



AAF: SCOTUS Must Force the Sale of TikTok

BACKGROUND: The Supreme Court will hear oral arguments Friday regarding whether Congress can force the sale of TikTok from the CCP. The TikTok Bill has repeatedly been ruled as constitutional by lower courts. Now SCOTUS should continue to uphold the recently passed law.

The Chinese Communist Party Threatens, and is Threatened by, Free Speech

- The CCP is threatened by free speech and seeks to suppress it, even on American soil. In December 2024, Chen Jinping of New York City pled guilty to charges related to his operation of a secret CCP police station in the city. Robert Wells of the FBI's National Security Branch said the case is a part of China's larger efforts to "threaten, harass, and intimidate those who speak against their Communist Party." Do you really want the CCP to access location data of TikTok users and their use history?
- There is no reason to believe that when the CCP exercises influence over TikTok it suddenly respects freedom. No one should be naïve. "Wherever Communists are organized for power there is hostility, suspicion, insecurity, and disintegration." — Gerhart Niemeyer
- The Chinese dictator Xi Jinping's intentions to use internet applications to influence foreign audiences are well documented. In 2013, Xi identified the internet as the "main battlefield," calling for a "strong Internet army" to contend with "Western anti-China forces."

The First Amendment is Not an Open Door for the Enemies of Freedom

- TikTok must cut the CCP's puppet strings or cease operations in the US. It can't continue as an arm of our most dangerous adversary.

The D.C. Circuit Found the TikTok Law Would Meet Even Strict Scrutiny

- [Typhoon](#) is only the latest attack by the CCP. As the D.C. Circuit explained, the CCP is a major cyber security threat to the United States "by penetrating the U.S. Government Office of Personnel Management's system and taking 'reams' of personal data, stealing data on 147 million Americans from a credit-reporting agency, and 'almost certainly' extracting health data on nearly 80 million Americans for a health insurance provider."
- The Court held that the law is "narrowly tailored to serve a compelling interest."

America is the Bulwark of Freedom and Western Civilization

- Like Pericles was able to say of Athens, "We throw open our city to the world, and never by alien acts exclude foreigners from any opportunity of learning or observing." But free societies have a duty to protect our culture from those whose only objective is to confuse and destroy. "[T]he founders recognized the darker side of human nature and attempted in the Constitution to forge a balance between liberty, for which they had fought a revolution, and order, which would protect the rights of all, not just the powerful." — Lee Edwards

BOTTOM LINE: CCP is not entitled to the protections of the U.S. Constitution and should not lecture us about free speech.

MORE: Read AAF's Brief [here](#) and AAF President Tim Chapman's recent op-ed [here](#).

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