Thursday, April 25, 2024 / The TikTok “ban” is law

[HALF SECOND OF SILENCE]

[BILLBOARD]

*<CLIP> PRESIDENT BIDEN: This is consequential.*

SEAN: Heck yeah it is! A president’s never signed a bill that could ban a foreign app like TikTok before.

SCORING IN <Chamber Pot (revival) - BMC>

*<CLIP> PRESIDENT BIDEN: I just signed into law the national security package that was passed …*

SEAN: Right! And part of this big national security package you signed could ban TikTok!

*<CLIP> PRESIDENT BIDEN: We’re going to begin sending in equipment to Ukraine…*

SEAN: And if TikTok doesn’t divest by January you’re gonna BAN IT! Tell ‘em, Joe!

*<CLIP> PRESIDENT BIDEN: Look, this bill also includes vital support for Israel.*

SEAN: Look, this bill could also ban TikTok!

*<CLIP> PRESIDENT BIDEN: You know, there’s more that this bill does …*

SEAN: Yesssssss.

*<CLIP> PRESIDENT BIDEN: … including providing for support to strengthen even further our allies and partners in the Indo-Pacific region …*

SEAN: My dude.

*<CLIP> PRESIDENT BIDEN: But there’s one thing this bill does not do…*

SEAN: You’re kidding.

*<CLIP> PRESIDENT BIDEN: … border security.*

SEAN: Noooooooo! Joeeeeeeee!

*<CLIP> PRESIDENT BIDEN: And now I’m going off to make a speech at a hotel that I am late for.*

*<CLIP> REPORTERS HURL VARIOUS QUESTIONS AT THE PRESIDENT*

SEAN: The president isn’t talking about the TikTok ban he just signed. But we will on *Today, Explained*.

*<CLIP> REPORTERS: Would you ban TikTok?*

[THEME]

*<CLIP> MADONNA’S “4 MINUTES”: Tick, tock, tick, tock, tick, tock …*

SEAN: *Today, Explained.* Sean Rameswaram with Christian Paz, senior politics reporter at Vox. Christian, let's just get this out of the way: Is TikTok going away? People are probably scared.

CHRISTIAN: Well, it's probably not going away today. It's not going away tomorrow. It'll definitely be around at least to the end of the year. Given that whatever this ban is, [the] earliest that it would go into effect is at some point in January of next year.

SCORING <Brain Science Outro>

*<*[*CLIP*](https://www.youtube.com/watch?v=_pe9Ioo0r2E)*> SEN. CHUCK SCHUMER (D-NY): In a resounding bipartisan vote, the relentless work of six long months has paid off.*

CHRISTIAN: So this bill that passed through Congress and that President Biden signed on Wednesday was actually a big foreign aid package that maybe some listeners have heard a lot about. It has to do with providing more money to Israel and Ukraine for their national defense.

*<*[*CLIP*](https://www.youtube.com/watch?v=sZ_2vpKHVq4)*> BIDEN: It’s gonna make America safer. It’s gonna make the world safer. And it continues America’s leadership in the world and everyone knows it.*

CHRISTIAN: Part of that deal included adding a provision that is basically a pathway to the US banning TikTok by forcing a sale of the app from its parent company, ByteDance, a Chinese-based company. So essentially, forcing ByteDance to pass along this app to an American or a non-Chinese company.

*<*[*CLIP*](https://www.youtube.com/watch?v=7rW_sjLW_Jc)*> CBS: Tiktok is on the clock, so to speak. They have a year to be sold by their China-based owner or they’ll face this possible ban….*

CHRISTIAN: It basically has a little bit of wiggle room because it gives the president some discretion at extending that timeline by three months. So, long after the election. After the inauguration. And if ByteDance is in the process of selling the app to somebody, the president can authorize a three month extension.

SCORING OUT

SEAN: How did we get here? I mean, it feels like we've been talking about banning TikTok for years in this country. We've been talking about it for years on this show. And then all of a sudden, President Biden attaches a potential TikTok ban to, like, Ukraine and Israel funding?

CHRISTIAN: Yeah, it's been tried separately before. The path that we've gotten here, like, starts all the way back in 2020, when President Trump at the time was trying to do this by executive order.

*<CLIP> FORMER PRESIDENT TRUMP, 2020: We’re looking at TikTok. We may be banning TikTok. We may be doing… some other things. There are a couple of options.*

CHRISTIAN: And that obviously is not as foolproof of a way to get something, you know, into law. So it was blocked by courts. There were lawsuits at the time. And then it kind of died down for a bit. And the closest we got was really in March of this year, where House Republicans with some House Democrats who have been critical and skeptical of TikTok, decided, you know, ‘Let's try to have this standalone package to try to force a sale’...

*<CLIP> REP NANCY PELOSI (D-CA): This is not an attempt to ban TikTok. It’s an attempt to make TikTok better – Tic Tac Toe. A winner. A winner.*

CHRISTIAN: But the problem with anything that happens in the House, right, is that the Senate wants its own version, um –

SEAN: <chuckles> TikTok Ban (Senate’s version).

CHRISTIAN: <laughs> But I think the problem there was, right, it takes forever for something to even go through the House, let alone get through the Senate. And so there was bipartisan agreement on what needs to be done. And so the quicker way to do it was just to attach it to something like this spending bill. That kind of just goes for a thumbs up, thumbs down vote in the Senate. And the big thing that kind of changed in the last few months was leaders of our national security and intelligence agencies came out a little more forcefully with some concerns about the fact that a company like this has so much information about Americans and especially about younger Americans. And that that company, since it's owned by a Chinese company – which, you know, there are indications that there's a little bit too much proximity between Chinese businesses and the Chinese Communist Party and Chinese government – that that presented some serious concerns. And so the big clue there is that there was something in the briefing and the information that intelligence agencies provided to Congress, provided to the president, to kind of really create this bipartisan consensus and make something like this much more possible. Add on to that young people, you know, calling Congress members and actually kind of flooding the phones, and you get, you know, a perfect push for, for the president to do something because of these national security concerns, and also for members of Congress who maybe weren't as keen on voting yes to say, you know what? Actually, yes, that's a little worrisome.

*<CLIP> REP. MIKE GALLAGHER (R-WI): I would point to what happened last week when TikTok forced a pop-up on all of its users, asking for their zip code information and then calling members of Congress….*

*<CLIP> TIKTOK: <phone call> Hi, I’m calling to ask about the TikTok ban.*

*<CLIP> GALLAGHER: That’s just a taste of how this app could be weaponized. Imagine a more consequential vote going forward about authorizing force to defend Taiwan, or altering a trade agreement with China. That’s the risk we’re trying to guard against.*

SEAN: You know, Christian, the last time we did this on the show, we talked to a lawyer who said that this was just a huge First Amendment violation. Clippety clip clip clip.

CASSETTE SFX

*<CLIP> CDT DIRECTOR KATE RUANE, TEX 3/20/2024: Members of Congress are getting confidential briefings about the dangers of TikTok, but the information isn't being made public. So there is no way for the public to evaluate whether this is true or not. When it comes to suppressing speech, that is not how this is supposed to work. We are supposed to understand what the government's compelling interests are, and how its responses to those compelling interests are tailored to addressing them.*

CASSETTE SFX

SEAN: Is this even legal, do we know? This legislation?

CHRISTIAN: It'll definitely be challenged in the courts. And that's long been kind of the expectation. It's another reason why I'm a little skeptical that this will take effect any time in the near future, even in the medium term, because if there's anything we know about, you know, Congress is, it works slowly. Okay, we got that out of the way. But then when there are lawsuits that are brought against legislation, the courts work slowly, too. So we've already had, you know, back in 2020 with that executive order attempt. There was a lawsuit on First Amendment grounds that this was depriving citizens, particularly younger ones, from using an application, from using it for their political expression, for political speech, and that it was, you know, a violation of those individual rights. And, you know, a federal court decided that that was a strong enough argument and issued an injunction on that executive order. So that never went into effect. And we've had similar situations with states that have tried to enforce some kind of TikTok ban.

*<CLIP> YAHOO: A federal judge in Montana has blocked a statewide ban on TikTok from going into effect next year.*

CHRISTIAN: And so that's kind of the expectation here that – TikTok has also communicated this – its CEO has said that they plan to, you know, sue on First Amendment grounds.

*<CLIP> TIKTOK CEO SHOU ZI CHEW: Rest assured, we aren’t going anywhere. We are confident and we will keep fighting for your rights in the courts. The facts and the Constitution are on our side. And we expect to prevail again.*

CHRISTIAN: So there's that expectation that, you know, a ban would probably not go into effect quietly. And so it could take much longer for this to, to actually play out.

SEAN: So where do we go from here, Christian? What happens next?

CHRISTIAN: I think next is definitely to see the First Amendment arguments that are made because, it does seem like. Right. It's never been done before to exclusively single out one app like this and to say, all right, sell this or we're going to ban it. It's also not sure how users on the app are going to respond. A lot of things that happen on TikTok don't necessarily leave the app, right. They influence life in other ways. But, what we did see is that if you rally TikTok users by presenting them with a call to action, and many of them respond. And so there's, you know, a political dimension to this, too. We're in an election year. And obviously, young Americans are one of those demographic groups that we're very concerned of, you know, how informed, how engaged are they? If you're a Republican, you're looking to see whether you can make gains with this group. And so Donald Trump, for example, has already kind of capitalized on the fact that this is the ‘Biden ban’. Whereas Democrats who are concerned right about whether or not young people who generally side with Democrats are going to turn out whether this is going to be another damper on motivation and enthusiasm for coming out and participating in an election. And so there's a lot that remains to be seen, right, in terms of these real world ramifications. But for the meantime, I think the day to day isn't really going to change for users. If anything, if you're on the app, you're probably going to hear a little bit more about the ban potentially taking place. And you know, how that ends up affecting your perspectives is one of those kind of questions that I think a lot of us are wondering and want to dig in a little bit more, and closely follow how users are responding.

SCORING <Question Marks>

SEAN: And I hear you're a user.

CHRISTIAN: I definitely *was*.

SEAN: Suspense, I love it. Thank you for working with me. Have you ever done improv?

CHRISTIAN: Um, no, but I really want to.

SEAN: Me neither. I bet we'd be great.

CHRISTIAN: I think we would… I think *I* would.

<both laugh>

SCORING BUMP

SEAN: We're going to talk to Christian about why he's no longer a user when we're back on *Today, Explained*.

[BREAK]

*<BUMPER> TikTok voice: You are listening to Today, Explained.*

SEAN: *Today, Explained* is back with Christian Paz. Christian, before we left, you said that you left TikTok. How come? What happened?

CHRISTIAN: I think the first thing was me realizing that I was just not happy. And who knows, right? If that was just winter. But I came across a video…

SEAN: <laughs>

CHRISTIAN: I came across a video in early February, I think it was?

*<*[*CLIP*](https://www.tiktok.com/@katherout/video/7331881548842618155)*> @katherout: It’s very possible that you spend more time with people you don’t know on TikTok, YouTube, than people you do know in real life.*

CHRISTIAN: And it was, someone I follow who essentially was posing this question, which was to, users of TikTok to look at their screen time, to look at how much time they had spent on this app, and then compare that to how much time they were spending with friends in real life or people that they know.

SEAN: Hm!

*<*[*CLIP*](https://www.tiktok.com/@katherout/video/7331881548842618155)*> @katherout: Check your TikTok screen time and then check how many hours last week you actually hung out with your friends. ‘Cause it should not be similar.*

CHRISTIAN: I did that. It was a little scary.

SCORING IN <Exclusive Entry (c) - APM>

CHRISTIAN: Yeah. My peak, I was using TikTok for something like ten hours a week.

SEAN: Ten hours a week. So at least an hour a day.

CHRISTIAN: You know, almost an hour and a half a day. And so I was looking then through my calendar, through my photos, trying to see how much time I was spending with friends in real life. And I'd spent almost 11 hours with friends in real life in that week. They were roughly the same.

SEAN: <laughs>

CHRISTIAN: Maybe not the healthiest thing for me.

SEAN: And this is just TikTok, right? This isn't TikTok plus Instagram, plus Twitter, plus Facebook, plus whatever. This is just TikTok.

CHRISTIAN: That was just TikTok. And that got me a little worried because then I started thinking, okay, if I'm spending this much time on TikTok, you know, is it having some kind of effect on me? Is it contributing to the way that I'm thinking about my everyday life? Is it influencing the way that I'm thinking about politics? It's definitely influencing the way that I was thinking about news coverage.

SEAN: Really??

CHRISTIAN: Yeah! Like, for sure giving me some pause when I was thinking, okay, so what is going on with young people? Because young people, again, big part of that user base and one of the major storylines of our election in 2024 is how are young people going to respond? How are young people feeling about the options that they have? And, so I was led down this kind of a rabbit hole of curiosity and also a little bit of worry…

SCORING OUT

CHRISTIAN: I started thinking, all right, how many young people are on this app? How many young people use it? How frequently do they use it? I can't be abnormal in how much time I'm spending on this app. Maybe it is for someone as old as I am, or maybe among people who are even younger than me. They're spending even more time on the app. So that kind of led me down this path of inquiry to just think, you know, what happens to young people who learn about the world and learn about politics on TikTok, through TikTok, because of TikTok?

SEAN: It's interesting to hear you voicing this argument, Christian, because I think it hews pretty close to, to the arguments of various members of Congress, both Republican and Democratic, are voicing about why they want to ban or divest from TikTok.

*<*[*CLIP*](https://twitter.com/BRICSinfo/status/1783257899147395519)*> Sen. Pete Ricketts: The Chinese Communist Party is doing this on purpose. They are pushing this racist agenda with the intention of undermining our Democratic values. And if you look at what’s happening at Columbia University and other campuses across the country, they’re winning.*

SEAN: What did you find when you started thinking about how what you were seeing on TikTok was shaping your ideas about the world, about politics, what have you?

CHRISTIAN: I saw some things that reminded me a lot of early Facebook and Twitter. A lot of the development of echo chambers, right. And kind of hearing from the same voices, hearing similar themes repeated. And this is, you know, when I'm looking at my For You page, going between a video about Taylor Swift …

*<*[*CLIP*](https://www.tiktok.com/@stephaniematto/video/7359718357265812768)*> TikTok @stephaniematto: As a Swiftie, I am so disappointed in the Torture Poets Department album…*

CHRISTIAN: … and something about, you know, the best restaurant that I should be checking out …

*<*[*CLIP*](https://www.tiktok.com/@theviplist/video/7275443397798726955)*> TikTok @theviplist: Parc is the best restaurant in Philly. And if you disagree, your opinion is irrelevant, go cry about it.*

CHRISTIAN: … and then interspersed in between there would be a hot take, would be kind of a summary of a news article, but kind of done poorly…

SEAN: <laughs>

*<*[*CLIP*](https://www.tiktok.com/@off_jawaggon/video/7233410458424888622?q=maga&t=1714061333692)*> TikTok @off\_jawaggon: …it's because they're being paid by Russia, China, North Korea and Iran. Wake up!*

CHRISTIAN: It would be somebody kind of complaining about the cost of living, somebody talking about how bad the vibes feel in real life. Someone complaining about student loan cancellation …

*<*[*CLIP*](https://www.tiktok.com/@bracesbysable/video/7272911726042025258?q=student%20loans&t=1714061886100)*> TikTok @bracesbysable: Ok. So I owe $303,000 for student loans…*

CHRISTIAN: … and realizing that, ‘Wow, I'm getting a lot of the same kind of content.’ Other than it being fun and entertaining, I'm getting a lot of kind of sad and pessimistic and concerned takes about life and about politics. And again, it just got me thinking that that's not what the empirical data is showing is going on around us …

SEAN: Hm.

CHRISTIAN: …things have gotten so much better, perhaps. But it was this, this kind of reinforcement of videos and themes, that then I thought, ‘Okay, is this happening with other people?’ And so I started talking to researchers about that question.

SEAN: What did they tell you?

CHRISTIAN: A lot of it was that TikTok and political content on the app is primarily focused on emotion, and it's very informal. That oftentimes when people talk about consuming news or consuming politics on the app, they're not getting it from an authoritative source, and they're not basing it on fact. It is about emotion. It is about vibes. It is about …

SEAN: <chortles>

CHRISTIAN: … your lived experience. And then thinking, oh, wait, you know, that kind of matches up with something I saw from another person who said something like that. And so it becomes a bit self-reinforcing. And when you add in the fact that this is all being presented to you through a feed that is powered by an algorithm designed to keep you on the app, designed to feed you something that keeps you coming back. It kind of creates a bit of a possibility for doom spirals, for…

SEAN: Mmmmm.

SCORING IN <Chimes of Doom - APM>

CHRISTIAN: … devolving to kind of the most emotional take, the most emotional response. And then that keeps you on the app as well.

SCORING OUT

SEAN: Ugh! The doom spiral keeps you searching for more?

CHRISTIAN: If you're liking it. If you're engaging, you're commenting. The app will guess, all right, I guess this person wants to learn more about “insert issue here,” and then you kind of get a little bit more of the same.

SEAN: Brutal. And I guess if you are doom spiraling on TikTok, the more time you spend on the app, the worse you're going to feel. Do we know how much time the, you know, average user is spending on the app? Is it something like what you were doing, ten-ish hours a week?

CHRISTIAN: It's interesting because the younger that you go, the more likely you're going to have users who say that they use the app more often. Sometimes, especially if you look at teenagers, there's a pretty significant chunk of people who say that they use it compulsively. So I think it's something in 6 in 10 adults under the age of 30, who we would classify as those younger Americans, say that they use the app at all. And that's so much larger than the 39% or 24% or 10% as you get into those older cohorts that report that same kind of usage.

SEAN: Hm.

CHRISTIAN: And then among teenagers, I think it's something around kind of 60% also of those who are 13 to 17 years old, you know, young people who say they use the app every day and the share that say that they use it compulsively is higher than it is for other social media platforms like Instagram or Facebook.

SEAN: I'm going to be honest, you know, I don't have this app and never actually have because I was terrified of how much of my time it would consume. But I want to play devil's advocate for a second here and just ask you – and maybe, you know, you can tell me what the researchers you talked to said – about the fact that, you know, people should be free to spend their time how they want, and if they want TikTok to swallow 10 to 15 to 20 hours of their week, then then let ‘em. What do we think of that idea? I mean, that feels like a very American argument to make and yet here is our bipartisan Congress saying ‘No!’

CHRISTIAN: It's definitely also the kind of argument that TikTok might make, which is, this is people choosing the kind of content that they want to be exposed to. This is kind of the way that they want to think about their politics. I think the big thing here is, you know, age is the fact that it's happened so quickly for such a young demographic and for such an influential cohort of people too. And so there's definitely a sense here of like, well, shouldn't we just be letting the kids do what they want to do? The thing that I worry about is, is that healthy for a society? Is that healthy for a democracy? Is that healthy at a time when polarization is pretty high and users on the app can, you know, get stuck in echo chambers and be moved into even more extreme or more polarized positions? And so I think about it from that perspective of, worried about democracy, worried a little bit about whether, you know, yes, it's good that we have free expression and, and that we have a place where young people can kind of test out different politics and test out the way that they feel about politics. But it's worth looking a little more closely at whether that's a thing that we want, when there's something so amorphous as kind of an algorithm feeding you even more of that and kind of feeding into that, that fear and anxiety sometimes.

SEAN: But is it fair to take this out on just TikTok? Because I still use Instagram, and I still see Instagram every day trying to be more like TikTok – trying to serve me more of what I want in video form. And so we're going to potentially ban TikTok, but leave Instagram alone. Is that fair? Is there something more insidious about TikTok than everything else?

CHRISTIAN: I think the insidious question on TikTok, we need a little bit more research and more time to understand. I do think it's fair to point out that this is the way that social media companies, you know, try to feed off of your emotions, too. And maybe it's worth taking another look at those platforms as well. We had a little bit of that examination on Facebook after 2016 and a little bit on Twitter as well, and that was helpful in kind of giving us a little bit more pause as a society and giving our leaders a little bit more of an incentive to want to look more seriously at regulating these social media companies. And I think that kind of gets to, to a fundamental question here that isn't being answered by this TikTok ban, which is, you're right, it's not just TikTok. TikTok is having a huge effect maybe on younger people and the time that it did, that was pretty shocking. But Facebook and Instagram and Twitter have been around for a long time, too. And I mean, they're not catching the same heat right now, and maybe they should be, too.

SCORING IN <Out Of Control Tattoo Applicator Arm - BMC>

SEAN: Do you miss TikTok, Christian, now that you're off the app?

CHRISTIAN: I miss a little of it. I miss some of the people that I used to see on there. But in the meantime, I've been reading a lot more. I'm learning French, I'm swimming a lot more. And, you know, I gained something like 11, 10 hours back from my week, so I'm doing something more productive with that.

SEAN: You're not just spending it on Twitter.

CHRISTIAN: Well …

SCORING OUT

CHRISTIAN: … when there's an album release like Taylor Swift's, maybe there's no choice.

SEAN: <laughs>

SCORING IN <Taylor Swift - I Can Do It With A Broken Heart>

*I can do it with a broken heart*

*I'm so depressed, I act like it's my birthday every day*

*I'm so obsessed with him but he avoids me like the plague*

*I cry a lot but I am so productive, it's an art*

SEAN: Christian Paz! You can find him at Voxdotcom, on Twitter, at the Eras Tour, which somehow still isn’t over. You cannot find him on TikTok.

You can find Avishay Artsy, Amanda Lewellyn, Matthew Collette, Laura Bullard, and David Herman at *Today, Explained*.

SCORING OUT

*You know you're good when you can even do it*

*With a broken heart*

*I can hold my breath*

*I've been doing it since he left*

[10 SECONDS OF SILENCE]