some of its efforts, however, have been stymied by the government's reluctance to engage, U.S. Data Security officials said at a briefing this month for the Center on Technology Policy, a policy think tank at the University of North Carolina at Chapel Hill that has received funding from foundations and tech companies including Google, Meta and TikTok.

According to attendees at the briefing, TikTok said it had submitted to the government a list of nominees for directors, but that federal officials had yet to approve them. That has left U.S. Data Security without an independent board.

The administration official declined to offer a response on this point. Without an agreement in place, it's unclear how any such board nomination would apply.

TikTok also pledged to allow the U.S. government to set the rules for hiring, including requiring all new hires to be U.S. citizens or green-card holders, to consent to background checks and to accept that their employment offers could be revoked by government officials as they saw fit.

TikTok Offered An Extraordinary Deal. The U.S. Government Took a Pass.

With no agreement in place, however, TikTok has been conducting its own background checks, the officials said in the briefing. A spokesperson said TikTok's human resources work for U.S. employees still runs through ByteDance but that the company expects to fully transition the work into U.S. Data Security within a matter of weeks.

The stalled arrangement also has undermined Oracle's ability to conduct third-party review. Though Oracle employees are actively reviewing TikTok's source code for flaws and vulnerabilities, the U.S. Data Security officials said the government's failure to participate has meant the code reviewers have no clear process for how they would report any red flags they might find.

Matt Perault, a former Facebook policy director who leads the UNC center, said those missed connections have weakened the government's ability to guard against the risks it has long characterized as national threats.

"For the system to have the level of verification the government seems to want, the government has to play ball," Perault said. "If you're serious about trying to address concerns, you would suggest a set of remedies. And essentially what the government has said is there's no remedy other than a sale."

Some critics of TikTok's plan label it a "catch me if you can" proposal that would require the government to sniff out risks. In March, the co-sponsors of the House legislation, Reps. Raja Krishnamoorthi (D-Ill.) and Mike Gallagher (R-Wis.), who resigned last month, said in a resolution that Project Texas would have allowed the app's algorithm and source code to "remain in China under ByteDance's control" and potentially expose U.S. users to "malicious code, backdoor vulnerabilities, surreptitious surveillance, and other problematic activities."

Others have alluded to the pitfalls of taking over responsibility for a digitally complicated cultural juggernaut. At a congressional hearing in March, FBI Director Christopher A. Wray acknowledged that U.S. officials might find it "extraordinarily difficult to detect" if the Chinese government had forced ByteDance to promote videos that would agitate Americans or boost Chinese Communist Party ideals.

The law gave ByteDance 270 days from the day of Biden's April 24 signing to sell TikTok, with an option for a 90-day extension if Biden determines that "significant progress" has been made toward a sale. In a filing, ByteDance argued the possibility of an extension was not feasible, given that it requires the company to take an action that it is fighting in court.

TikTok Offered An Extraordinary Deal. The U.S. Government Took a Pass.

If ByteDance does not divest itself of TikTok's U.S. assets by the deadline, the government will make it unlawful to "distribute, maintain, or update" the app within the United States.

Tech experts expect the order would largely be carried out by private companies: Apple and Google's app stores would be required to stop pushing out app updates or downloads, and Oracle would be forced to stop hosting the app's data and infrastructure on its U.S.-based servers.

Apple and Google declined to comment, but two people familiar with those companies' thinking said the companies do not expect to weigh in on the matter.

One of the people said federal officials had not shared any evidence with the companies substantiating their national security concerns about TikTok. "Everyone internally thinks it's the biggest bunch of bulls---," this person said of the concerns, "but they've just decided to stay out of harm's way."

TikTok, ByteDance and a group of TikTok creators who sued over the law joined with the Justice Department in asking the U.S. Court of Appeals for the D.C. Circuit to fast-track the case and offer a ruling by Dec. 6. That would allow time for either side to seek a Supreme Court review of the ruling before the current forced-sale deadline of Jan. 19.

Because the law requires all challenges to run through the appeals court as its "exclusive jurisdiction," the case will operate differently from traditional legal battles, court filings show. Instead of a discovery or fact-finding phase where evidence and witnesses would be presented, usually handled by a district court, the parties will file legal briefs for the court's judges to review.

On Tuesday, a panel of three judges ordered that the companies and the creators must submit their briefs by June 20, and the Justice Department by July 26, a filing shows. Oral arguments are scheduled to begin in September.

The Justice Department told the court in a separate filing earlier this month that it is "evaluating" whether it needs to file an evidentiary submission that would contain "classified material to support the [law's] national security justifications."

While the government has offered some classified briefings for lawmakers, it hasn't publicly shared any evidence showing the Chinese government has exercised influence over the app. In March,

TikTok Offered An Extraordinary Deal. The U.S. Government Took a Pass.

Sens. Richard Blumenthal (D-Conn.) and Marsha Blackburn (R-Tenn.) asked the Office of the Director of National Intelligence to declassify information about TikTok so as "to better educate the public on the need for urgent action." A spokeswoman in Blumenthal's office said they haven't received a response. An ODNI spokesperson said they were continuing "engagement with Congress on the issue."

Chander, the Georgetown law professor, said the lack of government substantiation after five years of investigating has made it hard to understand the government's current urgency over an app millions of Americans use for news and entertainment.

"It's hard to square this as an immediate threat if the Biden campaign keeps posting TikToks," he said.

[Click Here](#) to see the story as it appeared on the Washington Post website.

Copyright 2024 The Washington Post

[Click here](#) to see the story as it appeared on the web site.

-0- May/29/2024 21:30 GMT

EXHIBIT 30



BERGMAN SUPPORTS BIPARTISAN LEGISLATION TO STOP FOREIGN ADVERSARIES FROM OWNING SOCIAL MEDIA COMPANIES

Washington, March 13, 2024



Today, after the overwhelming bipartisan vote (352-61-1) to pass the *Protecting Americans from Foreign Adversary Controlled Applications Act*, Rep. Jack Bergman released the following statement:

"It's pretty simple - social media companies owned by the Communist Chinese Party should not be influencing our children and they should not be able to indoctrinate American users.

"I voted in favor of H.R. 7521, the Protecting Americans from Foreign Adversary Controlled Applications Act. This bill does not ban TikTok - it simply requires any company controlled by a foreign adversary to sell the app within 180 days or be removed from U.S. app stores.

"There is a reason the CCP reacted so negatively to the House working to ensure a company controlled by the CCP is not running TikTok.

"The CCP is actively engaging in these activities, and through TikTok they have the clear ability to push divisive propaganda by manipulating their algorithm while gathering data on millions of Americans.

"We must be aware of the threat posed to our National Security by countries like China, Iran, North Korea, and Russia. The future of the fight is cyber warfare."

STAY CONNECTED

Enter your email address to get the latest updates straight to your inbox.

SUBMIT





CONGRESSMAN JACK BERGMAN
Representing Michigan's First District



[ABOUT](#) [SERVICES](#) [LEGISLATION](#) [MEDIA](#) [CONTACT](#) [SBA HELP](#) [Q](#)

"It's pretty simple - social media companies owned by the Communist Chinese Party should not be influencing our children and they should not be able to indoctrinate American users.

"I voted in favor of H.R. 7521, the Protecting Americans from Foreign Adversary Controlled Applications Act. This bill does not ban TikTok - it simply requires any company controlled by a foreign adversary to sell the app within 180 days or be removed from U.S. app stores.

"There is a reason the CCP reacted so negatively to the House working to ensure a company controlled by the CCP is not running TikTok.

"The CCP is actively engaging in these activities, and through TikTok they have the clear ability to push divisive propaganda by manipulating their algorithm while gathering data on millions of Americans.

"We must be aware of the threat posed to our National Security by countries like China, Iran, North Korea, and Russia. The future of the fight is cyber warfare."

STAY CONNECTED

Use the form below to sign up for my newsletter and get the latest news and updates directly to your inbox.

Enter Email Address

SIGN UP



OFFICE LOCATIONS

WASHINGTON OFFICE

566 Cannon HOB
Washington, DC 20515
Phone: 202-225-4735

TRAVERSE CITY OFFICE

1396 Douglas Drive, Suite 22B
Traverse City, MI 49696
Phone: 231-944-7633

GWINN OFFICE

125 G Avenue, Suite B-119
Gwinn, MI 49841
Phone: 906-273-2227

MANISTIQUE OFFICE

7676W County Road 442, Suite B
Manistique, MI 49854
Phone: 906-286-4191

OSCODA

P.O. Box 498
Oscoda, MI 48750

[About](#) [Services](#) [Legislation](#) [Media](#) [Contact](#) [SBA Help](#)

EXHIBIT 31

NBC NEWS POLITICS U.S. NEWS WORLD BUSINESS SPORTS HEALTH SHOPPING NBC NEWS TIPLINE WATCH LIVE

CONGRESS

It could be months before the Senate takes up a TikTok bill, despite warnings about China

Members of both parties believe TikTok's ties to China are a potential danger to America and its people. But the Senate wants to write its own bill to address the app.



TikTok offices in Culver City, Calif., on March 12. Mario Tama / Getty Images

f X e | SAVE [Create your free profile or log in to save this article](#)

Sponsored Stories by Taboola

Document title: It could be months before the Senate takes up a TikTok bill, despite warnings about China
 Capture URL: <https://www.nbcnews.com/politics/congress/months-senate-takes-tiktok-bill-warnings-china-rcna144301>
 Capture timestamp (UTC): Fri, 14 Jun 2024 16:14:44 GMT



It could be months before the Senate takes up a TikTok bill, despite warnings about China

[f](#)
[X](#)
[✉](#)
[🔗](#)
[🔖](#)
[SAVE](#)
Create your free profile or log in to save this article

March 20, 2024, 7:26 PM UTC
 By [Scott Wong](#), [Frank Thorp V](#) and [Ali Vitali](#)

WASHINGTON – A House-passed bill that could [ban TikTok in the U.S.](#) won't be taken up by the Senate any time soon. In fact, it could take months before any TikTok-related legislation hits the floor in the Democratic-controlled chamber.

Senators emerged Wednesday from a classified briefing about TikTok saying they were highly concerned that the popular social media app – owned by China-based parent company ByteDance – poses a serious national security threat to the U.S. and its people. But key senators appear to be in no hurry to take up the House-passed TikTok bill and are working on their own legislation to regulate the app.

Senate Commerce Committee Chair Maria Cantwell, D-Wash., who organized Wednesday's briefing along with Intelligence Committee Chair Mark Warner, D-Va., said after the closed-door meeting she might want to team with Warner again to hold a joint public hearing about TikTok.

But such a hearing would happen after Congress returns from its two-week Easter recess, which is scheduled to begin next week. Pressed about why she didn't share the same urgency as House members, who rushed to pass the bill last week on a lopsided, bipartisan vote of 352-65, Cantwell replied: "I think it's important to get it right."

Sponsored Stories by Taboola



[WOLF & SHEPHERD](#) Shop Now
The Secret to Happy Feet: The Most Comfortable Dress Shoe



[JETNOZZLE](#) Learn More
Home Depot Hates When You Do This, But They Can't Stop You



Congress is full of people who "promote things just to promote them, but they don't have the cause and effect that we need," Cantwell told reporters. "We need intent here, and the intent is we want to stop the nefarious bad actors from doing deleterious things in the United States that might harm U.S. citizens, U.S. government



It could be months before the Senate takes up a TikTok bill, despite warnings about China

SHARE & SAVE



them, but they don't have the cause and effect that we need," Cantwell told reporters. "We need intent here, and the intent is we want to stop the nefarious bad actors from doing deleterious things in the United States that might harm U.S. citizens, U.S. government or U.S. military."

"So we're going to do that. We're going to get it done. And we're not going to take forever," she said, adding that she will meet with the House bill's author, Rep. Mike Gallagher, R-Wis., on Thursday.

Warner said he is determined to move a TikTok bill this year: "If we don't, I think we've missed a huge opportunity."

Intelligence officials and House and Senate members in both parties have warned that the Chinese Communist Party has used TikTok to access data from its 170 million U.S. users and control what types of videos they see. They've also said TikTok could be used to interfere in the coming presidential election. TikTok has denied that the Chinese government controls it and pushed back against suggestions that China accesses U.S. user data.

Senate Majority Leader Chuck Schumer, D-N.Y., appears to be giving Cantwell and other committee chairs space to draft their own legislation rather than forcing a quick floor vote on the House bill. Other Democrats also are backing Cantwell's go-slow approach, including those on her committee.

"We've got a ways to go," said Sen. Peter Welch, D-Vt., a Commerce Committee member who said the Senate will produce its own bill.

A second Commerce Committee member, Sen. Gary Peters, D-Mich., said: "There are other bills; there are other approaches. And I'm open to all of that," including the House bill.

Sen. Ben Ray Lujan, D-N.M., another Commerce Committee member, said: "I know how strong of a chair Maria is, and when the chair wants to lean in on something, the chair has support from the caucus to lean in. I support Chair Cantwell. She is the chair of the committee of jurisdiction. And she is smart and capable, and she has an incredible team."

Supporters of the House bill argue it's not an outright ban. The Protecting Americans From Foreign Adversary Controlled Applications Act would force ByteDance to divest or sell TikTok 180 days after U.S. officials deem it a national security threat. If ByteDance failed to do so, TikTok would be banned from all online app stores and web-hosting services in the U.S.

President Joe Biden has vowed to sign the bill into law should it reach his desk, and John Kirby, the spokesman for the White House National Security Council, urged the Senate to "move swiftly" to pass the House bill.

House Energy and Commerce Committee Chair Cathy McMorris Rodgers, R-Wash., said, "It needs to happen soon — as soon as



It could be months before the Senate takes up a TikTok bill, despite warnings about China

SHARE & SAVE



the House bill.

House Energy and Commerce Committee Chair Cathy McMorris Rodgers, R-Wash., said, "It needs to happen soon – as soon as possible."

The House overwhelmingly passed the legislation after an all-member classified briefing about TikTok. The Senate briefing Wednesday in the basement of the Capitol was led by officials from the Justice Department, the FBI and the national intelligence director's office.

Recommended



GUNS IN AMERICA

Supreme Court rules ban on gun bump stocks is unlawful



JOE BIDEN

Biden to hold a private meeting with Pope Francis on sidelines of G7 summit

"My reaction to this briefing is that TikTok is a gun aimed at Americans' heads," said Sen. Richard Blumenthal, D-Conn., a former state attorney general who urged that the information from the briefing be declassified for the American public. "The Chinese communists are weaponizing information, but they are constantly, surreptitiously collecting from 170 million Americans and potentially aiming that information, using it through algorithms at the core of American democracy."

The Senate's approach to TikTok, he said, will be "very deliberate but not delayed" with the election on the horizon.

Republicans left the briefing expressing urgency. Sen. Ted Cruz of Texas, the top Republican on the Commerce panel, said he is urging Cantwell and their committee to mark up the House TikTok bill "expeditiously."

"The precise language of this bill is still very much open to discussion. I think members on both sides may have amendments, may have suggestions for how to alter the language," Cruz said. "But I'll tell you, we have a full hearing room in the classified briefing, and there was deep concern about the threat from TikTok from both sides of the aisle."

Sen. Marco Rubio of Florida, the top Republican on the Intelligence Committee, also spelled out what was at stake by not acting on TikTok.

"ByteDance is a Chinese company. It doesn't matter who its shareholders are, doesn't matter who the CEO is. It doesn't matter how many of the board members are not Chinese. Every technology company in China under Chinese law has to do whatever the Chinese government tells them to do," Rubio said after the briefing.



It could be months before the Senate takes up a TikTok bill, despite warnings about China

SHARE & SAVE



ByteDance is a Chinese company. It doesn't matter who its shareholders are, doesn't matter who the CEO is. It doesn't matter how many of the board members are not Chinese. Every technology company in China under Chinese law has to do whatever the Chinese government tells them to do," Rubio said after the briefing.

"That algorithm, in a moment of conflict or on an ongoing basis, can be altered in order to drive certain messages to divide Americans, to destabilize our politics, to influence policymakers to denigrate policymakers, to tear our country apart. And China clearly wants to achieve that," he said.

Fighting for its survival in the U.S., TikTok has mounted an aggressive lobbying campaign, now focused purely on the Senate. Users have been receiving push notifications and pop-ups on their mobile devices urging them to call their senators and tell them to vote no on a ban.

"The House of Representatives just voted to ban TikTok, which means millions of unique communities just like yours could be shut down. If the Senate votes to ban TikTok, this means you could lose your right to self-expression and the communities you love," one message said.

"Tell your Senator how important TikTok is for inspiration and connection you have with your community. Ask them to vote no on the TikTok ban. #KeepTikTok," another said.

Some members have said the fervency of the campaign proves that their concerns about the app's power are valid, while at least one TikTok user took things too far. Sen. Thom Tillis, R-N.C., on Wednesday posted on X the audio of a voice message his office had received from a TikTok supporter saying, "I'll shoot you and find you and cut you into pieces."

"TikTok's misinformation campaign is pushing people to call their members of Congress, and callers like this who communicate threats against elected officials could be committing a federal crime," Tillis wrote. "The Communist-Chinese aligned company is proving just how dangerous their current ownership is. Great work, TikTok."

The office of Sen. Marsha Blackburn, R-Tenn., received roughly 1,400 phone calls in the past week from people who don't want Congress to pass TikTok legislation, a Blackburn spokesperson said. The calls included people threatening to kill themselves, Biden and other officials, they said.



Scott Wong

Scott Wong is a senior congressional reporter for NBC News.



Frank Thorp V

Frank Thorp V is a producer and off-air reporter covering Congress for NBC News, managing coverage of the Senate.

Document title: It could be months before the Senate takes up a TikTok bill, despite warnings about China

Capture URL: https://www.nbcnews.com/politics/congress/months-senate-takes-tiktok-bill-warnings-china-rcna144301

Capture timestamp (UTC): Fri, 14 Jun 2024 16:14:44 GMT

Page 5 of 6

Addendum - 342



It could be months before the Senate takes up a TikTok bill, despite warnings about China

SHARE & SAVE



The office of Sen. Marsha Blackburn, R-Tenn., received roughly 1,400 phone calls in the past week from people who don't want Congress to pass TikTok legislation, a Blackburn spokesperson said. The calls included people threatening to kill themselves, Biden and other officials, they said.



Scott Wong



Scott Wong is a senior congressional reporter for NBC News.



Frank Thorp V



Frank Thorp V is a producer and off-air reporter covering Congress for NBC News, managing coverage of the Senate.



Ali Vitali



Ali Vitali is a Capitol Hill correspondent for NBC News, based in Washington.

Kate Santaliz, Syedah Asghar, Lori Rampani and Julie Tsirkin contributed.

Taboola Feed



SPONSORED / TRIPOLAB

Missing plane landed after 37 years, here's what they found

Unraveling the Mystery of Pan Am Flight 914: A Tale of Time Travel or Tall Tale?



SPONSORED / TRAVEL DEALS

Average Cost to Charter A Private Jet May Surprise You (See Prices)



SPONSORED / TRIPOLAB

Farmer found his missing cow after 8 Months



SPONSORED / HEAR.COM

This Is The Highest Rated Hearing Aid In The US



SPONSORED / UNFORGETTABLE GADGETS

61 Shockingly Bizarre Gifts Nobody Would Think Of

Weird & wonderful gifts you'd never think to buy. In stock. Free shipping on many.

Shop Now

EXHIBIT 32

Submitted in accordance with the Court's June 3, 2024
Procedures Regarding Submission of Audio or Video Files

Addendum - 344

EXHIBIT 33

Congressman Flood Votes to Stop TikTok Propaganda



March 13, 2024 **Press Release**

WASHINGTON, D.C. – Today, U.S. Congressman Mike Flood issued a statement following a vote on H.R. 7521 also known as the Protecting Americans from Foreign Adversary Controlled Applications Act.

"TikTok is the Chinese Communist Party's favorite social media app for Americans," said Rep. Flood. "It has been used as a tool of propaganda in our country and this narrowly tailored bill will help put an end to that. The legislation requires TikTok's parent company to divest from their American division or to face an outright ban in the United States. Today's vote was an overwhelming bipartisan show of force sending a message: America will not allow our foreign adversaries to use our country's free marketplace to undermine our love for liberty."

Nebraska was the first state in the nation to institute a state ban on TikTok on government devices in August 2020. Congressman Flood has been a vocal supporter of banning TikTok, authoring an editorial at [FoxNews.com](#) late last year. The editorial can be found [here](#).

Issues: [What Rep. Flood is doing in Congress](#)



Washington, D.C. Office

343 Cannon HOB
Washington, DC 20515
Phone: (202) 225-4806

Lincoln District Office

301 South 13th Street
Suite 100
Lincoln, NE 68508
Phone: (402) 438-1598

— CONGRESSMAN —
MIKE FLOOD
About Contact Media Issues Services
 Search

Congressman Flood Votes to Stop TikTok Propaganda



March 13, 2024 **Press Release**

WASHINGTON, D.C. – Today, U.S. Congressman Mike Flood issued a statement following a vote on H.R. 7521 also known as the Protecting Americans from Foreign Adversary Controlled Applications Act.

"TikTok is the Chinese Communist Party's favorite social media app for Americans," said Rep. Flood. "It has been used as a tool of propaganda in our country and this narrowly tailored bill will help put an end to that. The legislation requires TikTok's parent company to divest from their American division or to face an outright ban in the United States. Today's vote was an overwhelming bipartisan show of force sending a message: America will not allow our foreign adversaries to use our country's free marketplace to undermine our love for liberty."

Nebraska was the first state in the nation to institute a state ban on TikTok on government devices in August 2020. Congressman Flood has been a vocal supporter of banning TikTok, authoring an editorial at [FoxNews.com](#) late last year. The editorial can be found [here](#).

Issues: [What Rep. Flood is doing in Congress](#)

Leaflet | U.S. House of Representatives

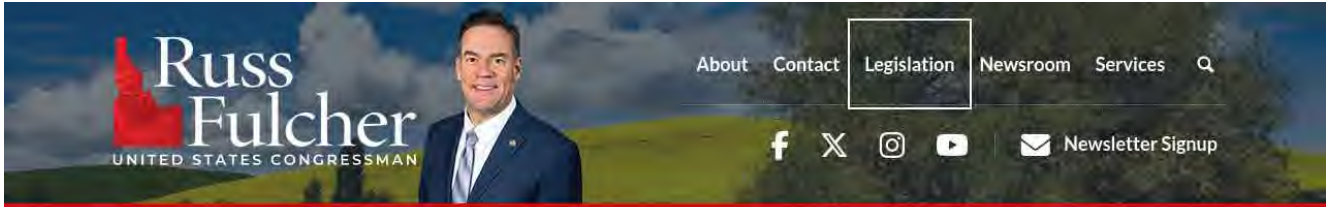
Washington, D.C. Office
 343 Cannon HOB
 Washington, DC 20515
 Phone: (202) 225-4806

Lincoln District Office
 301 South 13th Street
 Suite 100
 Lincoln, NE 68508
 Phone: (402) 438-1598

[Copyright](#) [Privacy](#) [House.gov](#) [Accessibility](#)

EXHIBIT 34

Addendum - 348



PRESS RELEASES

[Home](#) | [Newsroom](#) | [Press Releases](#) |

Press Release - Congressman Russ Fulcher's Statement on the Passage of H.R. 7521

March 14, 2024



Related

Press Releases

In the News

Videos

FOR IMMEDIATE RELEASE: Thursday, March 14

CONTACT: Marisa Melton, (208) 743 - 1388, marisa.melton@mail.house.gov

Congressman Russ Fulcher's Statement on the Passage of H.R. 7521

WASHINGTON D.C. - U.S. Congressman Russ Fulcher released the following statement on the passage of H.R. 7521, the Protecting Americans from Foreign Adversary Controlled Applications

"I voted to pass H.R. 7521 today to stop the Chinese Communist Party from manipulating, surveilling, and targeting American citizens.

Apps such as TikTok give the Chinese Communist Party the ability to engage in psychological warfare against the American people. Due to the algorithms at play, the CCP can feed users whatever information they please, truthful or not.

Just last week, the Chinese Communist Party used TikTok as a propaganda tool to spread misinformation falsely claiming Congress is voting to ban the app, telling users to input their zip codes to 'take action' and call their representatives.

Not only does that intimidate users into handing over even more of their data, but it manipulates reality for many Americans.

H.R. 7521 does not ban TikTok. It averts national security threats by blocking foreign adversaries from accessing American data.

FOR IMMEDIATE RELEASE: Thursday, March 14

CONTACT: Marisa Melton, (208) 743 - 1388, marisa.melton@mail.house.gov

Congressman Russ Fulcher's Statement on the Passage of H.R. 7521

WASHINGTON D.C. - U.S. Congressman Russ Fulcher released the following statement on the passage of H.R. 7521, the Protecting Americans from Foreign Adversary Controlled Applications

"I voted to pass H.R. 7521 today to stop the Chinese Communist Party from manipulating, surveilling, and targeting American citizens.

Apps such as TikTok give the Chinese Communist Party the ability to engage in psychological warfare against the American people. Due to the algorithms at play, the CCP can feed users whatever information they please, truthful or not.

Just last week, the Chinese Communist Party used TikTok as a propaganda tool to spread misinformation falsely claiming Congress is voting to ban the app, telling users to input their zip codes to 'take action' and call their representatives.

Not only does that intimidate users into handing over even more of their data, but it manipulates reality for many Americans.

H.R. 7521 does not ban TikTok. It averts national security threats by blocking foreign adversaries from accessing American data.

The ball is in their court. It is essential apps such as TikTok sever ties with the Chinese Communist Party to protect American data."

###

Permalink: <https://fulcher.house.gov/2024/3/press-release-congressman-russ-fulcher-s-statement-on-the-passage-of-h-r-7521>

Washington, DC Office

1514 Longworth HOB
Washington, DC 20515
(202) 225-6611

Meridian Office

33 East Broadway Avenue, Suite
251
Meridian, ID 83642
Phone: (208) 888-3188
Fax: (208) 888-0894

Lewiston Office

313 D Street, Suite 107
Lewiston, ID 83501
Phone: (208) 743-1388

Coeur d'Alene Office

1250 West Ironwood Drive,
Suite 200
Coeur d'Alene, ID 83814
Phone: (208) 667-0127
Fax: (208) 667-0310

[Privacy Policy](#)

Document title: Press Release - Congressman Russ Fulcher's Statement on the Passage of H.R. 7521 | Press Releases | Congressman Russ Fulcher

Capture URL: <https://fulcher.house.gov/press-releases?ID=D9D9757F-0EE1-49E5-9F2C-5A4F7DDD8717>

Capture timestamp (UTC): Fri, 14 Jun 2024 16:18:38 GMT

Page 2 of 2

Addendum - 350

EXHIBIT 35

Business Markets Tech Media Calculators Videos Watch Listen Live TV Sign In

Markets →			Fear & Greed Index →	Latest Market News →	
DOW	38,536.61	0.29% ▼		Investigation underway into rare, unsafe airliner roll experienced by a B...	
S&P 500	5,418.56	0.28% ▼		Problematic titanium was found in Boeing and Airbus jets. The FAA is in...	
NASDAQ	17,637.83	0.17% ▼		Markets fear the French far right could trigger a financial crisis	

Business / Tech

Banning TikTok would hit China's tech ambitions and deepen the global digital divide

Analysis by [Laura He](#), CNN

5 minute read · Updated 9:24 AM EDT, Wed April 24, 2024



How the TikTok ban might affect the youth vote

Video Ad Feedback

02:51 - Source: CNN

Editor's Note: Sign up for CNN's *Meanwhile in China* newsletter which explores what you need to know about the country's rise and how it impacts the world.

Hona Kona (CNN) — TikTok is facing an existential crisis in America. If its Chinese owner

MORE FROM CNN



Politicians keep courting the TikTok vote. Users aren't impressed



Elon Musk threatens to ban iPhones and Macs at his companies



BYD vs Huawei: Trash talking by China's EV giants highlights ...



Sponsored by AquaTru

How to filter forever chemicals out of your water

Read more

Advertisement

Ad Feedback

Editor's Note: Sign up for CNN's *Meanwhile in China* newsletter which explores what you need to know about the country's rise and how it impacts the world.

Hong Kong (CNN) — TikTok is facing an existential crisis in America. If its Chinese owner fails to sell the app in the next year or so, it could be banned in its biggest market.

Not only would that deal another huge blow to China's tech ambitions, it would further deepen the divide between two digital worlds centered around the rival economic superpowers.

Congress on Tuesday approved legislation that could compel ByteDance to sell TikTok or face a national ban. President Joe Biden is expected to sign the bill into law on Wednesday; TikTok has already said it will challenge the law in court.

Beijing has previously said it strongly opposes a forced sale of TikTok, and it has revised its export control rules to give it the power to block a sale on national security grounds. That leaves few options for ByteDance to secure the future of TikTok in the US, its biggest market with 170 million users.

"A forced sale of TikTok in the US amounts to a downgrade of the app, as the Chinese government won't approve the sale of its algorithms," said Alex Capri, a research fellow at the Hinrich Foundation and a lecturer at the National University of Singapore's Business School.

"If TikTok is forced to stop operating in the US, ByteDance's prospects in other mostly liberal democracies will come under further scrutiny," he said.

If the Chinese government won't let ByteDance relinquish TikTok's algorithm, it could block the sale outright. Alternatively, it may allow TikTok to be sold without the lucrative algorithm that forms the basis for its popularity.

A US ban, or a less powerful version of TikTok, would be a windfall

for YouTube, Google, Instagram and other TikTok competitors, as many of its customers may jump ship, Capri said. And it would be a major hit to the global ambitions of ByteDance.



RELATED ARTICLE
If the US bans TikTok, China will be getting a taste of its own medicine

"It [a TikTok ban] would be the end of ByteDance's global expansion, as it would be a sign that the Chinese state values the algorithm's security more than ByteDance's financial prosperity and global expansion," said Richard Windsor, tech industry analyst and founder of Radio Free Mobile, a research company based in the US.

"The implications are that the ideological struggle being fought in the technology industry will become more intense."

MEANWHILE IN CHINA

What's happening in China and what does it mean for the rest of the world?

Email address

Sign Me Up

By subscribing you agree to our [privacy policy](#).

A ban on TikTok is also likely to accelerate a shift that is splitting the world's tech landscape into two blocs, one centered on the US, the other embracing tech from China, according to Capri.



Sponsored by AquaTru

How to filter forever chemicals out of your water

Read more

Advertisement

Ad Feedback

CNN BUSINESS VIDEOS



▶ Amaplano: Changing South African lives



▶ This strategy worked for the iPhone. Can Apple do it again with AI?



▶ Former employee suing SpaceX and Elon Musk tells CNN what it was like working at company



▶ This company is making 'eye-tracking' smartphones a thing



Mortgage		
Loan Type	Rate	APR
30-yr fixed	6.50%	6.50%
15-yr fixed	5.25%	5.56%

A ban on TikTok is also likely to accelerate a shift that is splitting the world's tech landscape into two blocs, one centered on the US, the other embracing tech from China, according to Capri.

"The move against TikTok in the US is another step towards not only a bifurcated platform economy between Chinese apps and Western apps, but also, more broadly, the bifurcation of entire the global tech landscape," he said.

"This includes everything from who owns and operates data centers, to space-based Internet satellites, to undersea cables and, of course semiconductors."

In that sense, the TikTok ban has its silver lining for Beijing.

"A ban in the US will spark renewed efforts to spread China's digital footprint in Southeast Asia, and other mostly developing markets world wide," Capri said.

Growing challenges for Chinese apps

The TikTok legislation was included in a wide-ranging foreign aid package meant to support Israel, Ukraine and Taiwan.

Once President Biden signs it into law, ByteDance will have up to a year to complete the sale or face an effective ban for the platform.

US officials and legislators have long expressed concerns about TikTok's potential national security risks, including that it could share data with the Chinese government, or manipulate content displayed on the platform. But TikTok has rejected the claims.

"The new divestiture bill is the result of a concerted lobbying effort by Silicon Valley venture capitalists associated with US technology companies that stand to benefit from the China threat narrative proponents of the bill have been pushing," said Paul Triolo, partner for China and Technology Policy Lead at Albright Stonebridge Group.



RELATED ARTICLE

Biden administration opens investigation into foreign-made smart car components, particularly from China

In general, Chinese companies and apps operating in the US are facing growing challenges, he said.

Biden administration officials are beefing up a new office at the Commerce Department to enforce provisions of a Trump-era rule on protecting US information technology supply chains that covers connected apps and could be used to push for further restrictions.

"It seems unlikely that Congress would single out another Chinese company like TikTok for a specific bill, but the Commerce IT supply chain rule could be used in the future

to limit the ability of Chinese companies and apps to have access to portions of the US market," Triolo said.

Will there be retaliation from Beijing?

China's Commerce Ministry has pledged to take all "necessary measures" to protect its interests, shortly after the House of Representatives passed an earlier version of the TikTok bill last month. But it didn't elaborate.

On Wednesday, Wang Wenbin, a spokesperson for the Foreign Ministry said in response to a question from CNN's Marc Stewart: "On the TikTok matter, we have stated our position clearly, and I have nothing to add today."

Most American social networking apps have already been barred in China. Beijing currently blocks most US social media platforms — including Google, YouTube, X, Instagram, WhatsApp and Facebook — because they refuse to follow the Chinese government's rules

Mortgage

Loan Type	Rate	APR
30-yr fixed	6.50%	6.50%
15-yr fixed	5.25%	5.56%
5/1 ARM	5.38%	7.13%
Loan Amount	APR	Payment
\$225,000 (5/1 ARM)	7.13%	\$1,259.94/mo

calculate payment



Sponsored by AirDoctor

These air purifiers actually filter out allergens

Read more

Advertisement

Ad Feedback

PAID PARTNER CONTENT dianomi



You dreamed of a way to direct invest

a question from CNN's Marc Stewart: "On the TikTok matter, we have stated our position clearly, and I have nothing to add today."

Most American social networking apps have already been barred in China. Beijing currently blocks most US social media platforms — including Google, YouTube, X, Instagram, WhatsApp and Facebook — because they refuse to follow the Chinese government's rules on data collection and the type of content shared.

Triolo doesn't expect Beijing to react "strongly" to the US ban on TikTok, though.

"While Beijing is already on record as opposing any forced divestiture of TikTok US from ByteDance, its primary concern would be the transfer of technology involved," he said. "In general, Beijing cares much less about a social media company than about US technology controls."



RELATED VIDEO How Biden administration's export ban is choking off China's tech ambitions (Nov. 2022)

"Beijing will be much more likely to retaliate strongly to new US export controls, and is not likely to respond in kind to the US effort to ban TikTok US if it eventually happens," he added.

Beijing recently ordered Apple (AAPL) to remove social messaging apps WhatsApp, Signal, and Telegram from the firm's China app store. But it has not followed up with major crackdowns on virtual private networks, which many tech savvy Chinese use to communicate with friends abroad via these messaging apps.

"The move was likely timed to show that China will continue to block access to some apps it considers to be a national security threat, though the blocked apps have far fewer users in China than the 170 million or so users of TikTok in the US," Triolo said.

— CNN's Wayne Chang and Marc Stewart contributed reporting.



You dreamed of a way to direct invest with confidence. Done.

sponsored by Scotiabank iTRADE



Not all retail real estate is created equal

sponsored by BTY



CIBC poll: Canadians are worried about higher mortgage payments

sponsored by The Globe and Mail



Sponsored by Pair Eyewear

These snap-on frames are a must-have for summer

Read more

Advertisement

Ad Feedback

PAID PARTNER CONTENT

Dianomi



Not all retail real estate is created equal

sponsored by BTY



Lending and banking institutions need to 'step up' for entrepreneurs

sponsored by The Globe and Mail



You dreamed of a way to direct invest with confidence. Done.

sponsored by Scotiabank iTRADE

Not all retail real estate is created equal

sponsored by BTY



Find Results for

1. Ozempic Best Price

2. Costco Ozempic Price

RELATED VIDEO

How Biden administration's export ban is choking off China's tech ambitions (Nov, 2022)

Beijing recently ordered Apple (AAPL) to remove social messaging apps WhatsApp, Signal, and Telegram from the firm's China app store. But it has not followed up with major crackdowns on virtual private networks, which many tech savvy Chinese use to communicate with friends abroad via these messaging apps.

"The move was likely timed to show that China will continue to block access to some apps it considers to be a national security threat, though the blocked apps have far fewer users in China than the 170 million or so users of TikTok in the US," Triolo said.

— CNN's Wayne Chang and Marc Stewart contributed reporting.



Sponsored by Pair Eyewear

These snap-on frames are a **must-have** for summer

Read more

Advertisement

🗉 Ad Feedback

PAID PARTNER CONTENT



Not all retail real estate is created equal

BTV



Not all retail real estate is created equal

sponsored by BTV



Lending and banking institutions need to 'step up' for entrepreneurs

sponsored by The Globe and Mail



You dreamed of a way to direct invest with confidence. Done.

sponsored by Scotia iTRADE

dianomi



Canadian Investors: 12 Tips for a More Secure Retirement

Sponsored by Fisher Investments Canada



Ontario's pipelines: Bridging today's energy to a net-zero tomorrow

Sponsored by The Globe and Mail



Struggling to keep up with change? Get the skills you need to succeed.

Sponsored by HBS Executive Education

Find Results for

- 1. Ozempic Best Price ➤
- 2. Costco Ozempic Price ➤
- 3. Jim Cramer Stocks To Buy Now ➤



New US sanctions force end of dollar and euro trading on Russia's...

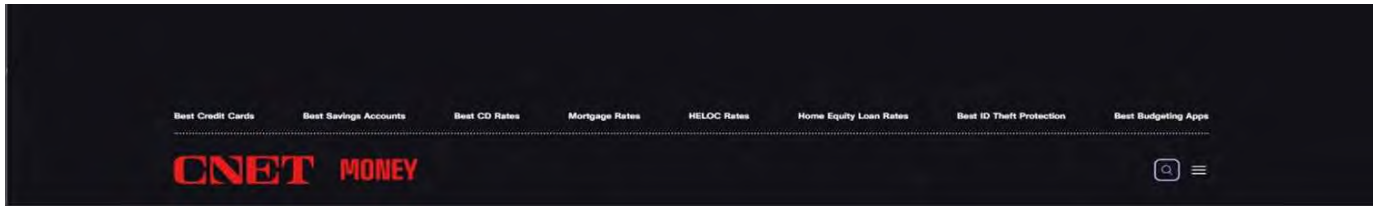
13 Jun



Buying a house? These US cities now among the world's most...

14 Jun

EXHIBIT 36



[MoneyBanking](#)

Article updated on May 29, 2024

TikTok Ban Threatens Creator Economy: ‘There Is No Way I’d Have a Functioning Business’

The social media app gave them financial success. Could it all go away?

OUR EXPERTS




Written by Liliana Hall

Edited by Laura Michelle Davis

CNET staff -- not advertisers, partners or business interests -- determine how we review the products and services we cover. If you buy through our links, we may get paid.

TABLE OF CONTENTS

-  How do people make money on TikTok?
- A TikTok ban could crush financial dreams
- Outlawing TikTok could turn lives upside down
- TikTok builds careers and success
- Creators are transferring their skills to other platforms

Document title: TikTok Ban Threatens Creator Economy: ‘There Is No Way I’d Have a Functioning Business’ - CNET Money

Capture URL: <https://www.cnet.com/personal-finance/banking/advice/tiktok-ban-threatens-creator-economy-there-is-no-way-id-have-a-functioning-business/#tiktok-build...>

Capture timestamp (UTC): Wed, 19 Jun 2024 14:14:43 GMT

Addendum - 358



Viva Tung/CNET

If TikTok is outlawed nationwide, where does that leave the folks who depend on it financially to survive?

A ban would devastate so many people's well-being, said Maria Watkins, also known as @livingplanetfriendly, a creator with over 256,000 followers who posts about living a low-waste lifestyle. "Many small businesses have launched their business on the app, and you don't get this level of engagement on other platforms," Watkins said.

The US government, citing national security concerns, is trying to force a sale or shutdown of TikTok but is up against a number of legal challenges, including from TikTok's Chinese-based parent company, ByteDance. Several content creators also filed a lawsuit, arguing that prohibiting the app would violate their First Amendment right to freedom of expression.

Beyond the debate around free speech and ensorship, a potential ban on the popular social media platform is posing concerns over the future of TikTok creators' careers and livelihoods.

The creator economy is massive. According to research reported on LinkedIn, there are currently 10 times more paid content creators in the US than the total number of police officers, doctors and lawyers combined.

Some people start on TikTok to monetize their hobby, share their life stories or leverage audience engagement as small business owners. Once a creator has at least 10,000 followers and

Document title: TikTok Ban Threatens Creator Economy: 'There Is No Way I'd Have a Functioning Business' - CNET Money

Capture URL: <https://www.cnet.com/personal-finance/banking/advice/tiktok-ban-threatens-creator-economy-there-is-no-way-id-have-a-functioning-business/#tiktok-build...>

Capture timestamp (UTC): Wed, 19 Jun 2024 14:14:43 GMT

100,000 authentic video views over the last 30 days, they're eligible for TikTok's creator fund, which allows them to earn money based on how well a video performs.

Many creators make content on a part-time basis to supplement their regular income, pay their bills, gain brand recognition and develop production skills. Others become full-time creators, earning around \$179,000 a year, and bigger influencers make an average of \$344,000.

How do people make money on TikTok?

- **Score brand partnerships:** Product brands and services are increasingly partnering with creators who have a following because it connects them directly to customers.
- **Sell with TikTok shop:** TikTok has a built-in e-commerce platform that allows small business owners to promote and sell their merchandise all in one place.
- **Participate in affiliate marketing:** Influencers who promote a brand's product or service through affiliate marketing make a commission any time a viewer buys the product directly via the online content.
- **Publish sponsored posts:** Influencers and content creators can collaborate with brands to create sponsored posts promoting a product or service in exchange for a flat commission.

A TikTok ban could crush financial dreams

What started out as a hobby of decorating wide-brim hats is now the single largest revenue stream for **Jenna Zapata**. And it's all thanks to TikTok.

Document title: TikTok Ban Threatens Creator Economy: 'There Is No Way I'd Have a Functioning Business' - CNET Money

Capture URL: <https://www.cnet.com/personal-finance/banking/advice/tiktok-ban-threatens-creator-economy-there-is-no-way-id-have-a-functioning-business/#tiktok-build...>

Capture timestamp (UTC): Wed, 19 Jun 2024 14:14:43 GMT



Photo courtesy of Jenna Zapata

Zapata opened Zig Zag Galleries, aka @zigzaggalleries, a contemporary multiuse gallery space in Denison, Texas, in May 2020. It was a tumultuous time for mom-and-pop shops, as COVID-19 lockdowns shuttered over 700,000 businesses in just a few months. Zapata had to quickly pivot and find new ways to sell products online for her business to survive.

When she saw someone selling customized drinking tumblers during a TikTok livestream to over 15,000 viewers, Zapata had an idea. Why not sell her specialty hats -- decked out with vintage matchbooks, dried florals, scarves and feathers -- on TikTok live?

Document title: TikTok Ban Threatens Creator Economy: 'There Is No Way I'd Have a Functioning Business' - CNET Money

Capture URL: <https://www.cnet.com/personal-finance/banking/advice/tiktok-ban-threatens-creator-economy-there-is-no-way-id-have-a-functioning-business/#tiktok-build...>

Capture timestamp (UTC): Wed, 19 Jun 2024 14:14:43 GMT

“I hear a lot of talk about how you need thousands, if not millions, of followers to be successful on apps like TikTok,” said Zapata. “But that means nothing in the grand scheme of things.”

“I don’t think I’ll ever be able to find an algorithm that can push our business like TikTok does.”



Jenna Zapata, Co-owner of Zig Zag Galleries

In Zapata’s case, she would only need 1,000 followers to be eligible to livestream on the platform. Eventually, she started doing live “hat builds” two nights a week, customizing hats for clients and interacting with her viewers.

Running a business is hard, especially in a small town, Zapata said. But with her newfound success on TikTok, she’s able to work with a financial planner and started contributing to a 401(k), something she never found feasible.

Zapata is convinced that the TikTok algorithm helps people who need the most visibility. “My TikTok account seems to land in front of exactly the right people,” she said. “I don’t think I’ll ever be able to find an algorithm that can push our business like TikTok does.”

Zapata has since been able to give back by renting out her gallery space to local community groups and offering scholarships for up-and-coming artists. She recently received a \$5,000 grant from the city to host a meet-up for her hat club, which she built from her TikTok following.

“I’m only able to do these things because of TikTok. And it makes me so frustrated that it could all go away,” Zapata said.

Outlawing TikTok could turn lives upside down

Krystalynn Gier, also known as @krystalynngier, makes videos about wellness and sustainability that prioritize mind, body and planet. After getting laid off from her corporate marketing job right before Christmas in 2021, Gier decided to give TikTok a shot full-time. Now it’s her primary stream of income, mostly through brand partnerships.



Photo courtesy of Krystalyn Gier

When she lost her job, Gier started posting around six times a day to get out as much content as possible. “I was motivated by the fact that I was finally allowed to be creative at work,” she said.

Her life virtually changed overnight. After one viral video, she gained 24,000 followers, and she now has over 46,000. She’s making the same amount as when she was a brand manager for a marketing agency. The money allowed her to kick-start her own business, launch her podcast Mind Body Planet and fund her day-to-day expenses.

Document title: TikTok Ban Threatens Creator Economy: ‘There Is No Way I’d Have a Functioning Business’ - CNET Money

Capture URL: <https://www.cnet.com/personal-finance/banking/advice/tiktok-ban-threatens-creator-economy-there-is-no-way-id-have-a-functioning-business/#tiktok-build...>

Capture timestamp (UTC): Wed, 19 Jun 2024 14:14:43 GMT

“Without TikTok, there is no way I’d have a functioning business and continue to be self-employed,” said Gier.

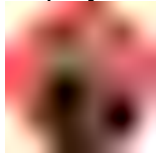
The social media app has proven to be an authentic space for building connections and networks. “Finding community on TikTok was pretty unsuspecting,” said Gier. “If it goes away, we’re reverting back to other platforms where it’s normal to be inauthentic.”

TikTok builds careers and success

Zapata and Gier are just two of the many voices on TikTok across the US who are both nervous and upset over a bipartisan bill that could effectively ban the social media platform.

Megan Hoang ([@another_internet_mom](#)) is a lifestyle content creator who showcases her life in Portland, Oregon, as a mom and small business owner of [Mad Haus Kids](#). Hoang said she’s gotten most of her business through the app, allowing her to earn a steady flow of income while giving her plenty of personal flexibility. “TikTok has made it possible for me to make money from home while I raise kids, as well as build a community,” Hoang said.

“Without TikTok, there is no way I’d have a functioning business and continue to be self-employed.”



Krystalynn Gier, Host of Mind Body Planet

For **Joshua Dairen** ([@joshuadairen](#)), a content creator and owner of [The Coffee Shop](#) in Opelika, Alabama, TikTok has been an invaluable resource. Dairen is one of the few Black content creators focusing on paranormal activity and history in the South.

In one [video](#) post, Dairen shares how his TikTok has changed his life. “I’ve become a self-sustaining content creator. I’ve had opportunities that I couldn’t personally manufacture myself in any way,” he said. His online content has opened other doors, including bringing the most business to his coffee shop.

The TikTok ban would have a massive impact on the financial livelihoods of people who rely on the platform to support or supplement them monetarily, Dairen said. What’s even more devastating, he noted, is how outlawing TikTok would damage the visibility given to minority-owned small businesses and creators from underserved communities.

Brennan Kai ([@brennan.kai](#)), a full-time content creator who advocates for food waste reduction, planet-positive eating, slow-living and [climate action](#), lost her job in 2020 due to the

Document title: TikTok Ban Threatens Creator Economy: ‘There Is No Way I’d Have a Functioning Business’ - CNET Money

Capture URL: <https://www.cnet.com/personal-finance/banking/advice/tiktok-ban-threatens-creator-economy-there-is-no-way-id-have-a-functioning-business/#tiktok-build...>

Capture timestamp (UTC): Wed, 19 Jun 2024 14:14:43 GMT

pandemic. Kai applied to the TikTok education program on a whim, and she's now getting paid to create content on issues she was passionate about, like sustainability and healthy eating.

"Without TikTok, I'd be significantly impacted in terms of work and income," said Kai.

Creators are transferring their skills to other platforms

Though a TikTok ban wouldn't go into effect until next year, and the federal law could be held up in the courts even longer, the future of the app is unclear. To prepare for the worst-case scenario, many content creators and influencers are transferring their skills to other avenues.

Gier is preparing to shift gears, for example, by focusing on growing her following elsewhere. "If there's any semblance of good news, it's that the skills I've crafted through TikTok translate to other platforms like Instagram and YouTube," said Gier.

Kai has also been planning for a future without TikTok. "Since this has been a topic of debate for a long time now, I've focused on diversifying and creating content across multiple platforms so that I'll have a backup without TikTok," she said.

But trying to build a brand or business without TikTok, or even start from scratch, is nerve-racking. "I have to have a plan because we don't know if it's going to happen or when exactly it's going to happen," said Zapata. "The threat looming over us is honestly the worst feeling."

Document title: TikTok Ban Threatens Creator Economy: 'There Is No Way I'd Have a Functioning Business' - CNET Money

Capture URL: <https://www.cnet.com/personal-finance/banking/advice/tiktok-ban-threatens-creator-economy-there-is-no-way-id-have-a-functioning-business/#tiktok-build...>

Capture timestamp (UTC): Wed, 19 Jun 2024 14:14:43 GMT

EXHIBIT 37



Our History

Any discussion about American music that doesn't include Muscle Shoals, Alabama isn't really a discussion at all. Heart-pounding. Soul-shaking. Iconic. Many words have been used to describe the Muscle Shoals sound. It's the sound that inspired a generation of musicians to travel to the southern banks of the Tennessee river, searching for a bit of that Muscle Shoals magic. Fame Recording Studios is where it all Started and where that sound lives on today.

Originally housed above City drugstore in Florence, Alabama, Florence Alabama Music Enterprises was founded in 1959 by Rick Hall, Billy Sherrill and Tom Stafford.

In 1960, Hall took over sole ownership and shortened the name to the acronym FAME and temporarily moved to Wilson Dam Highway in Muscle Shoals. This is where Muscle Shoals would have its first international success. With Arthur Alexander's "You Better Move On". Hall took that money, along with a borrowed \$10,000, built and moved the studio to its current location at 603 East Avalon Avenue, Muscle Shoals. Beginning with the legendary session that produced Jimmy Hughes' "Steal Away", FAME has been producing chart-topping hits ever since.

The famous sign above the entryway into FAME's studios reads: "Through these doors walk the finest Musicians, Songwriters, Artists, and Producers in the World". This is as true today as it was in 1961. Since it first opened its doors, FAME has welcomed a literal who's who of music royalty from Etta James, Wilson Pickett, and Aretha Franklin to Alicia Keys, Demi Lovato, and Jason Isbell. They have all come searching for the beautiful, soulful, sonic footprint that defines FAME Recording Studios.

FAME Recording Studios' lush acoustics and unique musical legacy have made it one of the most sought after recording studios in the world. It's the room where Aretha Franklin found her sound. It's the room where Wilson Pickett whaled on "Mustang Sally". It's where Clarence Carter has recorded for five decades. It's the room that continually produces chart-topping, generation-defining music year after year after year, including the 2019 #1 Americana album *Muscle Shoals - Small Town Big Sound* which included #1 Americana single, Grace Potter's "I'd Rather Go Blind"



FAME Publishing was founded in 1959 by Rick Hall, Billy Sherrill and Tom Stafford.

FAME writers Billy Sherrill, Dan Penn and Rick Hall have cuts on Roy Orbison, Brenda Lee and Tommy Roe.

Rick Hall took over as sole owner of FAME.

Late 1961 Rick Hall produced Muscle Shoals' first hit record on Arthur Alexander. The song, "You Better Move On", was later covered by the Rolling Stones.

FAME's first house rhythm section included Norbert Putnam, David Briggs, Peanut Montgomery and Jerry Carrigan.

FAME moves its studios and offices to the current location on Avalon Avenue in Muscle Shoals.

Jimmy Hughes has a huge hit with "Steal Away" on FAME Records, the first record done at the new location. Hughes went on to have seven hit records most of which were for FAME Records.

The Tams record their huge hit "What Kind Of Fool Do You Think I Am".

Buddy Killen brings Joe Tex to FAME to record the gold record "Hold On To What You've Got".

Rick Hall produces Etta James' Tell Mama album. This was James' biggest hit. This album has been praised as one of the greatest albums of the Rock and Roll era. "Tell Mama" was written by Clarence Carter and published by FAME.

FAME helps place the Muscle Shoals classic "When A Man Loves A Woman". FAME Records Clarence Carter has his very first hit with "Slip Away". Clarence went on to record three gold records, "Patches", "Too Weak to Fight" and "Slip Away" among many other hits at FAME. Clarence's recent recording marks the fifth consecutive decade that he has cut at FAME. Clarence was also a writer for FAME Publishing. In 1972 Clarence's record "Patches" was nominated for a Grammy.

Wilson Pickett comes to FAME to fire off a string of classic recordings. "Mustang Sally", "Funky Broadway", "Land of 1000 Dances" and "Hey Jude" featuring Duane Allman are only some of the songs that came from these sessions.

Jerry Wexler brings his newly signed artist Aretha Franklin to FAME. Franklin had been signed to Columbia for four years with no success. Her first cut at FAME was the million selling double sided smash, "I Never Loved A Man" and "Do Right Woman". This album won a Grammy for Album of the Year. FAME also published "Do





NEWS ARTISTS PUBLISHING RECORDING STUDIOS TOUR STORE OUR HISTORY BACKSTAGE ALBUM

Wilson Pickett comes to FAME to fire off a string of classic recordings. "Mustang Sally", "Funky Broadway", "Land of 1000 Dances" and "Hey Jude" featuring Duane Allman are only some of the songs that came from these sessions.

Jerry Wexler brings his newly signed artist Aretha Franklin to FAME. Franklin had been signed to Columbia for four years with no success. Her first cut at FAME was the million selling double sided smash, "I Never Loved A Man" and "Do Right Woman". This album won a Grammy for Album of the Year. FAME also published "Do Right Woman".

Otis Redding brings Arthur Conley to FAME to record the soul classic "Sweet Soul Music". On a later visit to FAME Otis cut one of his last records, "You Left The Water Running" which was also published by FAME.

The second house rhythm section, later memorialized as the "Swampers" in Lynryd Skynrd's "Sweet Home Alabama", left in 1969 to form their own studio, Muscle Shoals Sound.



FAME Records inks a joint venture with Capitol Records for Capitol to distribute FAME Records. FAME's artist roster included: Clarence Carter, Candi Staton, Dan Penn, Arthur Conley and Willie Hightower. In 1970 Mike Curb brought a new young group, the Osmonds, to FAME. The Osmonds sold eleven million records in 1971. They had a string of smashes with "One Bad Apple", "Yo-Yo", and "Down By The Lazy River". Donny released several FAME recorded solo albums which were all million sellers, including the hits "Go Away Little Girl" and the Rick Hall/Billy Sherrill song "Sweet and Innocent". In 1974 Marie Osmond came to town to do her This is the Way That I Feel album. The Osmond Brothers returned to FAME in the 80's to do their first country record, and had two hits off of the Electra album. Marie also returned to do some work in the 90's. In 2001 Marie's son Steven Craig came to Muscle Shoals for a little magic on his upcoming Def Jam release.

1970 Rick Hall was nominated for a Grammy in the "Producer of the Year" category.

In 1971 Mac Davis started recording a string of twelve albums of FAME. Mac had four Gold and platinum records produced by Rick Hall. Hits that came from Mac were: "Baby Don't Get Hooked On Me", "Stop and Smell The Roses", "Friend Woman Lover Wife", "Texas In My Rearview Mirror" and "Hooked on Music".

Billboard Magazine names Rick Hall the World's Producer of the Year for 1971.

FAME Records Capitol distribution deal ends with FAME placing 29 records in the R&B Top 40 and nine in the Pop Top 40.

FAME Records inks distribution deal with United Artists.

Legendary singer/songwriter, Paul Anka signs with FAME Records. Anka records the smashes "One Man Woman", "One Hell of A Woman", "I Don't Like To Sleep Alone" and "You're Having My Baby". Each were million sellers with the latter selling five million.

FAME reinvests in its publishing operations signing several new young writers including Walt Aldridge, Tommy Brasfield, Steven Dale Jones and Robert Byrne.

Grammy winner Terri Gibbs comes to record at FAME.

Walt Aldridge and Tommy Brasfield's "There's No Getting Over Me" is recorded by Ronnie Milsap. The song is #1 on both the pop and country charts for several weeks and wins ASCAP's Song of the Year, the first for FAME Publishing.

Aldridge and Brasfield, along with Robert Byrne, continue to burn up the country charts with hits on acts such as Earl Thomas Conley, T. Graham Brown, Ricky Van Shelton, Ronnie Milsap and Alabama. These hits included "Holding Her and Loving You", "That Was A Close One", "How Do I Turn You On", "I Can't Win for Losing You", "Simple Man" and "Once in A Blue Moon". Rick Hall produces the Houston to Denver CD for Larry Gatlin and the Gatlin Brothers. The CD was widely acclaimed as the group's best in years and yielded three top 10 singles.

RCA's Jerry Reed comes to FAME after over five years without a chart record. Reed records his next four albums at FAME. These sessions included the #1 records, "She Got The Goldmine I Got The Shaft", penned by Tim Dubois, and "The Bird". Once again an artist's career is turned around at FAME. Drums on these sessions were played by a new guy from Shreveport, Louisiana named James Stroud.

Walt Aldridge pens "My Love is Chemical" sung by Lou Reed for the Mikhail Baryshnikov & Gregory Hines movie White Nights.

The Beatles Live at the BBC is released containing the FAME Publishing tune, "A Shot of Rhythm and Blues".

In 1987 Rick Hall signs a band playing at a local club down the street from FAME. The group later became known as Shenandoah. After co-producing five sides with Robert Byrne, they took the group to Sony Records who immediately signed the act and FAME Productions to a deal. Walt Aldridge and Gary Baker's group, the Shooters, were also signed under this production deal. Shenandoah did four albums for Sony and had seven #1 records in a row before leaving Sony and FAME Productions. In 1988 the group won TNN Music City News award for Best Group.

FAME sells its publishing catalog to EMI in 1989.

Another company is formed with Rick Hall and his three sons, Mark, Rodney and Rick Jr. Rick Hall Sr. turns over day to day operations of the company. Publishing hits continue to flow throughout the 90's from FAME's songwriters. Gary Baker, Mark Namore, Brad Crisler, Bruce Miller, Mark Hall, Tony Colton along with Walt Aldridge all pen several hits for FAME.

In 1994 John Michael Montgomery cuts the FAME Publishing classic, "I Swear". The song goes to #1 for four weeks. Atlantic pop artist All-4-One covered the country smash and their version was at #1 for a Billboard Magazine record 17 weeks. "I Swear" was #1 in every



Document title: Our history – Fame Studios

Capture URL: <https://famestudios.com/our-history/>

Capture timestamp (UTC): Mon, 17 Jun 2024 18:42:42 GMT

Page 2 of 5

Addendum - 368

a deal. Walt Aldridge and Gary Baker's group, the Shooters, were also signed under this production deal. Shenandoah did four albums for Sony and had seven #1 records in a row before leaving Sony and FAME Productions. In 1988 the group won TNN Music City News award for Best Group.

FAME sells its publishing catalog to EMI in 1989.

Another company is formed with Rick Hall and his three sons, Mark, Rodney and Rick Jr. Rick Hall Sr. turns over day to day operations of the company. Publishing hits continue to flow throughout the 90's from FAME's songwriters. Gary Baker, Mark Namore, Brad Crisler, Bruce Miller, Mark Hall, Tony Colton along with Walt Aldridge all pen several hits for FAME.

In 1994 John Michael Montgomery cuts the FAME Publishing classic, "I Swear". The song goes to #1 for four weeks. Atlantic pop artist All-4-One covered the country smash and their version was at #1 for a Billboard Magazine record 17 weeks. "I Swear" was #1 in every country in the world. The song went on to win every award imaginable including ASCAP country and pop "Song of the Year", Grammy for Country "Song of the Year" and ACM Country "Song of the Year". FAME also won American Songwriter Magazine "Publisher of the Year". The song was involved in over 20 million record sales.



FAME Publishing has hits with John Michael Montgomery, Pam Tillis, Blackhawk, Tim McGraw, Reba McEntire, All-4-One and Shenandoah.

In 1996 Mark Hall Co-wrote "I Like It I Love It" which went on to be #1 on the country charts for 4 weeks. This song also was nominated for numerous country awards and won the American Songwriter Magazine Song Of The Year.

1997 Sons of the Desert have a top 10 record with Brad Crisler's "Whatever Comes First".

1997 Tony Colton pens LeAnn Rimes' smash "Commitment".

In 1999 FAME Publishing sells partial catalog to Music and Media.

Rodney and Mark Hall buy the remaining shares of stock from Rick Hall, as he decides to conserve his time for his production efforts.



Dixie Chicks Bruce Miller's "Once You've Loved Somebody" for the Wide Open Spaces CD which has sold eleven million records to date.

In 2000 Tim McGraw cuts and releases FAME's "Some Things Never Change", co-written by FAME writer Brad Crisler. The publishing company replenishes its writing staff with new young writers James LeBlanc and Victoria Banks, with veteran Russell Smith to anchor the group. Rick Hall produces part of the Alabama When It All Goes South CD at FAME in 2000.

Since 2000 FAME Publishing has had cuts on the Dixie Chicks, George Strait, Joe Diffie, Martina McBride, Travis Tritt, Sara Evans, Cyndi Thomson, Aaron Tippin, Billy Ray Cyrus, Alabama, John Michael Montgomery, Chris Ledoux, Perfect Stranger, 3 of Hearts, Chad Brock, Rebecca Lynn Howard, Michael Peterson, Kristin Garner, T. Graham Brown, Wild Horses and Kenny Chesney.

Victoria Banks has the to 10 single on Sara Evans, "Saints and Angels".

James LeBlanc has the Travis Tritt single, "Modern Day Bonnie & Clyde".

2000 Jason Isbell signs with FAME Publishing.

Jason Isbell joins the Drive By Truckers

In 2001 FAME Publishing established a subsidiary label, Muscle Shoals Records, immediately signing Amazing Rhythm Aces front man Russell Smith and Muscle Shoals super group The Decoys as their first acts.



2009 Dylan LeBlanc signs with FAME Publishing and records his debut album "Pauper's Field" recorded in FAME Studio B. The entire album is published by FAME

2009 Jason Isbell and the 400 Unit record their self titled album. The entire album is published by FAME

Drive by Truckers record the "Dirty South" album at FAME Studio B

James LeBlanc lands two cuts on Rascal Flatts #1 "Feels Like Today" album

2007 Jason Isbell records debut album "Sirens of the Ditch" recorded at FAME Studio B. The entire album is published by FAME.

Bettye Lavette records her Grammy nominated album "Scene of the Crime" at FAME.. Studio A

Heartland records the song of the year "I Loved her First" in FAME Studio B.. with longtime colleague Walt Aldridge handling the production duties.

Rock and Roll Hall of Fame inductee Spooner Oldham begins his solo project at FAME.

James LeBlanc and John Paul White pen the Jason Aldean smash "Relentless"

James LeBlanc, Matt Warren and Gary Allan write the Gary Allan top 10 record "Learning How to Bend"

Band of Horses record a portion of their massive hit album "infinite Arms in FAME's studio A

Jamey Johnson records his great version of "Two out of Three Ain't Bad" at fame.





James LeBlanc, Matt Warren and Gary Allan write the Gary Allan top 10 record "Learning How to Bend"

Band of Horses record a portion of their massive hit album "infinite Arms in FAME's studio A

Jamey Johnson records his great version of "Two out of Three Ain't Bad" at fame.

2009 Dylan LeBlanc signs with FAME Publishing and records his debut album "Pauper's Field" recorded in FAME Studio B. The entire album is published by FAME

2009 Jason Isbell and the 400 Unit record their self titled album. The entire album is published by FAME

2010 Jason Isbell and the 400 unit records "Here We Rest" album. The entire album is published by FAME

Jason Isbell and the 400 Unit Live from Alabama is released. The entire album is published by FAME.

2012 Eli "Paperboy" Reed records "Steal Away" for the then unnamed album that will become "Muscle Shoals Small Town, Big Sound" album. He also records "Shock to the System"

2013 Phish Records part of "Fuego" album at FAME, produced by Bob Ezrin.

2013 Jason Isbell releases "Southeastern". The entire album is published by FAME.

Jan 23-24 Anderson East records "The Muscle Shoals Sessions – Live from FAME" EP

2015 Cyril Neville and the Royal Southern Brotherhood record "Don't Look Back" album at FAME

March 2016 Gregg Allman records his final farewell album "Southern Blood" at FAME. RIP Gregg Allman!

Eric Essix records his album, "This Train" at FAME

December 2016 Chris Gelbuda records his debut album

2016 Kirby Brown records "Uncommon Prayer" album at FAME

December 2016 Scott Sharrard, Gregg Allman's bandleader records his album "Saving Grace" at FAME.

2017 Blind Boys of Alabama record their "Almost Home" album at FAME.

2017 Paul Thorn records part of his "Don't Let the Devil Ride" with guests the Blind Boys of Alabama

2017 Third Day records their farewell album "Revival" at FAME with Monroe Jones producing.

March 8, 2017 Vince Gill records "True Love" for the Muscle Shoals Small Town Big Sound" album.

March 14, 2017 Michael McDonald records "Cry Like a Rainy Day" for the Muscle Shoals Small Town Big Sound" album.

Feb 27, 2017 Tom Johnston and Delbert McClinton record "Giving it up for your love"

Peter Levin records is debut album at FAME.

May 2017 Alan Jackson records "Wild Horses" for the Muscle Shoals Small Town Big Sound" album.

March 15, 2017 Keb' Mo' records "The Road of Love forthe Muscle Shoals Small Town Big Sound" album.

March 16, 2017 Alison Krauss records "Come and Go Blues" forthe Muscle Shoals Small Town Big Sound" album.

June 22, 2017 tracks for Aloe Blacc's "I'll Take you There" is recorded for the "Muscle Shoals Small Town Big Sound" album.

August 23, 2017 Mike Farris and the Blind Boys of Alabama record "Respect Yourself" for the "Muscle Shoals Small Town Big Sound" album.

2017 Paul Cauthen records "My Gospel" at FAME

2017 the Texas Gentlemen record "Texas Jelly"

November 29, 2017 Chord Overstreet records "We've got Tonight" for the "Muscle Shoals Small Town Big Sound" album.

January 2, 2018 Bishopp Gunn records "Alabama" single for the "Natchez" album at FAME.

February 13, 2018 Robben Ford records

March 11, 2018 Brent Smith from Shinedown recorded "Mustang Sally" for the "Muscle Shoals Small Town Big Sound" album.

March 6, 2018 track for Grace Potter's "I'd Rather Go Blind" is recorded.

March 27, 2018 Demi Lovato records an Aretha classic at FAME

April 24-27 2018 Steven Tyler records "Brown Sugar" for the Muscle Shoals Small Town Big Sound" album.

October 1-5, 2018 – Betty Fox Band

October 15-20, 2018 – Stephen Knight

November 2018 Foy Vance records at FAME

2018 Murray Cook – the red wiggle from the Wiggles.

November 6, 2018 – Muscle Shoals Small Town Big Sound album goes to #1 for the first of 5 weeks on the Americana album charts.



Document title: Our history – Fame Studios

Capture URL: <https://famestudios.com/our-history/>

Capture timestamp (UTC): Mon, 17 Jun 2024 18:42:42 GMT

Page 4 of 5

Addendum - 370

2017 Foy Vance records "My Cousin" at FAME

2017 the Texas Gentlemen record "Texas Jelly"

November 29, 2017 Chord Overstreet records "We've got Tonight" for the "Muscle Shoals Small Town Big Sound" album.

January 2, 2018 Bishop Gunn records "Alabama" single for the "Natchez" album at FAME.

February 13, 2018 Robben Ford records

March 11, 2018 Brent Smith from Shinedown recorded "Mustang Sally" for the "Muscle Shoals Small Town Big Sound" album.

March 6, 2018 track for Grace Potter's "I'd Rather Go Blind" is recorded.

March 27, 2018 Demi Lovato records an Aretha classic at FAME

April 24-27 2018 Steven Tyler records "Brown Sugar" for the Muscle Shoals Small Town Big Sound" album.

October 1-5, 2018 - Betty Fox Band

October 15-20, 2018 - Stephen Knight

November 2018 Foy Vance records at FAME

2018 Murray Cook - the red wiggles from the Wiggles.

November 6, 2018 - Muscle Shoals Small Town Big Sound album goes to #1 for the first of 5 weeks on the Americana album charts.

November 6, 2018 - Grace Potter's "I'd Rather Go Blind" hits #1 on the Americana singles chart for first of two weeks at the top spot

November 26-30, 2018 - Cody Brooks

January 25, 2019 - Muscle Shoals Small Town Big Sound Vinyl released

Feb 4-8, 2019 - Bishop Gunn starts recording new album.

February 15, 2019 - SSL 5056E delivered to newly remodeled FAME Studio B



February 19-23 & May 1-3, 2019 - Foy Vance comes into work on his upcoming album "Foy Vance From Muscle Shoals"

May 7-9, 2019 - The Revivalists records and videos upcoming release including "Oh No"

May 21-22 & August 21-23, 2019 - Maggie Rose album

June 1-10, 2019 - Savants of Soul record upcoming release

August 22, 2019 - Blind Boys of Alabama record background vocals on War and Treaty project


August 23, 2019 -

August 25, 2019 - Margo Price works on upcoming project

August 26-Sept 4, 2019



Photo by Michael Weintraub



Where to find us

FAME Recording Studios
603 East Avalon Avenue
Muscle Shoals, AL 35661
256-381-0801
info@famestudios.com

Stay connected

[Contact Us](#)

[Twitter](#) [Facebook](#) [Instagram](#)

2018 FAME. All rights reserved.




EXHIBIT 38

Addendum - 372

npr NEWSLETTERS SIGN IN NPR SHOP DONATE

Play Live Radio

NEWS CULTURE MUSIC PODCASTS & SHOWS SEARCH

HOURLY NEWS LISTEN LIVE PLAYLIST

CULTURE

The Legendary Muscle Shoals Sound

Alabama Studios Rolled Out Big Hits of '60s and '70s

SEPTEMBER 20, 2003 · 12:00 AM ET

HEARD ON WEEKEND EDITION SATURDAY

Debbie Elliott

Listen + PLAYLIST

In an obscure northwest corner of Alabama, a little-known piece of music history is up for sale. The Muscle Shoals Sound Studio was a recording mecca for rhythm and blues, rock and pop artists in the '60s and '70s.

In 1969, four local session players known as the Muscle Shoals Rhythm Section decided to open up their own recording studio. David Hood, the group's bass guitarist and studio co-founder, says the studio's name was a joke of sorts.

"There was a Motown sound, there was a Nashville sound, there was a Memphis sound, and I said, 'Muscle Shoals Sound,'" Hood tells NPR's Debbie Elliott. "And we all thought that was just the funniest thing. And then after a bit we thought, 'Heck, why not?'"

In fact, that sound was already developing in Muscle Shoals at a studio called Fame – the first studio in the region to cut a hit record. That was 1961's "You Better Move On," by local bellhop Arthur Alexander, and it was the first of a string of R&B hits recorded there by such artists as Aretha Franklin, Wilson Pickett and Clarence Carter.

Muscle Shoals seemed an unlikely place for a celebrity crowd: the nicest hotel was a Holiday Inn, and sometimes the area's studios would put artists up in mobile homes at the local trailer park. But the music kept the stars coming, and in its heyday in the mid-70s, the area was home to eight studios.

Sponsor Message



DADICATION

A subject-matter documentary exploring the challenges of fatherhood.

WATCH THE FILM

ad council

Sponsor Message Become an NPR sponsor



"I think they just got funkier records here than they did anywhere else," says Fame studio president Rodney Hall. "And it's a lot more laid back than any other music center in the country."

Artists from outside the South also found their sound there. Detroit rocker Bob Seger's signature song – "Old Time Rock 'n' Roll" – began as a demo tape at the Muscle Shoals Sound Studio. An engineer's mistake gave the song its distinctive da-da-da intro. Seger liked the sound and kept it in the final song.

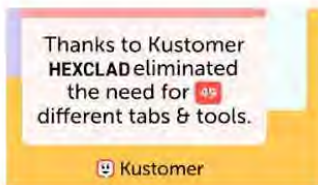
Clarence Carter, who has been recording in Muscle Shoals for nearly five decades, says there's a vibe in the town that he could never capture when he recorded in California.

"There is some soul in Alabama that you can't find in Los Angeles," Carter says.

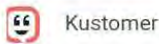
That sound is a blend of country, gospel and R & B, says Alabama Music Hall of Fame curator George Lair.

"You can draw a triangle from Nashville to Memphis to Muscle Shoals, and while Nashville is the country center, Memphis is generally known as the blues center," Lair says. "Muscle Shoals, being between those two places, has been able to combine those two styles into a real Southern rhythm and blues that was very appealing."

Sponsor Message



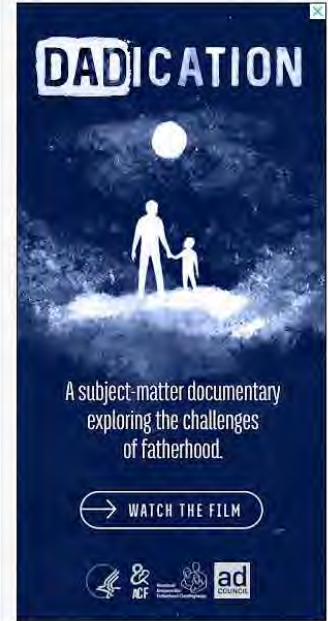
#1 AI Support Platform



[Learn More](#)

Among those drawn to the area was Paul Simon, who came in search of the band behind the recording that many call the essence of the Muscle Shoals sound: "I'll Take You There" by the Staple Singers. Simon's collaboration with the Muscle Shoals Rhythm Section produced the hits "Kodachrome" and "Loves Me Like a Rock."

The Rhythm Section partners sold the Muscle Shoals Sound Studio in 1985. Now it's back on the market for \$650,000. So far, potential buyers include developers who would like to build condos, and others who are not interested



Sponsor Message


Become an NPR sponsor

Among those drawn to the area was Paul Simon, who came in search of the band behind the recording that many call the essence of the Muscle Shoals sound: "I'll Take You There" by the Staple Singers. Simon's collaboration with the Muscle Shoals Rhythm Section produced the hits "Kodachrome" and "Loves Me Like a Rock."

The Rhythm Section partners sold the Muscle Shoals Sound Studio in 1985. Now it's back on the market for \$650,000. So far, potential buyers include developers who would like to build condos, and others who are not interested in keeping the studio intact. That worries Hood, who still keeps an office here.

"I'm seeing this place that I worked so hard, and my partners worked so hard to build going to waste and deteriorating because it's not being used," Hood says. "My greatest fear is if they don't find a buyer, they're just going to take it, dismantle it and sell it a piece at a time... That would break my heart."





Sign up for NPR's Up First newsletter.

The news you need to start your day. Nothing more, never less.

SUBSCRIBE

[See more subscription options](#)

By subscribing, you acknowledge and agree to NPR's Terms of Use and Privacy Policy. NPR may share your name and email address with your NPR station. See Details.

More Stories From NPR

CULTURE

In some Alaska villages, hunting and fishing season starts with a 'throwing party'



POP CULTURE HAPPY HOUR


Our favorite graduation moments in pop culture



CULTURE


Darkly romantic goth gardens are having a moment in the sun — here's how to grow one



 **Play Live Radio**


▶ HOURLY NEWS ▶ LISTEN LIVE ▶ PLAYLIST

DADICATION



A subject-matter documentary exploring the challenges of fatherhood.

[→ WATCH THE FILM](#)



Sponsor Message Become an NPR sponsor

The original owner partners with the Hales Creek Sound Studio in 1989. Now it's back on the market for \$650,000. So far, potential buyers include developers who would like to build condos, and others who are not interested in keeping the studio intact. That worries Hood, who still keeps an office here.

"I'm seeing this place that I worked so hard, and my partners worked so hard to build going to waste and deteriorating because it's not being used," Hood says. "My greatest fear is if they don't find a buyer, they're just going to take it, dismantle it and sell it a piece at a time... That would break my heart."





Sign up for NPR's Up First newsletter.

The news you need to start your day. Nothing more, never less.

SUBSCRIBE


[See more subscription options](#)

By subscribing, you acknowledge and agree to NPR's Terms of Use and Privacy Policy. NPR may share your name and email address with your NPR station. See Details.


More Stories From NPR

- CULTURE


In some Alaska villages, hunting and fishing season starts with a 'throwing party'


- POP CULTURE HAPPY HOUR


Our favorite graduation moments in pop culture


- CULTURE

Darkly romantic goth gardens are having a moment in the sun — here's how to grow one


- BOOK REVIEWS

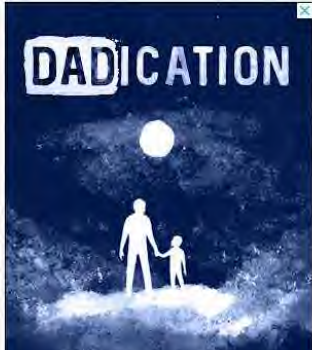
In 'Consent,' an author asks: 'Me too? Did I have the agency to consent?'



Play Live Radio


▶ HOURLY NEWS
▶ LISTEN LIVE
▶ PLAYLIST

DADICATION



A subject-matter documentary exploring the challenges of fatherhood.

→ WATCH THE FILM



Sponsor Message
Become an NPR sponsor

EXHIBIT 39

Addendum - 377

[Collections](#)[Features](#)[Interviews](#)[Videos](#)[Lectures](#)[Red Bull Music Academy](#)[Search](#)

The Defiant Spirit of the Muscle Shoals Sound

In the racially segregated American South of the 1960s, a small group of producers and artists built a studio that brought black and white soul artists together, and blended rock & roll, soul and R&B to create a regional sound that went nationwide.

March 1, 2016

By [Erin Osmon](#)

If '60s Nashville was the South's musical Goliath, then The Shoals – the four cities of Tuscumbia, Sheffield, Florence and Muscle Shoals in northwestern Alabama, on the banks of the Tennessee River – were the stone: unassuming, but powerful. It was in Muscle Shoals that Rick Hall and his Florence Alabama Music Enterprises (FAME) Studios became responsible for the "Muscle Shoals Sound": soul music signified by the bloodletting belting of the region's gospel singers, and funky instrumentation marked by cranked-up bass and drums.

Almost uniquely for the era, Hall arranged for black singers such as local bellhop Arthur Alexander and Jimmy Hughes to play and record with local white musicians, and became responsible for one of the most notable independent singles of the era. When it was released in 1961, Hall and Hughes's collaborative single and labor of love, "Steal Away," defied the racial segregation of the times and wove FAME Studios deep into the story of soul music in the South.



Document title: The Defiant Spirit of the Muscle Shoals Sound | Red Bull Music Academy Daily

Capture URL: <https://daily.redbullmusicacademy.com/2016/03/muscle-shoals-feature>

Capture timestamp (UTC): Fri, 14 Jun 2024 16:21:49 GMT

Page 1 of 12

Addendum - 378



Hall wasn't the first music business impresario in the region, though. Jud Phillips was the brother of Sam Phillips, who set up the legendary rockabilly and rock and roll incubator Sun Studios in Memphis, TN, where Elvis Presley and Jerry Lee Lewis cut their teeth. Jud himself founded the short-lived Judd record label in Florence and would go on to be a monstrous force on behalf of Sun Studios. The success of singles such as Johnny Cash's "Get Rhythm" and Elvis Presley's "Blue Suede Shoes" are widely attributed to Jud's flair for promotion.

In the same year that Presley released "Blue Suede Shoes," James Joiner founded Tune Records and Tune Publishing in the back of his family-owned bus business in Florence. This was the beginning of many firsts for the "Muscle Shoals Sound." Tune was one of the first Alabama-based publishing companies with a demo studio, and Joiner wrote the first big hit to come out of The Shoals, "A Fallen Star," launching the singing career of local high school student Bobby Denton, who was later christened "The Singing Senator" during his 22-year run in the Alabama senate.

This regional success drew the attention of small town players like Hall and his friend Billy Sherrill – who played bass and sax in rival dance bands, The Country Pals and The Rhythm Swingers, and before joining forces for rock & roll band The Fairlanes – and the surly but ingenious singer-songwriter Dan Penn, who briefly fronted The Fairlanes. For all three, it was the financial promise of catching Nashville's eye that attracted them. They'd all regularly write and shop tunes to Joiner in the hopes of a \$50 paycheck, and



Roy Orbison - Sweet And Innocent



Roy Orbison - Sweet And Innocent

rival dance bands, The Country Pals and The Rhythm Swingers, and before joining forces for rock & roll band The Fairlanes – and the surly but ingenious singer-songwriter Dan Penn, who briefly fronted The Fairlanes. For all three, it was the financial promise of catching Nashville's eye that attracted them. They'd all regularly write and shop tunes to Joiner in the hopes of a \$50 paycheck, and at times it would work out: Joiner published a few of their early songs, like "Sweet and Innocent"; recorded in 1958 as a single by Roy Orbison, and then in 1970 by Donny Osmond.

Soon after Phillips cut the first side by Arthur Alexander, "Sally Sue Brown," in 1960, James Joiner decided to focus on the family business and ride the royalty wave courtesy of folks who would cover "A Fallen Star," as well as other cuts from his publishing roster – but not before introducing Hall and Sherrill to Tom Stafford.

An eccentric local who managed two movie theaters in Florence, Stafford had caught the music publishing bug from Joiner and was known to have a strange demeanor. "Tom was born with a hunched back, and he liked to sit on a stool with his legs doubled back underneath him," Hall recalls. "Dan Penn once said that Tom reminded him of a bat with its wings folded up."

His pitch to Hall and Sherrill was convincing, though, and it didn't hurt that Stafford's father had offered up three dilapidated rooms above the City Drug Store that he owned as a DIY live-work space. It was here in Florence that Hall and Sherrill set up a ramshackle demo studio: soundproofing one room with egg cartons, stapling carpets and curtains onto the walls and windows, and fitting plexiglass between two of the rooms. They would toil away at their songwriting, and sleep on cots when they needed to.



Muscle Shoals, 2016



Muscle Shoals, 2016

Their portable tape machine was a hand-me-down from James Joiner which recorded in mono, meaning that if anyone screwed up they had to start the take all over. Hall was the only one with any studio experience and even that seemed like a stretch, as it was mostly the product of self-taught tinkering at local radio station WERH, in Hamilton, AL, where he had worked a short stint as a

Joiner which recorded in mono, meaning that if anyone screwed up they had to start the take all over. Hall was the only one with any studio experience and even that seemed like a stretch, as it was mostly the product of self-taught tinkering at local radio station WERH, in Hamilton, AL, where he had worked a short stint as a younger man. Even so, he appointed himself as the head engineer as radio studio and recording studio setups were very similar then. "No one would ever mistake one of our demos for a master or a hit record but, dumb as we were, we believed the quality was equal to or superior to the records on the radio," Hall said.

Unlike the romanticized warehouse lofts and art communities of more metropolitan cities, Florence was not a great source of pride for two near-broke musicians squatting above their buddy's dad's store. But despite Stafford's bohemian outlook being oddball for 1959, Joiner's success had attracted a handful of songwriters to the area and it suited the musicians looking to use The Shoals as a launch pad to Music City. It was here that Hall first auditioned Arthur Alexander's gospel quartet, The Heartstrings, about a year before Alexander cut "Sally Sue Brown." Though it ultimately went nowhere, Stafford felt that Alexander had great potential as a singer and writer and signed him to their publishing arm, along with Penn and another local musician called Terry Thompson.

Hall took to his new digs with fervor. He would drive their catalog back and forth from Nashville as the trio's pitchman and wait hours to meet with the likes of Owen Bradley at Decca, Chet Atkins at RCA or Shelby Singleton at Mercury Records. Since Nashville's burgeoning country and pop music scenes were somewhat insular communities in 1959, before the attention of a wider cultural cognoscenti set in, it wasn't unheard of for a nobody from nowhere to pitch to such monolithic producers. Nearly any songwriter with the patience and spare time could take a seat in the lobby, and wait for for his or her shot.

"Once through the door, Owen, Chet or Shelby would put my tape on, listen for about 15 or 20 seconds, then fast forward the tape to the next song," Hall said. "If you made it past the first verse and chorus, you were doing pretty well. If they didn't listen to the second verse, you were dead in the water."



(June) Arthur Alexander - Sally Sue Brown





Muscle Shoals, 2016

Muscle Shoals, 2016

Though Hall's unrelenting work ethic was initially energizing for the three friends, a year later it was polarizing. Stafford and Sherrill confronted Hall, citing his hard-nosed tendencies as the reason why they wanted him out of the business. "Billy wrote some songs, but he and Tom seemed more interested in socializing and spending untold hours holed up in the balconies of The Shoals and Cinema theaters," Hall said. "I don't think I saw three movies the whole time we worked together, but I'll bet Tom and Billy saw 50."

Stafford emphasized that he and Sherrill desired an amicable split, and meant Hall no harm, but Hall still felt the sting of rejection. After negotiations, Stafford and Sherrill sold the FAME name to Hall for \$1 and retained much of the songwriter roster, including Arthur Alexander, for their own publishing company, Spar Music. Sherrill eventually split from Stafford and in 1962 headed north to manage the Nashville base of Sam Phillips' Sun Records, and Penn and Thompson opted to head out on a new adventure with Hall.

Deflated but not defeated, Hall packed up and headed to a former tobacco warehouse on Wilson Dam Road in Muscle Shoals to form his FAME recording studio, and found the FAME publishing company with Penn, Thompson and himself as the in-house songwriters. With steady income from writing jingles for local businesses and playing on weekends with The Fairlanes, the blow from the Stafford and Sherrill ousting began to heal. And it was a good thing, too, because it wasn't long until Stafford came knocking again.

In 1961, Stafford rang up Hall with a fortuitous hunch. He thought that Arthur Alexander had written a hit, "You Better Move On," but Sherrill and himself had little studio experience and didn't know how to cut it. After hearing it, Hall agreed to help produce it. The potential for money and fame now outweighed his bruised ego. "When I heard 'You Better Move On' for the first time, I thought that Arthur's melody would fit perfectly with the rhythm pattern of my old favorite 'Stand By Me,'" Hall explained. "I altered the bassline just a little, then I used an open sock cymbal with room echo from the bathroom for that loud, metallic effect."

Everything of that era was recorded live in mono. After securing a mixing board, organ and piano for the studio, Hall hung a Telefunken microphone in the bathroom in the back of the building and used the space as an echo chamber. This microphone would capture Alexander's vocals and Montgomery's acoustic guitar at



Arthur Alexander - You Better Move On

the bathroom for that loud, metallic effect.

Everything of that era was recorded live in mono. After securing a mixing board, organ and piano for the studio, Hall hung a Telefunken microphone in the bathroom in the back of the building and used the space as an echo chamber. This microphone would capture Alexander's vocals and Montgomery's acoustic guitar at the same time and – because he couldn't control the volume between the two – Hall would move them forward and back, six inches or so, until he achieved the sound that he wanted. The remaining, lesser microphones in the studio were arranged one each, in front of the snare drum, kick drum, piano and electric guitar.

"I believed then, and still believe today, that any more than three microphones on a drum set is senseless and counterproductive," Hall said. This DIY session ignited Hall's fire. Since he had never produced or mixed a record before, he did it by trial and error. His determination cemented his reputation as a dogged fireball who was unwilling to compromise. "Rick Hall lived with that record like a hermit until he had it just right," Alexander remarked. "He knew exactly what he wanted, and he wasn't going to stop until he got it."



Muscle Shoals, 2016 | [Michael O'Leary](#)



Muscle Shoals, 2016 | [Michael O'Leary](#)

By 1961 songs like Elvis Presley's "Are You Lonesome Tonight?" and the doo wop version of "Blue Moon" by The Marcells had topped the Billboard Hot 100 Chart. Racial segregation remained in full effect in America's Southern states, despite the organizing efforts of civil rights activists participating in marches and sit-ins at segregated universities and other public spaces. The Freedom Riders were just beginning to challenge the status quo by boarding interstate buses, and embarked on their inaugural journey from Washington D.C. to New Orleans.

Without enough money to press the record, Hall took "You Better Move On/A Shot Of Rhythm and Blues" to Nashville with hopes of selling it to a big label. Instead, he encountered one rejection after the next. "Most said it was 'too black' for country [music] and 'too country' for black [music]," Hall said. It's hardly a stretch to imagine that a comparatively raw R&B track by an

without enough money to press the record, Hall took "You Better Move On/A Shot Of Rhythm and Blues" to Nashville with hopes of selling it to a big label. Instead, he encountered one rejection after the next. "Most said it was 'too black' for country [music] and 'too country' for black [music]," Hall said. It's hardly a stretch to imagine that a comparatively raw R&B track by an unknown black singer from north Alabama was a hard sell in a musical epicenter dominated by white country, rock & roll and pop artists, and to a lesser extent the more polished, metropolitan sounds of black artists from the north. When Hall had almost given up hope, he pitched the song out of desperation to a producer, Noel Ball, at local pop radio station WMAK. Ball heard the potential and had a relationship with Randy Wood; the founder of Dot Records, which had recently moved from Tennessee to Hollywood.

Wood scooped it up and offered Hall and Alexander three percent of the sales royalties each – which boded well for them. As the song climbed to #22 on the national pop charts it eventually made its way to England, where it was covered by The Hollies and The Rolling Stones in 1964. But Arthur Alexander was Tom Stafford's artist. After the success of "You Better Move On," Stafford and Ball brought Alexander to Nashville, without Hall, to record a long player. Hall never worked with Alexander again.

Hall's wife Linda remarked that once the owner of the warehouse caught wind of Hall and Alexander's successes, he attempted to raise Hall's rent from \$65 to \$365 a month, forcing Hall to explore other spaces. As the story goes, Hall took his first \$1,900 royalty check from the sale of "You Better Move On" to build the permanent walls of FAME at 603 East Avalon Avenue, in Muscle Shoals; once a lonely structure in the middle of a field, neighbored only by a local diner, Hall built a new studio with help from Countryopolitan hit maker Owen Bradley. It was the largest room that Hall had ever worked in: 45-feet long, 20-feet high, 20-feet wide.



The Rolling Stones - You Better Move On



© 2016 Getty Images



"Owen firmly believed that the key to building a great sounding studio was to have a tall ceiling and no echo inside the main

"Owen firmly believed that the key to building a great sounding studio was to have a tall ceiling and no echo inside the main room," Hall said. "This was done with acoustic tile, louvered walls and baffles." Bradley taught Hall how to build a proper echo chamber out of hard plaster, with all of the rooms edges rounded off. It measured 8-feet wide, 10-feet long and 8-feet high. While the new studio was under construction, Hall met the man who would ultimately cement him as a legendary producer in an unlikely locale.



Jimmy Hughes - I'm Qualified

Jimmy Hughes was the older cousin of the then-unknown Percy Sledge. He sang in a local gospel quartet called The Singing Clouds until his bandmate and friend, Carl Bailey, had the idea to introduce the seraphic-voiced singer to Hall – the new record producer in town. "Carl and I were raised up together in Leighton," Hughes said. "I don't know how he actually first got in touch with Rick, but he came and told me that he knew this guy who wanted to record some artists – but I was happy with The Singing Clouds and so I told him that I didn't want to do it."

Hughes' tune changed when he noticed the former hotel bellhop Arthur Alexander cruising around The Shoals in a new Lincoln Continental. Hall recognized Hughes's star power from their first meeting. "Just like his idol Sam Cooke, Jimmy Hughes was an extremely handsome young black man, with a unique and sensational high tenor voice," he said. "Nobody could ever hit those high notes Jimmy Hughes could hit as a singer, and they certainly couldn't milk the emotion and soul from the lyrics like he could."

The first single they cut, "I'm Qualified," written by Hall and local radio disc jockey Quin Ivy, was licensed in 1962 to Philadelphia's Guyden Records. The single did well locally, but didn't cause enough of a stir nationwide to chart. Undeterred, Hughes began to sing his new R&B songs around Alabama (on the weekends, when he wasn't working in a rubber factory) and it slowly crossed over from the gospel world into the secular singing world.

Then, Hall had a game-changing idea. Despite the lukewarm reception to "I'm Qualified," Hall asked Hughes to come back after he'd written a few songs of his own. "That was strange, in a way," Hughes says. "I'd never written any songs before. When he told me that, I just started thinking up words and lines and so forth. It took me about two weeks to write 'Steal Away,' but it came fairly easy once I finally got into it," says Hughes. "That was the first thing that I [ever] wrote."

"Steal Away" would be the single that would finally give Hall the confidence that FAME Studios could operate as an autonomous hit-making factory. It became a wildly successful hit that would go on to be covered by Ann Peebles and Wilson Pickett, but what's



Jimmy Hughes - Steal Away

once I finally got into it," says Hughes. "That was the first thing that I [ever] wrote."

"Steal Away" would be the single that would finally give Hall the confidence that FAME Studios could operate as an autonomous hit-making factory. It became a wildly successful hit that would go on to be covered by Ann Peebles and Wilson Pickett, but what's often left out of the story is that the demo was shelved for a couple of years before Hall recut it. "It was Dan [Penn] that convinced my dad that it was a hit," Hall's son Rodney explained. "There are two versions of 'Steal Away,' but the one recorded at the new studio [at the latter studio on Avalon Avenue, as opposed to the original Wilson Dam Highway studio] that became the hit."

Despite Penn's conviction that "Steal Away" would be a smash, Hall was concerned about the lyrical theme. Could a song about infidelity by a black artist really captivate a Southern audience deep in the throes of Governor George Wallace's reign of terror? But after Hughes re-recorded it with most of the musicians from Alexander's original "You Better Move On" session, he became more than convinced.

"When Jimmy's velvety high tenor voice kicked in, and cried the pleading lyrics, 'Please, please steal away,' big chill bumps rose up on my arms and the hair on the back of my neck stood straight up," he said. Hall couldn't believe it when Hughes hit the high notes near end of the track: begging "I know it's late, but oh I can't wait / So come on and steal away," without a falsetto. "I watched Jimmy rear back, dig in, and with passion and determination written all over his face, nail it."

Hall had captured lightning in a bottle on his own, and deepened the pain of Alexander's pleading soulfulness from that of a mere bump to a forceful punch. He shopped "Steal Away" to Nashville, but it was met with the same reception as Alexander's "You Better Move On." After losing Alexander to a short-sighted handshake deal, Hall was determined to tip his songs into the hit realm on his terms.

The pair loaded up 2,000 self-funded 45s and lots of clear hooch into a borrowed station wagon, with aims of pressing a copy of "Steal Away" and a bottle of vodka into the palm of every regional black disc jockey who'd have them.

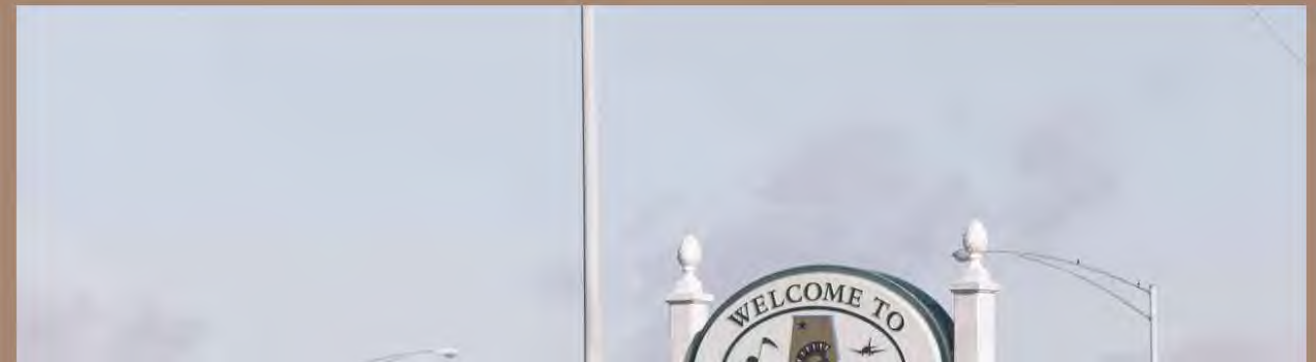
By now, in 1964, Governor George Wallace had staged his "Stand in the Schoolhouse Door" at the University of Alabama in Tuscaloosa, a symbolic act of his commitment to racial segregation. President Lyndon B. Johnson signed the Civil Rights Act that same year, but despite federal legislation segregation remained the norm in many resistant Southern states. Police forces and pro-segregation groups attacked civil rights activists in the streets. "It was a dangerous time, but the studio was a safe haven where blacks and

a symbolic act of his commitment to racial segregation. President Lyndon B. Johnson signed the Civil Rights Act that same year, but despite federal legislation segregation remained the norm in many resistant Southern states. Police forces and pro-segregation groups attacked civil rights activists in the streets. "It was a dangerous time, but the studio was a safe haven where blacks and whites could work together in musical harmony," Hall said. "If I had any fear of danger for me and my family, it would have come from whites who objected to my close friendship and working association with black people."

In a metaphorical act of retaliation against the popular music machine, and the even bigger systemic racial oppression of the still-segregated state of Alabama, Penn and Hall set off on what became known as "The Vodka Tours." The pair loaded up 2,000 self-funded 45s and lots of clear hooch into a borrowed Ford station wagon, and spent nine days driving from Tupelo, Mississippi to New Orleans and back over to Atlanta, with aims of pressing a copy of "Steal Away" and a bottle of vodka into the palm of every regional black disc jockey who'd have them.

"Steal Away" became increasingly sticky on airwaves as the 45 sold out in batches of 650, over and over again, in a series of deals Hall struck with regional, independent distributors as far north as Washington D.C. "Being an independent producer and working outside the major labels was nearly impossible back then," Rodney Hall added. "Jimmy was the first multiple-hit artist for the label that was from this area. That was a real point of pride for my dad." Hughes could then finally quit his full time job at a rubber factory. "They told me I had a hit on my hands and – oh, it made me so happy, I didn't know what to do," he said. "I was making more money and to know that I was a star, something I never really thought I would be, was a tremendous feeling."

Ultimately, Hall would license "Steal Away" to Vee Jay Records in Los Angeles: retaining all of its rights, and cashing in on big royalties as the single climbed to the Top 20 of the Billboard Hot 100. But, perhaps more importantly, it gave Hall the confidence to press on with his own label and original FAME studio band, establishing what would become the sound known as Muscle Shoals.





On a different note



Nightclubbing: Atlanta's Royal Peacock
→ A club that represented so much more than a place for entertainment



Interview: Numero Group on Syl Johnson, Capsoul, and Dinosaur Jr.



On a different note



Nightclubbing: Atlanta's Royal Peacock
→ A club that represented so much more than a place for entertainment



Interview: Numero Group on Syl Johnson, Capsoul, and Dinosaur Jr.

© Red Bull 2019 | Terms of Use | Privacy Policy | Legal Notice

EXHIBIT 40

Addendum - 390

Live Now: Press Briefing by Press Secretary Karine Jean-Pierre

THE WHITE HOUSE



MENU



MAY 29, 2024

Remarks by President Biden and Vice President Harris at a Campaign Event | Philadelphia, PA

BRIEFING ROOM | SPEECHES AND REMARKS

Girard College
Philadelphia, Pennsylvania

2:17 P.M. EDT

THE VICE PRESIDENT: Good afternoon, Philadelphia. (Applause.) Good afternoon. Good afternoon. Good afternoon.

I want to thank Robert Nix for your leadership and for those very kind words and all you do for our country.

And I want to thank all the incredible leaders who are here with us today, in particular our young leaders. It is so good to see you all. (Applause.)

I also want to thank the members of the Congressional Black Caucus who are with us this afternoon. (Applause.)

And, everyone else, thank you for being here.

So, in 2020, Black voters in Philadelphia and across our nation helped President Biden and me win the White House. (Applause.) Yes, you did. And in 2024, with your voice and your power, we will win again. (Applause.)

Philadelphia, in Joe Biden, we have a fighter; a leader with skill, vision, determination, and compassion; a leader who keeps his promises.

As a candidate for president, Joe Biden gave his word that we would fight to address some of the biggest issues facing the Black community, and we have delivered. (Applause.)

In 2020, Joe Biden and I vowed that we would lower the cost of healthcare, like insulin.

For far too many years, too many of our seniors with diabetes had to make the awful decision about either filling their prescription or paying their rent, and Black Americans are 60 percent more likely to be diagnosed with diabetes. So we passed the cost of insulin for seniors at \$35 a month.

Share



Document title: Remarks by President Biden and Vice President Harris at a Campaign Event | Philadelphia, PA | The White House

Capture URL: https://www.whitehouse.gov/briefing-room/speeches-remarks/2024/05/29/remarks-by-president-biden-and-vice-president-harris-at-a-campaign-event...

Capture timestamp (UTC): Mon, 17 Jun 2024 18:51:06 GMT

Page 1 of 14

Addendum - 391

THE WHITE HOUSE



MENU

In 2020, Joe Biden and I vowed to uld lower the cost of healthcare, like insulin.

For far too many years, too many of our seniors with diabetes had to make the awful decision about either filling their prescription or paying their rent, and Black Americans are 60 percent more likely to be diagnosed with diabetes. So, we capped the cost of insulin for seniors at \$35 a month. (Applause.)

And under Joe Biden's leadership, finally, we took on Big Pharma and finally gave Medicare the power to negotiate drug prices. (Applause.)

We also took on the issue of debt, which makes so many people feel like they can never get ahead.

Take, for example, medical debt. We are now making it so medical debt can no longer be included on your credit score — (applause) — so that medical debt cannot impact a person's ability to get a car loan, an apartment lease, or a home loan. (Applause.)

In 2020, we promised to forgive student loan debt. (Applause.)

Do I see people testifying? (Laughs.) Can I get a witness? (Laughs.)

And I'll tell you, I — I have a unique position as Vice President to spend a lot of time with our president. And on this subject, I remember sitting in the Oval Office with our president, Joe Biden, shortly after the United States Supreme Court struck down our initial plan to forgive billions of dollars in student loan debt.

AUDIENCE: Booo —

THE VICE PRESIDENT: A different leader — a different kind of leader would have thrown in the towel. Not Joe Biden. (Applause.) Not Joe Biden.

And I'm going to tell you what he said that day. I'm going to tell you what he said that day: "This is not over." (Applause.)

So, we kept fighting. And so far, we have forgiven over \$165 billion in student loan debt for over 5 million Americans. (Applause.) On average, more than 30 dollar — \$30,000 per person and \$70,000 for our public servants, like nurses, firefighters, and teachers. (Applause.)

In 2020, we promised to take on the issue of the epidemic of gun violence, knowing that today, in America, gun violence is the number-one cause of the death of the children of America — not car accidents, not cancer — gun violence.

We took on the issue knowing Black Americans are 10 times as likely to be the victim of gun homicide.

And I'll tell you, I have personally held too many hands of mothers and fathers as I attempted to comfort them after their child was killed by gun violence.

Share



Top

THE WHITE HOUSE



MENU

We took on the issue knowing Black Americans are 10 times as likely to be the victim of gun homicide.

And I'll tell you, I have personally held too many hands of mothers and fathers as I attempted to comfort them after their child was killed by gun violence.

So, to address this crisis, under the President's leadership, we passed the first major gun safety law in nearly 30 years – (applause) – a bipartisan law to strengthen background checks.

And, again, I sat in the Oval Office with the President, where he sat down with Democrats and Republicans and appealed to their better selves. And that's why, for the first time in 30 years, it happened as a bipartisan deal.

We created the first White House Office of Gun Violence Prevention, which I lead and has now invested \$1 billion to hire mental health – (applause) – mental health counselors in public schools to help heal the mental trauma of gun violence.

And, Philadelphia, in all of our work, the President has been guided by a fundamental belief: We work for you, the American people – (applause) – not the special interests, not the billionaires or the big corporations, but the people.

And in November, all the victories we have won and everything we fight for every day is on the line.

You know, Donald Trump once asked Black Americans – I'm going to quote, excuse the language – "What the hell do you have to lose from a Trump presidency?" And sadly, we all know too well.

When he was president, Donald Trump tried over and over to get rid of the Affordable Care Act and to take healthcare, then, from millions of Black Americans.

Year after year, he proposed cuts to Social Security and Medicare so that so many of our seniors would be deprived on what they rely on to live with dignity.

And then he handpicked three members of the United States Supreme Court – the court of Thurgood –

AUDIENCE: Booo –

THE VICE PRESIDENT: – with the intention that they would overturn Roe v. Wade. And as he intended, they did.

And today, one in three women and more than half of Black women of reproductive age live in a state with an abortion ban – a Trump abortion ban. And if he wins a second term, I promise you: He's going to go even further.

So all of this is to say, who sits in the White House matters. It matters for –



Top



And today, one in three women and more than half of Black women of reproductive age live in a state with an abortion ban — a Trump abortion ban. And if he wins a second term, I promise you: He's going to go even further.

So, all of this is to say, who sits in the White House matters. It matters for — (applause) — it matters for the people of America and for people around the world.

As vice president, I've now met with over 150 world leaders: presidents, prime ministers, chancellors, and kings. And I cannot tell you how many times one of those leaders has pulled me aside and talked about how much the world relies on us and on Joe Biden's leadership — (applause) — his defense of democracy, his commitment to the ideals of freedom and liberty and equality, and his willingness to fight for these ideals.

And as the people of Pennsylvania know, our president does not only know how to fight, he knows how to win. (Applause.)

We beat Donald Trump once, and we going to beat him again. (Applause.)

And now it is my honor to introduce our President, Joe Biden. (Applause.)

THE PRESIDENT: Hello, Philadelphia! (Applause.)

AUDIENCE: Four more years! Four more years! Four more years!

THE PRESIDENT: Thank you.

AUDIENCE: Four more years! Four more years! Four more years!

THE PRESIDENT: Thank you, thank you, thank you.

It's good — it's good to be —

AUDIENCE: Four more years! Four more years! Four more years!

THE PRESIDENT: (Laughs.) It's good to be almost home. (Applause.) I just live down the road a little bit.

Thank you, Kamala, for your partnership. And it is a partnership. And how about another round of applause for our great Vice President. Isn't she something else? (Applause.)

It's great to see so many friends, including my fellow Scrantonian Senator Bobby Casey. Bobby, where are — where are you? (Applause.) There you are. There you are.

Mayor Parker; Lieutenant Governor Davis — (applause); and Chair of the Congressional Black Caucus, Steve Horsford — (applause); and members of the CBC who are here tonight, I'm a — if I introduced everybody, I'll be here all night.

But look, while he couldn't be here, we're thinking of our dear friend



Top

THE WHITE HOUSE



MENU

Mayor Parker; Lieutenant Governor Davis – (applause); and Chair of the Congressional Black Caucus, Steve Horsford – (applause); and members of the CBC who are here tonight, I'm a – if I introduced everybody, I'll be here all night.

But, look, while he couldn't be here, we're thinking of our dear friend Congressman Dwight Evans. He's recovering. And he's going to recover. He's doing well. (Applause.)

And joining us are so many state and local officials from across the country, including a guy for my father's hometown, where he was born, Baltimore, Maryland. They say it down in Baltimore, not Baltimore. (Pronounced in an accent.) I want to – I want to introduce you to the mayor of – the mayor – the governor of the great state of Maryland. Where are you, Gov? (Applause.)

In case you haven't noticed, he looks like he can still play too. (Laughter.) It's great to be with you, Gov.

Civil rights and community leaders from all across the country.

Folks, if anyone wothers – wonders whether their vote matters, remember this: Because Black America voted in 2020, I'm –

Please, have – have a seat, if you can, if you have a seat.

Because Black Americans voted, Kamala and I are President and Vice President of the United States – because of you. That's not hyperbole. Because you voted, Donald Trump is a defeated former president. (Applause.)

And with your vote – with your vote in 2024, we're going to make Donald Trump a loser again. (Applause.)

In 2020 and throughout my career – I know a lot of Philadelphians know this because I got so much help when I was running for the Senate in Delaware from Philly – Black voters placed enormous faith in me. I've tried to do my best to honor that trust, staying true to the value set that we share – it got me involved as a kid in the first place: Everyone is entitled to be treated with dignity and respect, faith and family are everything, and we leave no one behind. (Applause.)

But, folks, I know it's natural to wonder if democracy – the democracy you hear about actually works for you. When justice is denied, how can it be working for you? When promises are broken, how can it be working for you? When you have to be 10 times better than everyone else to get the same shot, how can it be working for you?

I get it. And I know there's a lot of misinformation out there. So, I came today to speak the truth – (applause) – the truth about promises made and promises kept.

Do you remember when the pandemic hit – when 20 million people were

Share



Top

THE WHITE HOUSE



MENU

same shot, how can it be working

I get it. And I know there's a lot of misinformation out there. So, I came today to speak the truth – (applause) – the truth about promises made and promises kept.

Do you remember when the pandemic hit – when 20 million people were out of work, when businesses and schools shut down, emergency rooms were overwhelmed, and Black folks were hit harder than anyone? When Trump was president, he said – and he said this – he took responsibility for none of it – said, "It's none of my responsibility."

When I came into office, I promised we'd do everything we can to get us through that pandemic. And that's what we did. That, folks, was a promise made and a promise kept. (Applause.)

I promised to put racial equality at the center of everything I do because I vowed I would have an administration that looked like America. Because you voted, we're invested more money than ever in the Black families and communities. A promise made and a promise kept.

I promised we'd start to reconnect Black and brown and overlooked neighborhoods cut off by highways in the '60s and decades of disinvestment as a consequence of it, including here in Philly. But we're – changed that with the Recovery Act of – with the – in the – right now you see all the construction going on on the highways around here. A promise made and a promise kept. (Applause.)

Look, I said I'd remove every lead pipe in America so every child can drink clean water without fear of brain damage. We're doing it. A promise made and a promise kept. (Applause.)

I promised we'd also take the most significant action on environmental justice ever to remove the legacy of pollution that smothers fence-line communities, because every child, every American deserves to breathe clean and fresh air. We're doing it. A promise made and a promise kept. (Applause.)

I promised to access affordable high-speed Internet because now Internet is just as important as it was in the days of Franklin Roosevelt – electricity was generations ago. We're delivering now because no child should have to do their homework at McDonald's when things are shut down, sit in the parking lot with their parent to get it done. Another promise made and another promise kept.

I promised to protect your healthcare. I protected and expanded the Affordable Healthcare Act that was Obamacare – is still Obamacare – (applause) – saving – saving millions of Americans an additional \$800 a year in premiums.

And, folks, the Affordable Care Act is still a big deal. (Applause.)

As Kamala just explained, senators with – debated this, but we finally got it done – we debated – seniors with diabetes are now paying \$35 for insulin

Share



Top



(applause) — saving — saving millions of dollars for Americans an additional \$500 a year in premiums.

And, folks, the Affordable Care Act is still a big deal. (Applause.)

As Kamala just explained, senators with — debated this, but we finally got it done — we debated — seniors with diabetes are now paying \$35 for insulin instead of \$400. I'm determined to make that apply to every American, not just seniors, in the second term. (Applause.)

We're capping — the bill we've already passed, we capped total out-of-pocket costs for drugs for seniors beginning next year at \$2,000 a year total, excluding — including cancer drugs that cost \$10-, \$12-, \$14,000 a year. You pay no more than \$2,000 a year. (Applause.) A promise made and a promise kept.

And, by the way, it not only saves people money, it saves the taxpayers — guess what? — \$160 billion cut in the def — because Medicare doesn't have to pay those exorbitant prices. (Applause.)

Folks, one of the reasons I got started and won the first time and subsequent times in Delaware is because of the best HBCU in America, Delaware State. (Applause.) Kamala — Kamala says it's some school down in Washington. (Laughter.)

Anyway, HBCUs are incredible institutions, but they don't have the same endowments as other universities to fund research centers and do so much more. Because you voted, I kept my commitment, and we're investing \$16 billion — (applause) — the most ever in the history of America — \$16 billion. It will grow America. It will save America money. A promise made and a promise kept.

I'm keeping my promises that no one should be in jail merely for using or possessing marijuana. (Applause.) I pardoned thousands of people incarcerated for the mere possession of marijuana — thousands. A promise made and a promise kept. And for — their records should be expunged as well, I might add. (Applause.)

Folks, it wasn't easy to get a lot of this done. In fact, obstacles every step of the way, we faced. For example, Senate Republicans blocked the George Floyd Justice in Policing Act. But it didn't stop me from signing a historic executive order requiring key elements of that bill for federal enforcement. That is banning choke holds, greatly restricting no-knock warrants, creating databases for police misconduct, and so much more. (Applause.) But we're still — and we did it with the support of George Floyd's family, and we're going to finally get it all done. A promise made and a promise kept.

I promised we'd beat the NRA. And we did. (Applause.) As Kamala mentioned, I signed the most significant gun safety law in nearly 30 years. A promise made and a promise kept.

And, by the way, I'm going to go back and once again ban assault weapons in America. (Applause.) I did it once; I'll do it again.



Top

THE WHITE HOUSE



MENU

I promised we'd beat the NRA. And we did. (Applause.) As Kamala mentioned, I signed the most significant gun safety law in nearly 30 years. A promise made and a promise kept.

And, by the way, I'm going to go back and once again ban assault weapons in America. (Applause.) I did it once; I'll do it again.

The Supreme Court blocked me from relieving student debt, but they didn't stop me.

So far, I've relieved student debt for nearly 5 million Americans — (applause) — a significant number are Black borrowers — so you can chase your dreams, start a family, buy a first home, start a business, and so much more.

And guess what? It grows the economy. It strengthens the economy.

I'm going to keep it going. A promise made is a promise kept.

But we're — speaking of the —

AUDIENCE MEMBER: (Inaudible.)

THE PRESIDENT: — speaking of the courts, because you voted, I was able to keep my commitment to appoint the first Black woman on the United States Supreme Court — (applause) — Justice Ketanji Brown Jackson. A promise made and a promise kept.

And I appointed more Black women to the federal circuit courts than every other president in American history combined. (Applause.) Every single president combined.

And overall, we've appointed 200 Black judges to the federal — I mean, judges to the federal bench.

And guess what? The next president — they're going to be able to appoint a couple of justices, and I'll be damned if they're not going to — (applause) —

Look, if, in fact, we're able to change some of the justices when they retire and put in re- — really progressive judges like we've always had, tell me that won't change your life when jus- — Trump justices are already gutting voting rights, overturning Roe, decimating affirmative action, and so much more. Are we going to let that happen? We can't.

AUDIENCE: Noo —

THE PRESIDENT: No, we — we really can't.

Now, let's talk about Trump's MAGA lies. I don't have an hour, but (inaudible) it. (Laughter.)

Trump takes credit for sending all the pandemic relief checks alone. It's a lie. The truth is the Congressional Black Caucus got that money passed. (Applause.)

Share



Top



Now, let's talk about Trump's MAGA lies. I don't have an hour, but (inaudible) it. (Laughter.)

Trump takes credit for sending all the pandemic relief checks alone. It's a lie. The truth is the Congressional Black Caucus got that money passed. (Applause.)

And when Kamala and I came to office, with the help of the CBC, passed legislation to deliver more checks in the pockets to millions of Americans, including Black Americans – \$1,400 checks from the American Rescue Plan we passed, and then \$300 a month per child per family through the Child Tax Credit, which cut child poverty in half for Black families. (Applause.) And I'm going to get it reinstated in the second term.

Folks, Trump continues to lie by saying Black unemployment was at a record low on his watch. The fact is the record low unemployment happened on my watch, and we're going to keep it going. (Applause.)

Black small businesses are starting up at a faster rate in 30 years because of what we've done. The racial wealth gap is the lowest it's been in 20 years because of our efforts. A promise made and a promise kept.

I announced signif – the most significant housing plan in 50 years that includes first-time homebuyer's tax credit, building millions of affordable housing to bring rents down. New data shows a 40 percent cut in the gap between home appraisals in majority white communities versus those of color – in communities of color.

You know, the same exact builder on av – either – on either side of 95, build the same houses – if it's a Black community, it's lower – the value, from the very day it's built, ends up being lower than the exact same house across the highway in the white community.

We're doing everything we can to right that wrong.

And guess what? We're talking on corporate greed – (applause) – to bring down the price of gas, food, and rent; eliminating junk fees. Instead of getting charged 35 bucks for an overdraft, it's \$3 now, not \$35. (Applause.)

The bottom line is we've invested more in Black America than any previous administration in history has. We're opening more doors for economic opportunity, including access to capital, entrepreneurship, workforce training so you can build a life of financial freedom and create generational wealth, all – all while being the providers and leaders of your families and community. Another promise made and a promise kept.

We're just getting started. In a second term, we want to keep it going to level the playing field by making the wealthy begin to pay their fair tax. (Applause.) It ain't even close.

I said I'd not increase the tax of anybody making less than \$400,000 a year. Well, guess who – how much – guess how much the average federal tax rate is for a billionaire? We've got a thousand of them. 8.3 percent. 8.3



Top

THE WHITE HOUSE



MENU

we're just getting started. In a second, we want to keep it going to level the playing field by making the wealthy begin to pay their fair tax. (Applause.) It ain't even close.

I said I'd not increase the tax of anybody making less than \$400,000 a year. Well, guess who — how much — guess how much the average federal tax rate is for a billionaire? We've got a thousand of them. 8.3 percent. 8.3 percent. It's outrageous. If the billionaires only had to pay 25 percent, it would raise 40 — \$400 billion. We'd be able to do everything we're doing now and still reduce the debt.

Look, billionaires pay their fair share, not only would it save — not only reduce the deficit, but it could provide childcare, eldercare, paid leave, and so much more to change the lives of millions of Americans, as well as grow our economy.

But, folks, all progress, all freedom, all opportunities are at risk. Trump is trying to make the country forget just how dark and unsettling things were when he was president. But we'll never forget lying around and him — how he and — and us — him — him lying around, actually. (Laughter.) And lying about how serious the pandemic was and say he had no responsibility for it. And telling Americans, "Just inject a little bleach." Remember that?

The way he's acting, I think he injected a hell of a lot of bleach in himself. (Laughter.)

Trump —

AUDIENCE MEMBER: (Inaudible.)

THE PRESIDENT: (Laughs.) You got it, kid. (Laughter.)

Trump and his MAGA extremists want to give power back to Big Pharma to charge — continue to charge exorbitant fees. Trump is still determined, in his own words, quote, to "terminate" the Affordable Care Act, which would deny 3 million Black Americans health insurance, deny protections for preexisting conditions for millions more.

During his presidency, Trump enacted a \$2 trillion tax cut overwhelmingly benefitting the very wealthy and the biggest corporations and exploded the federal deficit. He racked up more federal debt than any president did in any presidential term in history. Tell me about the Republicans and balancing budgets. And now he wants to do it again.

At the same time, he is determined to cut Social Security and Medicare.

AUDIENCE: Booo —

THE PRESIDENT: I have a better idea: Let's protect Social Security and Medicare and make the very wealthy begin to pay for it. (Applause.)

As Kamala said, Trump brags about gutting Roe v. Wade — standing there, "I did this" — while he openly encourages voter suppression and election subversion.

Share



Top

THE WHITE HOUSE



MENU

THE PRESIDENT: I have a better plan to protect Social Security and Medicare and make the very wealthy begin to pay for it. (Applause.)

As Kamala said, Trump brags about gutting Roe v. Wade — standing there, “I did this” — while he openly encourages voter suppression and election subversion.

Folks, reelect Kamala and me and a Democratic Congress, and I will sign the John Lewis Voting Right Act and the Freedom to Vote Act tomorrow — (applause) — and we will make Roe v. Wade the law of the land again. (Applause.) It's within our power to do this.

MAGA extremists ban books. Did you ever think — if you're anybody over 30 years old — you'd go through a period where we're banning books in America? They're trying to erase Black history. We're going to write Black history, because it's American history. (Applause.) It's American history.

Together, we make history, not erase it.

To me, the values of diversity, equality, inclusion are literally — and this is not kidding — the core strengths of America. That's why I'm proud to have the most diverse administration in history that taps into the full talents of our country. And it starts at the top with the Vice President.

On Memorial Day, I proudly stood with a Black man — the highest order — the first Black Secretary of Defense; second Black Chairman of the Joint Chiefs of Staff; Black woman heads of military units who are overseeing the most diverse, strongest fighting force in the history of the world. (Applause.)

And, folks, the threat that Trump poses is greater in his second term than his first. It's clear that when he lost in 2020, something literally snapped in this guy. No, I'm serious. That's why January 6th happened, when he unleashed an insurrection.

Now, he's running again, and he's clearly unhinged. He calls the insurrectionists who stormed the Capitol “patriots” — “patriots.” If reelected, he wants to pardon, quote, “every one” of them.

AUDIENCE: Booo —

THE PRESIDENT: Let me ask you, what do you think he would've done on January the 6th if Black Americans had stormed it — think about this: What do you think would have happened if Black Americans had stormed the Capitol? I don't think he'd be talking about pardons.

This is the same guy who wanted to tear gas you as you peacefully protested George Floyd's murder. The same guy who still calls the Central Park Five “guilty,” even though they were exonerated.

He's that landlord who denies housing applications because of the color of your skin.

He's that guy who won't say “Black lives matter” and invokes neo-Nazi,

Share



Top



protested George Floyd's murder. ... guy who still calls the Central Park Five "guilty," even though they were exonerated.

He's that landlord who denies housing applications because of the color of your skin.

He's that guy who won't say "Black lives matter" and invokes neo-Nazi, Third Reich terms.

And we all remember Trump is the same guy who unleashed birthism — the birtherism lie against Barack.

And then Trump tells you he's the greatest president — I love this one. He says he's the greatest president for BI- — Black people in the history of America, including more than Abraham Lincoln. (Makes sign of the cross.)

AUDIENCE: Booo —

THE PRESIDENT: I mean, can you fathom that? Where in the hell — (applause) — like I said, I think he injected too much of that bleach in his skin — into his brain. (Laughter.) I think it affected his brain.

Some lies are so foolish that you don't have to say anything about them at all.

Maya Angelou said, "When someone shows you who they are" —

AUDIENCE: Believe them!

THE PRESIDENT: — "believe them the first time." You got it, kid. (Laughter.) You got it.

I've shown you who I am, and Trump has shown you who he is. And today, Donald Trump is pandering and peddling lies and stereotypes for your votes so he can win for himself, not for you.

Well, Donald Trump, I have a message for you: Not in our house and not on our watch. (Applause.)

Let me close with this. Let me close with this. And, folks, I know we have a lot more to do. When the full promise of America is not available to every person in this country regardless of race, we've got work to do. But let's not lose sight of how far we've come. And the reason is you.

The stakes in this election couldn't be higher. What's at stake is nothing less than the fundamental ideal of America — it defines America: that we're all created equal, endowed by our Creator with certain inalienable rights, and should be treated that way throughout our lives. We've never lived up to it, but we've never, ever before completely walked away from it, either.

And I'll be damned if I'm going to let Donald Trump be the reason we stopped being America. (Applause.)

I'll be damned if I'm going to let Donald Trump — (applause) — we're not going to let Donald Trump turn America into a place that doesn't believe in



Top

THE WHITE HOUSE



MENU

but we've never, ever before comp...alked away from it, either.

And I'll be damned if I'm going to let Donald Trump be the reason we stopped being America. (Applause.)

I'll be damned if I'm going to let Donald Trump — (applause) — we're not going to let Donald Trump turn America into a place that doesn't believe in honesty, decency, and treating people with respect. And I'll be damned if I'm going to let Donald Trump turn America into a place filled with anger and resentment and hate. (Applause.)

Folks, America has always been a place where we've worked toward a more perfect Union, where those who were excluded in the past are included in the promise in the country today. I still believe that. I'm still optimistic. But I need you.

So, my question for you is simple — a simple one: Are you with me?

AUDIENCE: Yes! (Applause.)

THE PRESIDENT: Talk to your family.

AUDIENCE: Four more years! Four more years! Four more years!

THE PRESIDENT: Spread the word.

AUDIENCE: Four more years! Four more years! Four more years!

THE PRESIDENT: As the gospel song goes, "We've come too far from where we started. Nobody told me the road would be easy. I don't believe He brought me this far, though, to leave me." (Applause.)

My fellow Americans, I don't think the good Lord brought us this far to leave us behind. We just have to remember who we are. We're the United States of America, and there is nothing — nothing, nothing — beyond our capacity when we act together.

God bless you all. And may God protect our troops. (Applause.)

Thank you, thank you, thank you.

Every time — every time I walked out of my Grandfather Finnegan's house up in Scranton, he'd yell, "Joey, keep the faith." And my grandmother would yell, "No, Joey, spread it."

Go spread the faith. (Applause.)



On-the-Record Press Gaggle by White House National Security Communications Advisor John Kirby

THE WHITE HOUSE



MENU

leave us behind. We just have to re... who we are. We're the United States of America, and there is nothing — nothing, nothing — beyond our capacity when we act together.

God bless you all. And may God protect our troops. (Applause.)

Thank you, thank you, thank you.

Every time — every time I walked out of my Grandfather Finnegan's house up in Scranton, he'd yell, "Joey, keep the faith." And my grandmother would yell, "No, Joey, spread it."

Go spread the faith. (Applause.)

On-the-Record Press Gaggle by White House National Security Communications Advisor John Kirby

MAY 29, 2024 • PRESS BRIEFINGS

[Next >](#)

Share



Stay Connected

EMAIL ADDRESS*

example@example.com

ZIP CODE

ZIP Code

Sign Up



Top

[Home](#)

[The Administration](#)

[Executive Offices](#)

[Priorities](#)

[The Record](#)

[Briefing Room](#)

[The White House](#)

[Disclosures](#)

[Get Involved](#)

[Español](#)

[Contact Us](#)

[Privacy Policy](#)

[Copyright Policy](#)

[Accessibility Statement](#)



The White House

1600 Pennsylvania Ave NW
Washington, DC 20500

WH.GOV

Document title: Remarks by President Biden and Vice President Harris at a Campaign Event | Philadelphia, PA | The White House

Capture URL: <https://www.whitehouse.gov/briefing-room/speeches-remarks/2024/05/29/remarks-by-president-biden-and-vice-president-harris-at-a-campaign-event...>

Capture timestamp (UTC): Mon, 17 Jun 2024 18:51:06 GMT

Page 14 of 14

Addendum - 404

ORAL ARGUMENT SCHEDULED FOR SEPTEMBER 16, 2024

Case No. 24-1130
Consolidated With No. 24-1113

**IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

TIKTOK INC. and BYTEDANCE LTD.

Petitioners,

v.

MERRICK B. GARLAND, in his official capacity as Attorney General of
the United States,

Respondent.

(continued on inside cover)

**ON PETITION FOR REVIEW OF THE PROTECTING AMERICANS
FROM FOREIGN ADVERSARY CONTROLLED APPLICATIONS
ACT (H.R. 815)**

**ADDENDUM TO OPENING BRIEF OF CREATOR PETITIONERS
VOLUME 4 of 4 (Add. 405–427)**

Ambika Kumar
Tim Cunningham
Xiang Li
DAVIS WRIGHT TREMAINE LLP
920 Fifth Avenue, Suite 3300
Seattle, Washington 98104
(206) 757-8030
ambikakumar@dwt.com
timcunningham@dwt.com
xiangli@dwt.com

Jeffrey L. Fisher
O'MELVENY & MYERS LLP
2765 Sand Hill Road
Menlo Park, California 94025
(650) 473-2633
jlfisher@omm.com

(continued on inside cover)

Attorneys for Creator Petitioners

BRIAN FIREBAUGH, CHLOE JOY SEXTON, TALIA CADET,
TIMOTHY MARTIN, KIERA SPANN, PAUL TRAN, CHRISTOPHER
TOWNSEND, and STEVEN KING,

Petitioners,

v.

MERRICK B. GARLAND, in his capacity
as United States Attorney General,

Respondent.

BASED Politics Inc.,

Petitioner,

v.

MERRICK B. GARLAND, in his official capacity as Attorney General of
the United States,

Respondent.

Elizabeth A. McNamara
Chelsea T. Kelly
DAVIS WRIGHT TREMAINE LLP
1251 Avenue of the Americas
New York, New York 10020
(212) 489-8230
lizmcnamara@dwt.com
chelseakelly@dwt.com

James R. Sigel
Adam S. Sieff
DAVIS WRIGHT TREMAINE LLP
50 California Street, Suite 2300
San Francisco, California 94111
(415) 276-6500
jamessigel@dwt.com
adamsieff@dwt.com

Joshua Revesz
O'MELVENY & MYERS LLP
1625 Eye Street NW
Washington, DC 20006
(202) 383-5261
jrevesz@omm.com

Attorneys for Creator Petitioners

TABLE OF CONTENTS

	<u>PAGE</u>
Protecting Americans from Foreign Adversary Controlled Applications Act, Pub. L. No. 118-50, Division H	1
Declaration of Talia Cadet	8
Declaration of Brian Firebaugh	18
Declaration of Steven King	28
Declaration of Timothy Martin	35
Declaration of Chloe Joy Sexton	44
Declaration of Kiera Spann.....	52
Declaration of Christopher Townsend	63
Declaration of Paul Tran.....	73
Declaration of Ambika Kumar.....	81

EXHIBIT 41

Addendum - 405

https://thehill.com/homenews/campaign/4403845-biden-trump-both-pitch-existential-fear-of-the-alternative-to-voters/

June 17, 2024

THE HILL

News | Policy | Business | Health | Opinion | Events | Jobs

Video

Newsletters

Q

LIVE: Balancing the Federal Budget, A Bipartisan Conversation with The Hill and 92nd Street Y

TRENDING: NETANYAHU SAMUEL ALITO ETHICS BILL BIDEN AD

SPONSORED: CONTENT FROM SIKORSKY, A LOCKHEED MARTIN COMPANY



What Are the Dumbest Things People Overspend On?

The average American overpays for things constantly. Here are the 21 worst culprits...

[Learn More »](#)

JUST IN

CAMPAIGN

Ex CDC director predicts bird flu pandemic: What to know

1 MINUTE AGO

'Daily Show' unleashes dog adoption and voter registration effort: 'InDogCision 2024'

1 MINUTE AGO

How US influence can end harmful fisheries subsidies

25 MINUTES AGO

Commuters are getting longer as hybrid workers make trade-offs

45 MINUTES AGO

Is a Democratic or Republican president better for the economy?

55 MINUTES AGO

High-profile New Jersey Democrat George Norcross charged with racketeering

55 MINUTES AGO

Drinking coffee could lower death risk from being sedentary: Study

1 HOUR AGO

Wes Moore pardons 175K marijuana convictions in Maryland

1 HOUR AGO

VIEW ALL

Biden, Trump each pitch existential fear of the alternative to voters

BY BRETT SAMUELS - 01/12/24 5:30 AM ET

SHARE POST



Illustration by Courtney Javer, Greg Heiser and A. Scott Bost

Cutouts of former President Donald Trump and President Joe Biden are facing off in front of an American flag. While Biden has warned that democracy is at stake, Trump is using dystopian language to describe a nation teetering on the edge of destruction.

To listen to the two leading candidates for the White House tell it, there's much more on the line in November's election than control of the executive branch.

President Biden has warned democracy, truth and the character of the nation is at stake in 2024. He has told donors a victory this November could very well save American democracy, underscoring the grave threat he believes former President Trump poses to U.S. institutions.



Place an Ice Cube on a Burger When Grilling, Here's Why

Trump, for his part, has used dystopian language to describe a nation teetering on the edge of destruction if Biden wins reelection. At one recent rally in Sioux Center, Iowa, Trump said the country was "dying" and "a mess"

Something on your mind?

Reach out to a friend about their mental health.

[Learn more](#)

SEIZE THE AWKWARD

Most Popular

- Senate Democrat: Supreme Court 'readying to...
- Flying with marijuana: Will TSA stop you for edibles, CBD product...
- Pelosi's split from Jeffries on Netanyahu invite prompts quiet...
- White House accused of scuttling Democratic support for ethics bill

and claimed if Biden remains in office, immigration will become such a problem that "we're not going to have a country."

Democrats and Trump critics lambaste comparing the two messages in any way that elevates the risk of a second Biden term to those of a second Trump term. They cite Trump's own words suggesting he'd be a dictator on day one and calling for prosecuting his opponents.

"There are some conservatives who are trying to make this claim that somehow Biden is a bigger risk than Trump," former Rep. Liz Cheney (R-Wyo.) said on "The View" Wednesday. "My view is I disagree with a lot of Joe Biden's policies. We can survive bad policies. We cannot survive torching the Constitution."

But the intensity of the rhetoric from Biden and Trump gets at the reality that each side is seeking to motivate its base voters with grave warnings of what the future of the country would be under the alternative.

And the success of those messages could be critical assuming Trump wins the GOP nomination and faces Biden in the fall.

Such a contest would likely be close and largely could depend on turnout, strategists in both parties have long pointed out.

ADVERTISEMENT



Find the **BEST PRODUCTS**
at the **BEST PRICES** with
BEST REVIEWS

[Go Now](#)

In both 2016 and 2020, several thousand voters across a handful of swing states ultimately decided the outcome of the election.

The Hill/Decision Desk HQ polling averages show Trump leading Biden in a hypothetical rematch in November by roughly 1 percentage point. Swing state polling has been mixed, with Biden leading Trump in Pennsylvania in a Quinnipiac University poll released Wednesday, and Trump leading Biden in Michigan in a Detroit News poll released this week.

And in an election where a large number of voters don't want to elect Biden and Trump, convincing supporters to turn out because of the danger of the alternative could be key.

ADVERTISEMENT



**Reach out to your
friend who seems
a little gloomy.**

[Learn more](#)

ad  **SEIZE THE AWKWARD**

"There's a limited pool for each side to go after," said Sean Spicer, a former Trump White House press secretary. "One of the greatest motivators is fear."

Biden's campaign has embraced the idea that democracy itself is on the ballot in 2024, echoing the message that helped propel him to the White House in 2020.

"As we begin this election year, we must be clear: Democracy is on the ballot. Your freedom is on the ballot," Biden said in his first campaign speech of the year, delivered Jan. 5 in Pennsylvania.

5 High-profile New Jersey Democrat George Norcross charged wit...

6 Former CDC director predicts bird flu pandemic

[Load more](#)



ADVERTISEMENT



"Whether democracy is still America's sacred cause is the most urgent question of our time," he added. "And it's what the 2024 election is all about."

In South Carolina on Monday, Biden argued Trump and his supporters who push the false claim that the 2020 election was fraudulent are a danger to America's basic values and to the concept of the truth.

"The truth is under assault in America," Biden said in Charleston. "As a consequence, so is our freedom, our democracy, our very country because, without the truth, there is no light. Without light, there's no path from this darkness."

ADVERTISEMENT



A Quinnipiac University poll of Pennsylvania voters released Wednesday underscored why Biden has leaned into such stark messaging. The poll found 44 percent of Democrats said their top issue in 2024 was preserving democracy, with no other issue reaching double digits.

An Associated Press-NORC poll released in December found 67 percent of voters said November's election will be important to the future of democracy, ranking behind only the 75 percent who said it would be important for the economy.

Trump's rhetoric, which has always been hyperbolic, has conversely painted a picture of a nation falling apart that cannot bear another four years without him in office.

ADVERTISEMENT



"2024 is our final battle. It is our final battle. If we lose this battle, we lose our country," Trump said at a recent rally in Iowa, adding the stakes of the election "could not be higher."

Trump frequently describes Biden as "incompetent" and tells his supporters the nation's borders are being overrun, inflation is skyrocketing and the U.S.

is not respected on the world stage. He often tells supporters the country is "going to hell."

"I don't know how much more our nation can take."



At a December rally in Nevada, Trump told supporters that, with their votes, "we are going to save America."

The former president appears poised to tap into concerns about immigration among independents and Republican voters, both of which listed border security as their top issue in the Quinnipiac poll of Pennsylvanians.

Trump's dark rhetoric about Democratic rule is familiar terrain for the former president. In his inaugural address in January 2017, Trump infamously described the "American carnage" that had left cities decaying and overrun with crime.

Biden has in some cases looked to turn Trump's own rhetoric against him, arguing the former president's language is not reflective of the American public.

"None of you believe America is failing. We know America is winning. That's American patriotism," Biden said to applause in Pennsylvania last week.

Political strategists acknowledged the risks in Biden's approach in particular. They noted that because he's the incumbent, there is more pressure on him to make a positive case for his candidacy rather than just offering warnings about his opponent.

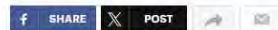
But Democrats and even some Republicans said Biden's rhetoric is rooted in concerns about what Trump himself has said should he regain power, giving it a heightened sense of urgency.

"We don't really have to speculate about the kinds of things [Trump] wants to do during a second term because he's saying these things. So if people are paying attention they're aware of it," said Sarah Matthews, a former Trump White House official who has spoken out about the risks Trump poses to democracy.

"I think that the people that he would need to win over most in a general election, those kinds of independent voters, they're paying attention to these statements and they're concerned," she added.

TAGS DONALD TRUMP JOE BIDEN JOE BIDEN LIZ CHENEY MICHIGAN NEVADA PENNSYLVANIA

Copyright 2024 Nexstar Media Inc. All rights reserved. This material may not be published, broadcast, rewritten, or redistributed.



SPONSORED CONTENT

Powered by Taboola

Privacy Policy





Amazon's Worst Nightmare: Thousands Canceling Prime for...

Online Shopping Tools | Sponsored



Here's What A New Gutter System Should Cost You In 2024

Leaf Filter USA | Sponsored

[Learn More](#)



Flight Attendant Shows How To Fly Business Class For The Price of...

Online Shopping Tools | Sponsored

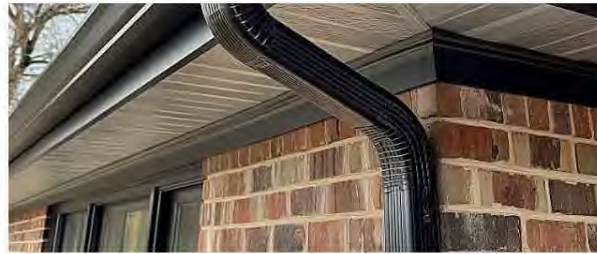
[Learn More](#)



This is How Much New Windows Should Cost in 2024

rbafibrexwindows.com | Sponsored

[Learn More](#)



Don't Pay For New Gutters. Get This 3-In-1 System Instead

Leaf Filter USA | Sponsored

[Learn More](#)



Don't Pay \$179/Year for Amazon Prime - Use This Trick Instead

Coupon Code Finder | Sponsored



If Players Knew This - They Would Never Stop Playing

Buzzdaily Winners | Sponsored

[Read More](#)



Capital Gains Exemptions for Seniors

SmartAsset | Sponsored

[Learn More](#)



How Much Do New Windows Built With Fibrex® Material Cost?

rbafibrexwindows.com | Sponsored

[Learn More](#)



7 Ways to Retire Comfortably With \$500k

Fisher Investments | Sponsored

[Learn More](#)



Average Cost to Charter A Private Jet May Surprise You (See Prices)



Why Yume's Aloha shirts are a fashion must-have

Travel Deals | Sponsored



Empty Antarctica Cruises Cost Almost Nothing (Take A Look)

SearchCommons | Sponsored

Yume | Sponsored

Shop Now



Get Ozempic And Start Shedding Weight Today (Take Quiz)

FuturHealth | Sponsored



Chuck Norris Says Staying Fit After 60 Comes Down To This 1 Thing

americareadysupply | Sponsored



Travis Kelce's New Girlfriend Will Melt Your Heart

Finance Nemo | Sponsored



She Was Playing On This App. When All Of A Sudden She Won...

Buzzdaily Winners | Sponsored

Read More

More Campaign News

SEE ALL



CAMPAIGN

Hogan's new ad stresses independence days after Trump endorsement

BY NICK ROBERTSON
1 hour ago



CAMPAIGN

Trump nearly 20 points ahead of Biden in Iowa poll

BY LAUREN SFORZA
3 hours ago



CAMPAIGN

Landrieu dismisses Trump's potential 21 percent support with Black voters

BY LAUREN SFORZA
4 hours ago



EDUCATION

Almost 1 in 5 say student loan debt will have major influence on their vote: Survey

BY LEXI LONAS
4 hours ago

Video/Hill.TV

SEE ALL HILL.TV
SEE ALL VIDEO



Rising: June 17, 2024

BY THEHILL.COM
06/17/24 12:00 PM ET



Rising: June 14, 2024

BY THEHILL.COM
3 days ago



Rising: June 13, 2024

BY THEHILL.COM
4 days ago

Top Stories

[SEE ALL](#)



White House accused of scuttling Democratic support for ethics bill

BY REBECCA BEITSCH
9 hours ago

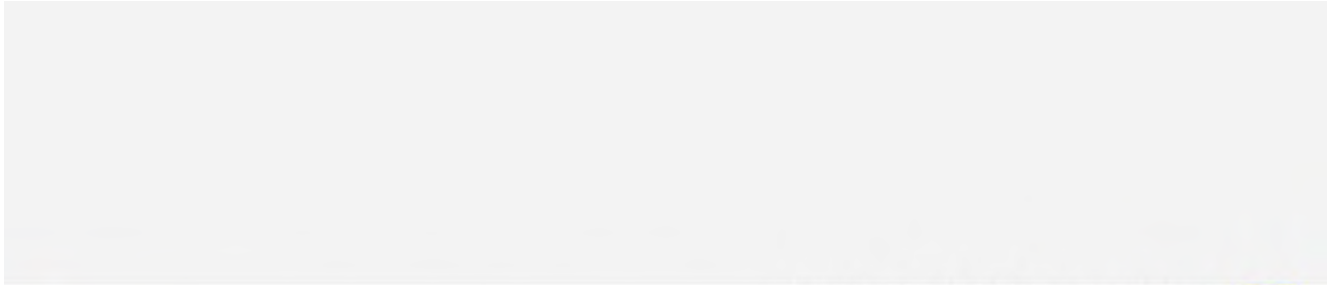
DON'T MISS A BRIEF. SIGN UP FOR OUR DAILY EMAIL.

Your Email



EXHIBIT 42

Addendum - 413



Exclusive news, data and analytics for financial market professionals [LSEG](#)



World Business Markets Sustainability Legal More

My View

Sign In

Register

World

Biden asks Americans to recommit to democracy in Normandy cliff speech

By Jeff Mason

June 8, 2024 12:07 AM UTC · Updated 10 days ago



Feedback

POINTE DU HOC, France, June 7 (Reuters) - Atop the cliff that U.S. Army Rangers scaled 80 years ago on D-Day, President [Joe Biden](#) on Friday compared the threats posed by Nazi Germany to those facing the world today by dictators and authoritarianism, and urged Americans to resist isolationism.

Biden's speech in Normandy, his second in as many days, sought to strengthen support for Ukraine, which is locked in a war with Russia and its [President Vladimir Putin](#), and bolster democratic ideals at home. Biden said the Army Rangers who fought that day would want Americans to defend freedom.

Advertisement · Scroll to continue

Document title: Biden asks Americans to recommit to democracy in Normandy cliff speech | Reuters

Capture URL: <https://www.reuters.com/world/biden-condemn-isolationism-cliffs-normandy-echo-reagan-2024-06-07/>

Capture timestamp (UTC): Mon, 17 Jun 2024 18:57:43 GMT

Page 1 of 5

Addendum - 414

Exclusive news, data and analytics for financial market professionals [LSEG](#)

 World ▾ Business ▾ Markets ▾ Sustainability ▾ Legal ▾ More ▾ My View ▾ 🔍 [Sign In](#) [Register](#)

"Does anyone doubt that they would want America to stand up against Putin's aggression here in Europe today?" he asked.

Biden never mentioned his Republican rival in the Nov. 5 [presidential election, Donald Trump](#), but his speech criticized the former president's isolationist inclinations.

"The most natural instinct is to walk away, to be selfish, to force our will upon others, to seize power and never give up," Biden said, in an apparent dig at Trump. "American democracy asks the hardest of things: to believe that we're part of something bigger than ourselves."

Advertisement · Scroll to continue


Feedback

Biden urged Americans to remember the Rangers whose dramatic heroism on D-Day helped make the invasion a success.

"As we gather here today, it's not just to honor those who showed such remarkable bravery on that day, June 6, 1944," Biden said. "It's to listen to the echo of their voices. To hear them... They're not asking us to scale these cliffs, but they're asking us to stay true to what America stands for."

Sponsored Content


dianomi



A New Era of Fixed Income is Here

Sponsored by
Dynamic Funds

[Click Here](#)



Intact Insurance rewards good drivers like you. Save up to 25%.

Sponsored by
Intact Insurance



Development Opportunities in the Workplace Matter—How To Ask for Them

Sponsored by
Indeed

Exclusive news, data and analytics for financial market professionals **LSEG**

Reuters World Business Markets Sustainability Legal More

My View Search Sign In Register

Sponsored by Dynamic Funds [Click Here](#)

Intact Insurance

Sponsored by Indeed

On June 6, 1944, the elite Ranger troops scaled the 100-foot (30-meter) cliffs overlooking Omaha Beach under withering gunfire and seized German artillery pieces that could have fired on American troops coming ashore at Omaha and nearby Utah Beach.

By setting his speech at Pointe du Hoc, Biden echoed Republican predecessor Ronald Reagan, who marked D-Day's anniversary there 40 years before. Reagan said democracy was "worth dying for" and emphasized an American desire for peace in what turned out to be the waning years of the Cold War.

Biden's goal was to draw a "through line" from World War Two, connecting the Cold War, the establishment of the NATO military alliance and Russia's current war with Ukraine, White House national security adviser Jake Sullivan said.



[1/3] U.S. President Joe Biden delivers remarks at the World War II Pointe du Hoc Ranger Monument following the 80th anniversary of the 1944 D-Day landings in Cricqueville-en-Bessin, Normandy, France, June 7, 2024. REUTERS/Elizabeth Frantz [Purchase Licensing Rights](#)

"We're the fortunate heirs of a legacy of these heroes, those who scaled the cliffs at Pointe du Hoc. But we must also be the keepers of their mission," Biden said.

CONTRAST WITH TRUMP

The U.S. president is in the middle of a five-day trip to France, a rare excursion abroad during an election year in which he faces a tight race against Trump, a Republican who has threatened to use a second four-year term to punish political rivals, deport immigrants and upend global alliances.

Trump has criticized the cost of supporting Ukraine after Russia's invasion, proposed higher tariffs as part of an "America First" policy and questioned America's decades-long commitment to NATO, saying European members are not paying their fair share.

On Thursday, Biden made an impassioned call for the defense of freedom and urged Western powers to stand by Ukraine in its fight with Russia.

The D-Day anniversary on June 6 and surrounding events are part of Biden's presidential duties, not campaign events. But they gave him a chance to contrast himself with Trump.

Biden, at 81 the oldest to serve in the office, has sought to rebut concerns about his age by focusing on the potential impact Trump, 77, could have during a second term.

Feedback

Exclusive news, data and analytics for financial market professionals **LSEG**

Reuters World ▾ Business ▾ Markets ▾ Sustainability ▾ Legal ▾ More ▾ My View ▾ 🔍 Sign In Register

stand by Ukraine in its fight with Russia.

The D-Day anniversary on June 6 and surrounding events are part of Biden's presidential duties, not campaign events. But they gave him a chance to contrast himself with Trump.

Biden, at 81 the oldest to serve in the office, has sought to rebut concerns about his age by focusing on the potential impact Trump, 77, could have during a second term.

The Democratic incumbent has characterized Trump, whose supporters raided the U.S. Capitol after the Republican declined to accept his 2020 election loss, as a threat to U.S. democracy.

Meanwhile, hard-right parties are gaining ground in Europe, and Russia's President Putin said on Wednesday he could deploy conventional missiles within striking distance of the United States and its allies if they allowed Ukraine to strike deeper into Russia with long-range Western weapons.

"This will hit the core messages that Biden is wanting to highlight during his re-election campaign but also has real resonance still in Europe as well," said Max Bergmann, director of the Europe, Russia, and Eurasia Program at the Center for Strategic & International Studies.

Biden met with World War Two veterans in Normandy on Thursday and with Ukrainian President Volodymyr Zelenskyy on Friday.


Get the latest news and expert analysis about the state of the global economy with Reuters Econ World. Sign up [here](#).

Reporting by Jeff Mason; Editing by Heather Timmons, Cynthia Osterman, Jonathan Oatis and Diane Craft

Our Standards: [The Thomson Reuters Trust Principles](#).



Purchase Licensing Rights

 **Jeff Mason**
Thomson Reuters



Jeff Mason is a White House Correspondent for Reuters. He has covered the presidencies of Barack Obama, Donald Trump and Joe Biden and the presidential campaigns of Biden, Trump, Obama, Hillary Clinton and John McCain. He served as president of the White House Correspondents' Association in 2016-2017, leading the press corps in advocating for press freedom in the early days of the Trump administration. His and the WHCA's work was recognized with Deutsche Welle's "Freedom of Speech Award." Jeff has asked pointed questions of domestic and foreign leaders, including Russian President Vladimir Putin and North Korea's Kim Jong Un. He is a winner of the WHCA's "Excellence in Presidential News Coverage Under Deadline Pressure" award and co-winner of the Association for Business Journalists' "Breaking News" award. Jeff began his career in Frankfurt, Germany as a business reporter before being posted to Brussels, Belgium, where he covered the European Union. Jeff appears regularly on television and radio and teaches political journalism at Georgetown University. He is a graduate of Northwestern University's Medill School of Journalism and a former Fulbright scholar.

Read Next



Middle East
Netanyahu disbands war cabinet as pressure grows on Israel's northern border



Asia Pacific
Australia's Albanese, China's Li hold talks on trade, rights



World
Exclusive: UK approval of arms exports to Israel plunged at start of Gaza war



India
Indian suspect kill Sikh separatist not guilty in US

LSEG Workspace

The next-generation human interface for financial professionals.



Feedback

Exclusive news, data and analytics for financial market professionals **LSEG**

Reuters World ▾ Business ▾ Markets ▾ Sustainability ▾ Legal ▾ More ▾ My View ▾ 🔍 Sign In Register

Obama, Donald Trump and Joe Biden and the presidential campaigns of Biden, Trump, Obama, Hillary Clinton and John McCain. He served as president of the White House Correspondents' Association in 2016-2017, leading the press corps in advocating for press freedom in the early days of the Trump administration. His and the WHCA's work was recognized with Deutsche Welle's "Freedom of Speech Award." Jeff has asked pointed questions of domestic and foreign leaders, including Russian President Vladimir Putin and North Korea's Kim Jong Un. He is a winner of the WHCA's "Excellence in Presidential News Coverage Under Deadline Pressure" award and co-winner of the Association for Business Journalists' "Breaking News" award. Jeff began his career in Frankfurt, Germany as a business reporter before being posted to Brussels, Belgium, where he covered the European Union. Jeff appears regularly on television and radio and teaches political journalism at Georgetown University. He is a graduate of Northwestern University's Medill School of Journalism and a former Fulbright scholar.

Read Next



Middle East
Netanyahu disbands war cabinet as pressure grows on Israel's northern border



Asia Pacific
Australia's Albanese, China's Li hold talks on trade, rights



World
Exclusive: UK approval of arms exports to Israel plunged at start of Gaza war



India
Indian suspect kill Sikh separatist not guilty in US

LSEG Workspace
The next-generation human interface for financial professionals.

Feedback

Sponsored Content

oianomi

A New Era of Fixed Income Is Here
Sponsored by Dynamic Funds



What exactly is an ETF? For Gen Z, a good investment
Sponsored by The Globe and Mail



Families grapple with meaning of 'fair' during wealth transitions
Sponsored by The Globe and Mail



Buying the right bonds matters now more than ever—Get the full picture
Sponsored by Manulife Investment Management



Almost Half of Working Canadians Over 50 Won't Have Enough to Retire
Sponsored by Indeed



Why organizations need a holistic approach to cyber threats
Sponsored by The Globe and Mail



World >



Europe
France and Belgium strengthen their cooperation in land defence
6:36 PM UTC · Updated 20 min ago



Lifestyle
Actor Theo James named UNHCR global goodwill ambassador
6:34 PM UTC · Updated 22 min ago

Document title: Biden asks Americans to recommit to democracy in Normandy cliff speech | Reuters

Capture URL: https://www.reuters.com/world/biden-condemn-isolationism-cliffs-normandy-echo-reagan-2024-06-07/

Capture timestamp (UTC): Mon, 17 Jun 2024 18:57:43 GMT

EXHIBIT 43

Addendum - 419



NEWSLETTERS SIGN IN NPR SHOP DONATE



NEWS CULTURE MUSIC PODCASTS & SHOWS SEARCH

HOURLY NEWS LISTEN LIVE PLAYLIST

SPECIAL SERIES
Untangling Disinformation

This is what Russian propaganda looks like in 2024

JUNE 6, 2024 · 5:00 AM ET
HEARD ON ALL THINGS CONSIDERED
Shannon Bond

3-Minute Listen button with playlist, download, and share icons



Russian navy recruits perform with the Russian flag in St. Petersburg, Russia, on June 4 during a ceremony marking the departure of recruits to join the army. In a year filled with elections around the world, Russia has stepped up its overt and covert propaganda efforts with a goal of weakening international support for Ukraine and undermining democratic institutions.

A deepfake video of a State Department official falsely claiming a Russian city is a legitimate target for Ukrainian strikes using U.S. weapons.

Pro-Russia social media accounts amplifying stories about divisive political topics such as immigration and campus protests over the war in Gaza.

Sham news sites spoofing real publications or posing as legitimate-sounding outlets with names like D.C. Weekly, the Boston Times and Election Watch.

Russian propaganda is ramping up in a busy global UNTANGLING

World Refugee Day advertisement for Doctors Without Borders with 'DONATE TODAY' button

Sponsor Message Become an NPR sponsor

city is a legitimate target for Ukrainian strikes using U.S. weapons.

Pro-Russia social media accounts amplifying stories about divisive political topics such as immigration and campus protests over the war in Gaza.

Sham news sites spoofing real publications or posing as legitimate-sounding outlets with names like D.C. Weekly, the Boston Times and Election Watch.

Russian propaganda is ramping up in a busy global election year, targeting American voters as well as elections in Europe and the Paris Olympics, according to intelligence officials, internet researchers and tech companies.





UNTANGLING DISINFORMATION
2024 elections are ripe targets for foes of democracy

"Russia remains the most active foreign threat to our elections," Director of National Intelligence Avril Haines told senators last month at a briefing about election risks.

Influence operations linked to Russia take aim at a disparate range of targets and subjects around the world. But their hallmarks are consistent: attempting to erode support for Ukraine, discrediting democratic institutions and officials, seizing on existing political divides and harnessing new artificial intelligence tools.

Sponsor Message

 **Shop buybuy BABY® Near You**
buybuy BABY 

"They're often producing narratives that feel like they're throwing spaghetti at a wall," said Andy Carvin, managing editor at the Atlantic Council's Digital Forensic Research Lab, which tracks online information operations. "If they can get more people on the internet arguing with each other or trusting each other less, then in some ways their job is done."

Some efforts have been linked directly to the Kremlin, including a network of fake accounts and phony news websites given the name Doppelgänger, whose operators have been sanctioned by both the U.S. and the European Union.



UNTANGLING DISINFORMATION
U.S. elections face more threats from foreign actors and artificial intelligence

The origins of others are still unknown, such as the fabricated video of State Department spokesman Matthew Miller, in which reporters' questions and Miller's response about U.S. policy in the Ukraine war were faked, likely with the help of artificial intelligence. The video circulated on Russian Telegram channels and was picked up by Russian state media and government officials, according to The New York Times.

Russia employed tactics such as exacerbating existing divisive issues and creating fake accounts posing as Americans in its 2016 and 2020 election-

 Play Live Radio

▶ HOURLY NEWS ▶ LISTEN LIVE ▶ PLAYLIST



This World Refugee Day, help us provide lifesaving care.

DONATE TODAY

 **MEDECINS SANS FRONTIERES**
DOCTORS WITHOUT BORDERS

Sponsor Message

Become an NPR sponsor

The origins of such videos are still unknown, such as the fabricated video of State Department spokesman Matthew Miller, in which reporters' questions and Miller's response about U.S. policy in the Ukraine war were faked, likely with the help of artificial intelligence. The video circulated on Russian Telegram channels and was picked up by Russian state media and government officials, according to The New York Times.

Russia employed tactics such as exacerbating existing divisive issues and creating fake accounts posing as Americans in its 2016 and 2020 election-meddling efforts, researchers say. Since Russia invaded Ukraine in early 2022, discrediting Ukraine and amplifying voices in the U.S. and other countries that oppose aid to Ukraine and support for NATO has become a dominant theme of the Kremlin's efforts.

"What you can see is they are referencing politics in a certain country, and they are generally tying that to what is going on in Ukraine. The underlying message is, 'Here's why people should not support Ukraine,'" said Ben Nimmo, principal investigator on OpenAI's intelligence and investigations team, who previously led global threat intelligence at Facebook's owner, Meta.



UNTANGLING DISINFORMATION
AI fakes raise election risks as lawmakers and tech companies scramble to catch up

Fake accounts, phony websites

The Kremlin relies on what Haines called "a vast multimedia influence apparatus, which consists of its intelligence services, cyber-actors, state media proxies and social media trolls" to pump out propaganda, launder fake and misleading news articles and circulate conspiracy theories.

Since the invasion of Ukraine, the European Union has banned Russian media outlets including RT, Sputnik, Voice of Europe and RIA Novosti from publishing or broadcasting within the bloc. That hasn't stopped RT articles from proliferating across hundreds of other websites widely available in Europe, according to a recent report from the German Marshall Fund of the United States, the University of Amsterdam and the Institute for Strategic Dialogue.



UNTANGLING DISINFORMATION
Facebook takes down Russian network impersonating European news outlets

"We discovered RT articles reposted to third-party websites targeting audiences from Iraq to Ethiopia to New Zealand, often without any indication that the content was sourced from a Russian propaganda outlet," the researchers wrote.

Sponsor Message



55+ Senior Living \$249/Month

Senior Living Communities Are Available for \$249/Month in These Areas

Economic Business

[Open >](#)

Perhaps the most persistent and prevalent Russian online operation is

Play Live Radio
HOURLY NEWS LISTEN LIVE PLAYLIST

This World Refugee Day, help us provide lifesaving care.
DONATE TODAY
MEDECINS SANS FRONTIERES DOCTORS WITHOUT BORDERS

Sponsor Message

Become an NPR sponsor



Senior Living Communities Are Available for \$2471 Month in These Areas

Economic Business

Open >

Perhaps the most persistent and prevalent Russian online operation is Doppelgänger. First identified by researchers at the EU DisinfoLab in 2022, the campaign has impersonated news outlets including the U.K.'s *The Guardian*, Germany's *Der Spiegel*, *The Washington Post* and Fox News, and it has posed as NATO, the Polish and Ukrainian governments, the German police and the French Foreign Ministry.

In addition to operating fake accounts and phony websites, the operation purchased Facebook ads targeting French and German audiences with messages about aid to Ukraine, farmers' protests and the war in Gaza, according to the European nonprofit AI Forensics.

Doppelgänger has also set its sights on the Paris Olympics, Microsoft said in a report this week. It used fake French-language news sites to push claims of corruption in the Games' organizing body and to warn of potential violence.

In March, the U.S. Treasury sanctioned two Russian companies identified as being behind Doppelgänger — Social Design Agency and Structura — as well as their founders, saying they carried out the campaign "at the direction of the Russian Presidential Administration."

The misinformation-tracking company NewsGuard has connected a separate network of 167 websites "masquerading as independent local news publishers in the U.S." to a former deputy sheriff from Florida who now lives in Moscow.

Using AI tools to create propaganda

The volume of posts, articles and websites that Russian-linked operations produce is being boosted by artificial intelligence — another new factor that sets 2024 apart from previous election cycles.

Covert influence campaigns based in Russia, as well as in China, Iran and Israel, have begun using AI in their attempts to manipulate public opinion and shape politics, according to recent reports from OpenAI, Meta and Microsoft.



UNENTANGLED DISINFORMATION

In a first, OpenAI removes influence operations tied to Russia, China and Israel

A Russian operation that Microsoft calls Storm-1679 used AI to fake actor Tom Cruise's voice narrating a phony Netflix documentary disparaging the International Olympic Committee.

According to OpenAI, Doppelgänger has used its AI tools, which include ChatGPT, to translate articles into other languages and generate social media posts and comments. Another Russian operation, dubbed Bad Grammar, used AI to debug code for a program that automatically posted on Telegram.

Sponsor Message



Play Live Radio

HOURLY NEWS LISTEN LIVE PLAYLIST

This World Refugee Day, help us provide lifesaving care.

DONATE TODAY

MEDECINS SANS FRONTIERES DOCTORS WITHOUT BORDERS

Sponsor Message

Become an NPR sponsor

... to translate articles into other languages and generate social media posts and comments. Another Russian operation, dubbed Bad Grammar, used AI to debug code for a program that automatically posted on Telegram.

Sponsor Message



The question remains: How effective are Russia's attempts to influence public opinion and democratic elections?

Many online operations that have been publicly identified haven't reached large audiences of real people, researchers say, and AI hasn't made them any more convincing — at least not yet.

"It's absolutely true that when you look at an individual campaign, it's just as likely as not that it hasn't had a huge amount of influence, which is why Russia just does it again and again, or in a different form, or targeting a different group," the Digital Forensic Research Lab's Carvin said. "It's almost like producing cheaply manufactured goods and just getting it out there in the world, hoping that maybe one particular gadget ends up becoming the popular toy of the season, even if the others completely fail."

Many researchers who study disinformation warn against seeing the hand of Russia as an all-powerful puppeteer, especially since so much of what its mouthpieces amplify is homegrown.

"Any potential narrative that's being argued in a given political environment is fodder for Russian operations — which in itself can sound a little crazy and conspiracy-ish," Carvin said. "And in some ways you risk creating a ... situation where absolutely everything that's happening online is all Russia's fault."

But, he added, "at the same time, Russia has a lot of resources at its disposal and it's willing to experiment in different ways to see which things stick. ... Why not try all of the above and see where it takes you?"

artificial intelligence russia



Sign up for NPR's Up First newsletter.

The news you need to start your day. Nothing more, never less.

Email address

SUBSCRIBE

Play Live Radio

▶ HOURLY NEWS ▶ LISTEN LIVE ▶ PLAYLIST



This World Refugee Day, help us provide lifesaving care.

DONATE TODAY



Sponsor Message


Become an NPR sponsor

Any potential narrative that's being argued in a given political environment is fodder for Russian operations — which in itself can sound a little crazy and conspiracy-ish," Carvin said. "And in some ways you risk creating a ... situation where absolutely everything that's happening online is all Russia's fault."

But, he added, "at the same time, Russia has a lot of resources at its disposal and it's willing to experiment in different ways to see which things stick. ... Why not try all of the above and see where it takes you?"

artificial intelligence russia





Sign up for NPR's Up First newsletter.

The news you need to start your day. Nothing more, never less.

SUBSCRIBE

[See more subscription options](#)

By subscribing, you acknowledge and agree to NPR's Terms of Use and Privacy Policy. NPR may share your name and email address with your NPR station. See Details.

More Stories From NPR

UNTANGLING DISINFORMATION

How Israel tried to use AI to covertly sway Americans about Gaza



UNTANGLING DISINFORMATION

An Epoch Times executive is facing money laundering charges



UNTANGLING DISINFORMATION


In a first, OpenAI removes influence operations tied to Russia, China and Israel



UNTANGLING DISINFORMATION

It's quick and easy to clone famous politicians' voices, despite safeguards



 **Play Live Radio**

▶ HOURLY NEWS ▶ LISTEN LIVE ▶ PLAYLIST



This World Refugee Day, help us provide lifesaving care.

DONATE TODAY

 **MEDECINS SANS FRONTIERES**
DOCTORS WITHOUT BORDERS

Sponsor Message Become an NPR sponsor

EXHIBIT 44

Addendum - 426

THREAT POSED BY TIKTOK

(Department of Justice – March 6, 2024)

- **National security risk.** TikTok and its parent company ByteDance present key national security concerns.
 - ***Data Security.*** TikTok collects tremendous amounts of sensitive data. TikTok also collects substantial back end data that may be proprietary, which may be available only to TikTok—and those with whom TikTok shares it. This is not publicly available data and can include customer information like name, age, phone number, and email address. It may also include IP address and approximate location, as well as other, unknown categories of personal data.¹
 - ***PRC Influence.*** TikTok’s content selection relies on a proprietary PRC-based algorithm, creating the potential for the PRC to influence content on TikTok—without United States visibility.
 - ***Application Security.*** TikTok’s source code and some operations are based in the PRC, which creates the potential for the PRC to exploit them for other potentially malign uses.
- **Why does this matter?** Working through ByteDance, the PRC could use TikTok to access data on millions of U.S. users and control the software on millions of U.S. devices.
 - The PRC government leads the world in using surveillance and censorship to keep tabs on its populations, repress dissent, and counter perceived threats abroad. Its national security law requires any company doing business in China to make its data accessible to the PRC government and to support its intelligence efforts. Any such cooperation must remain secret, limiting visibility into the extent of data shared with PRC entities.
 - News reports have warned that ByteDance employees in China used TikTok to repeatedly access U.S. user data and track multiple journalists covering the company.²
 - The ability to weaponize data and conduct sophisticated influence campaigns will only advance over time, as artificial intelligence enables new capabilities. Given the sophistication of TikTok’s PRC-based algorithm, it would be difficult to detect malicious changes to it.
- **What to do about it?** The ultimate goal is to protect Americans’ data security and our national security. To achieve that goal, any legislative solution would need to (1) separate TikTok the company from Beijing and its PRC-based parent company and (2) separate the data TikTok collects, its algorithm, and source code from Beijing. If these conditions are not met—whether through divestment or some other means—Beijing will continue to have the authority to demand ByteDance hand over sensitive personal data and intellectual property of its U.S. TikTok users, likely without those users’ awareness.
 - ***Our existing laws (IEEPA, CFIUS) have limits that make it challenging to effectuate that separation and fully address the national security risks.***
 - We would be in a stronger legal position if any new legislation authorizes the government to order divestment and/or other alternatives, not just impose a ban. In addition, an orderly divestment of TikTok from the PRC would give Americans secure ownership of their data, including posts, photos, and videos, while minimizing the disruption to the over 100 million TikTok accounts in the United States.
- **What about American apps?** Because ByteDance is headquartered in Beijing, TikTok is subject to the control of the PRC government in a way that American social media apps are not. That puts TikTok’s American users at risk. While a broader conversation may be warranted about the collection of data by American social media companies, that conversation is separate from the national security risk posed by social media apps controlled—directly or indirectly—by foreign governments like the PRC that are known for their surveillance and censorship. The Department stands ready to provide technical assistance to Congress on legislation addressing other concerns related to social media apps, including concerns related to the safety of our children.

¹ See Brian Fung, *TikTok collects a lot of data. But that’s not the main reason officials say it’s a security risk*, CNN (Mar. 24, 2023), <https://www.cnn.com/2023/03/24/tech/tiktok-ban-national-security-hearing> (also mentioning contact lists, messages, biometric identifiers, keystroke patterns, and information gathered from interaction with the app, such as user-generated content, interests, preferences, and associated metadata); Geoffrey A. Fowler, *Is it time to delete TikTok? A guide to the rumors and the real privacy risks*, WASH. POST (July 13, 2020), <https://www.washingtonpost.com/technology/2020/07/13/tiktok-privacy>.

² E.g., Emily Baker-White, *EXCLUSIVE: TikTok Spied On Forbes Journalists*, FORBES (Dec. 22, 2022), <https://www.forbes.com/sites/emilybaker-white/2022/12/22/tiktok-tracks-forbes-journalists-bytedance>.