

President will be immediately notified of the Senate's action.

The Senator from Massachusetts.

UNANIMOUS CONSENT REQUEST—S. 103

Mr. MARKEY. Mr. President, I rise today to lawfully extend the deadline by which ByteDance must either divest TikTok or face a ban in the United States.

In a few moments, I will ask unanimous consent to pass my legislation with Senator WYDEN, Senator VAN HOLLEN, and Senator BOOKER, the Extend the TikTok Deadline Act, to extend the divestment deadline until October.

My colleagues may be wondering: Didn't President Trump just extend the TikTok deadline last week by 75 days? Why are we passing legislation to do the same thing? Well, it is because we need legislation because President Trump's move was illegal, both the first time he extended the deadline in January and his second extension last Friday.

Although the statute permits the President to extend the TikTok deadline by 90 days if certain conditions are met, President Trump never triggered that provision in the statute. Instead, he twice issued Executive orders that directed the Department of Justice to not enforce the law for 75 days. Nothing in the statute permits President Trump to simply not enforce Federal law.

By Trump's logic, he could negate any statute enacted by Congress by simply directing his administration to not enforce it. That is not how our system of government actually works. It is lawless, and it is dangerous.

Beyond being an affront to the rule of law, these Executive orders are also unfair to TikTok's 170 million creators and users and the 7 million small businesses that rely on the platform to reach their customers.

By lawlessly extending the TikTok divestment deadline, Trump has effectively put the fate of TikTok in the hands of risk-averse corporate shareholders at major technology companies like Oracle and Apple and Google. That is because the TikTok ban imposes up to \$800 billion in fines for companies like Oracle and Apple and Google that help keep TikTok online and distribute the app through their app stores.

Trump's lawless extension puts these companies in a difficult spot. They can comply with the law—take TikTok offline and face the wrath of Trump and the public—or they can violate the law—leave TikTok up and risk ruinous legal liability.

So far, the tech companies have been willing to risk that liability based on promises from President Trump that he won't punish them. But we all know that President Trump's promises aren't worth a whole lot. The President could reverse course at any moment or threaten to rescind his Executive order to coerce these companies into supporting unrelated political objectives. No good comes from giving any President that kind of leverage.

So while TikTok remains online today, these unilateral illegal extensions are unfair to TikTok's users and dangerous for our country.

So here is the thing: I actually agree with the President on extending the TikTok divestment deadline. There was no reason that TikTok should have gone dark in January, just a couple of days after the Supreme Court ruled on the law.

Clearly, the Supreme Court had only 2 days left to resolve all of the national security issues, all of the other issues that were surrounding this issue. It wasn't TikTok or anyone else's fault that it took all the way up until to 2 days before the deadline to have TikTok get an answer as to whether or not what was happening was constitutional. So we needed more time to have a negotiation over whether or not those national security issues and other issues could be resolved.

It is now, ultimately, again, a decision that has to be made as to whether or not TikTok should have gone dark last week as rumors swirled about potential new investors in TikTok's U.S. business.

We don't need to find a lawful solution; it is imperative that we find a lawful solution. That is why I am bringing my legislation out here. That will protect free speech rights of TikTok's 170 million users and will also give us some time to be able to negotiate an end.

I want national security issues to be the central part of this negotiation, and I believe such a solution is possible. But unlawful, ad hoc extensions only sow chaos for the tech companies facing ruinous penalties and for the millions of Americans who rely on TikTok as a vital communications platform.

Instead, Congress should pass my legislation, the Extend the TikTok Deadline Act, to lawfully extend the divestment deadline until October, creating legal certainty for TikTok's users and creators and giving all parties a longer period to reach a solution.

So, Mr. President, as if in legislative session and notwithstanding rule XXII, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be discharged from further consideration of S. 103, and the Senate proceed to its immediate consideration; further, that the bill be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there an objection?

The Senator from Arkansas.

Mr. COTTON. Mr. President, reserving the right to object because I do object to this effort and will object to future efforts to change the TikTok law.

Let's remember how we got here. TikTok is a Chinese communist spy app and a tool of Chinese communist propaganda. That is why Congress passed an overwhelmingly bipartisan

law mandating that TikTok's parent company sell it if TikTok is to continue operating in America.

Why did Congress pass this law? Because TikTok is not just another social media platform. TikTok addicts our kids, harvests their data, exposes them to pedophiles, and promotes harmful and manipulative content, including vile, anti-Semitic videos.

TikTok also silences, censors, and suppresses content that exposes communist China for what it really is—a monstrous tyranny. The truth about China's genocide against the Tibet and Uighur people, the massacre at Tiananmen Square, the crackdown on Hong Kong, the origins of COVID, and more are all disappeared behind the veil of TikTok's algorithm.

What TikTok doesn't say is only part of the problem. What it does say is deadly.

The Chinese version of TikTok tells kids to study hard, eat their vegetables, and revere their dictator, Xi Jinping. But the American version of TikTok exposes our kids to videos that glamorize and glorify violence, obscenity, eating disorders, drug use, and even suicide.

TikTok's lethal algorithm has, without question, cost the lives of too many Americans. That is why TikTok is so dangerous, and that is why Congress insisted that TikTok cut ties entirely with communist China.

President Trump is trying to implement the law that Congress passed, and many American businesses and investors are, apparently, interested in buying TikTok.

I applaud patriotic Americans who want to buy this app and cut all ties with the Chinese communists. But reports have surfaced that some businesses and investors want a bad deal that would violate the law by letting communist China continue to influence the TikTok algorithm. Even worse, these potential buyers may ask Congress to somehow indemnify them for violating the law or immunize them for TikTok's past crimes against and injuries to the American people, especially young Americans.

Let me say bluntly to any American who wants to invest in some half-ass TikTok deal: Congress will never protect you from going into business with communist China.

So American businesses and investors who want to dip their beaks in the golden TikTok fountain should think twice before giving their money and their good name to Chinese communists. If the TikTok deal maintains any operational relationship with China, you will be stuck with the consequences. Caveat emptor.

So I do oppose this effort to change the law, and I will oppose, in the future, other efforts to change the law that Congress already passed. Let's allow President Trump to negotiate and see if communist China is willing to make a deal. If not, then the law is the law.

Now I will yield to my colleague from Nebraska.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. RICKETTS. Mr. President, reserving the right to object, I echo my colleague from Arkansas' comments with regard to TikTok.

Let's recall that in communist China, there really isn't such a thing as a private company, as much as ByteDance might want to say it is.

The Chinese communist law is very clear that companies in China have to do what they are told to do by the Chinese Communist Party, and that is one of the reasons TikTok is so dangerous.

TikTok, as has been covered by my colleague from Massachusetts, reaches 170 million people; 52 percent of those people say that they regularly get their news from TikTok.

As I have risen on this floor in the past, I have discussed specific cases where the Chinese communists have been pushing their propaganda through TikTok.

Now, let's also bear in mind that we would not allow any American TV, news station—even newspaper—to be able to own as much of the American marketplace as TikTok has today—170 million people. Current law says that you can only own 39 percent, for example, of the TV marketplace across the country. That would roughly equate to about 50 million households in the United States—far above what we are seeing here with what TikTok has access to. So if we are not going to allow Americans to be able to have such broad access to our population, why on Earth would we allow the Chinese Communist Party to do it? And by the way, the Chinese Communist Party has no First Amendment rights in this country.

ByteDance was given 270 days to make a deal. The Communist dictator Xi Jinping clearly did not want it. They tried to lobby us. They avoided getting a deal done. President Trump came into office. They are still avoiding getting a deal done.

The people who are taking on the liability here are the companies that are the facilitators. I urge those companies to reconsider. You should think carefully about what you are doing. The law is very clear. TikTok needs to be sold to an American owner to continue operation, not some half-baked plan, as my colleague from Arkansas was describing, where the Chinese Communist Party would still have influence on the TikTok algorithm, still have the ability to push their propaganda to the American people. That cannot happen. We need to make sure that the Chinese Communist Party cannot do that in our country.

Again, we won't allow other TV or radio stations to have that much access. Why on Earth are we doing it with the Chinese Communist Party? It is absolutely ludicrous.

We need to keep the pressure on. We need to make sure that TikTok is sold.

I echo my colleague's comments with regard to any sort of future Chinese ownership that would allow them to be able to continue to do this. We need to make sure this is no longer going to threaten our young people.

Therefore, Mr. President, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I just want to reiterate what I said in my remarks—that ByteDance ownership in TikTok does create national security risks—but I also agree with my colleague. We just spoke. My colleague who just spoke said: Let's allow the President to continue to negotiate. Well, that is what my legislation does. It says that the President has out until October to negotiate a resolution that solves the national security-related issues. That time is needed because, in response to my colleague who said that he doesn't want a half-baked solution—well, that is what would happen if there was a rush to try to negotiate. So we need to give the President the legal space, passed by the Senate and the House, to be able to negotiate. That is all I am asking for.

What the President is doing right now is illegally extending the time, creating a cloud of legal jeopardy over all of the American companies which deal with TikTok right now.

So I think what I heard my colleague say was that they want to allow President Trump to negotiate, and that is what I am saying, except I am saying let's do it with the Senate having passed the legislation that gives him the time to do it in a very deliberate way so that the answer is not half-baked and that ultimately we can get to a resolution of this issue.

I will also note, by the way, that in a filing at the U.S. circuit court of appeals, that the intelligence community did, in fact, say that they have no information that the Chinese Government has, in fact, compromised this information that can be used against the United States at this point in time.

I would also add that I do agree with my colleague when he says that TikTok does prey upon young people, does contribute to mental health issues, especially amongst the teenagers and children in our society. But so does YouTube and so does Facebook and so does every one of the American sites.

So if we want to deal with the problem of social media creating problems for young people in our society, let's pass a law. Let's pass a tough law. That is the law that I have been able to get out of the Senate Commerce Committee. It is a tough law. It is the Child Online Privacy Protection Act, up to the age of 16, and it says to companies: If the parents want this, you have to delete any information you have gathered about the child. It says: You can't target a teenager or a child with ads.

Let's pass that law on the Senate floor, not just for TikTok but for the

American companies as well, which invented this targeting of children. That was invented here, the targeting of children, exploiting of teenagers, causing this mental health crisis in our Nation.

So it is time for us to, in my opinion, pass the legislation that has been objected to by my colleagues on the Republican side of the aisle so that the President has the time to negotiate with the Chinese, with TikTok, about the national security issues, so that there is a divestment that does work and provides real security for Americans.

But the next issue arises immediately because even if there is a divestment, that TikTok that is then American-owned, theoretically, is going to be targeting teenagers and children just the same way that every other American social media company does. Where is the concern about that? I hear it, but I don't hear any legislation coming out here on the floor from the Republican leadership to deal with the crisis, which everyone knows is front and center in our society right now.

So I think this debate really gives us a great opportunity to have a wider conversation about all of the impact social media is having upon our society.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

MAIDEN SPEECH

Mr. BANKS. Mr. President, it is the honor of my life to be here representing Indiana in the U.S. Senate. I want to start out thanking Hoosiers for sending me here to serve them, my State, and my country. It is an incredible honor. It is humbling and thrilling, truly, speaking on the floor of the U.S. Senate for the very first time.

You know, I grew up in a trailer park in Columbia City, IN, a small town of less than 10,000 people. I still live there today with my wife Amanda and our three young daughters, and, really, it is the best hometown in America.

But when I was a kid, we lived on the very south end of town, on a dead-end street with about a dozen trailers. I often drive by that boyhood home, and I point it out to my daughters, and I say: That is where I came from.

Unfortunately for them, it is on the way to school. So they hear me say that a lot, and they get annoyed every time I say it.

But I have a lot of great memories growing up in that trailer park. I remember my dad teaching me how to ride a bicycle in the cul-de-sac at the end of the street.

I remember his cream-colored Ford Bronco. The top would come off. He would wax it on the street and drive it around town. He was so proud of it.

I remember the bunkbed at the front of the trailer that I shared with my brother Chad. I remember the swing set in the side yard.