

Dear Friend,

If you know someone that needs to be added to this policy briefing, please let us know by sending an e-mail here: [info@puregrassroots.org](mailto:info@puregrassroots.org).

[Please also follow me on X \(Formerly twitter\) here: R. Morris Owens \(@MoeOwensJD\) / X \(twitter.com\)](#) or on Facebook here: [Facebook](#)

### **TikTok Ban: A Trojan Horse**



The TikTok ban as currently proposed is a trojan horse for government intrusion into American Privacy in a way that makes the current FISA abuses seem like a picnic in comparison. (For a brief summary on how bad FISA has been, see here: [FBI's Illegal Uses of FISA Section 702 Raise Serious Doubts of Reauthorization - The New American](#)). Only Americans can be prosecuted under the TikTok bill, and it gives the federal government authority to do even more warrantless searches for potential violations. The President gets to pick what Apps are designated for the "blacklist", it's not limited to just TikTok.

However, without questioning the sincerity of the intention of the bill, the proposed TikTok ban does identify real problems that exist in our country namely:

- The moral decay of our society
- Invasion of Americans Rights to Privacy
- Our competitiveness with China

Rather than solving these problems, the proposed TikTok ban is a cure worse than the disease.

### **What Does the TikTok Ban Actually Do?**

If it was just about forcing TikTok and ByteDance to separate, why does it need to be 13 pages long?

The issue being addressed is that TikTok is owned by a Chinese company called ByteDance that is an extension of the communist government and specifically funded by their intelligence services. The law would force ByteDance to sell off the App to new owners within six months.

Can you imagine American companies trying to do business in other countries and a government there says, "well you can do business here, but first you just have to give me your company and then you can continue to do business." We wouldn't let another country take over Ford Motor Company for selling Ford cars in their in their country. Yet that's international legal precedent the TikTok bill sets.

Further, look at who gets prosecuted if this law were to be violated. Is it ByteDance? Is it TikTok? No on both counts! They are the obvious target for the bill to be sure but prosecuting Americans is the only way Congress can implement the ban in a practical sense.

The bill says the federal government can bring a civil action lawsuit against any American company if it so much as hosts any app designated by the President. **The ONLY people who can be pursued under this bill are Americans and American companies.**

### **A Much Better Solution Exists**

Foreign Governments attacking our information infrastructure is a real problem. Our own government violating constitutional rights enshrined in the fourth amendment is an even more dangerous problem. The issue with TikTok is that it is clearly an extension of the Chinese Communist Government Intelligence Services and they have been caught funneling data on Americans to said intelligence services. The unspoken truth is that idea this was not new or novel, the Chinese are just copying what American Intelligence services already do with Meta (Facebook and Instagram parent company). **Accordingly, a far better solution is Mr. Warren Davidson's (R-OH) "The 4th Amendment is Not for Sale Act".**

See the bill Here: [H.R.4639 - 118th Congress \(2023-2024\): Fourth Amendment Is Not For Sale Act | Congress.gov | Library of Congress](#)

See subcommittee debate on the bill here: [Markup of H.R. 1631, H.R. 4250, and H.R. 4639 \(youtube.com\)](#)

This legislation would put a strong stake in the ground to protect Americans privacy whether it's from our own government or foreign governments. It stops the federal government or anyone else from circumventing Americans' Fourth Amendment right to privacy by closing loopholes that allow the government (ours or any foreign government) to purchase or otherwise obtain Americans' data from big tech companies without a search warrant.

"The sale and purchase of Americans' data without judicial oversight must end," **said Rep. Warren Davidson.** "I'm proud to work with my colleagues to advance a bipartisan measure that protects the right to privacy. Under no circumstance should the government have the ability to use data privacy loopholes to bypass the Fourth Amendment and spy on American citizens."

“The Constitution explicitly protects Americans from unreasonable searches and seizures. Rep. Davidson’s bill will help defend Americans’ private information, including personal data, from federal government overreach in the new digital age” **said House Judiciary Committee Chairman Jim Jordan (R-OH).**

Representatives Zoe Lofgren (D-CA), Jerry Nadler (D-NY), Andy Biggs (R-AZ), Ken Buck (R-CO), Pramila Jayapal (D-WA), Thomas Massie (R-KY), and Sara Jacobs (D-CA) cosponsored the Fourth Amendment Is Not For Sale Act.

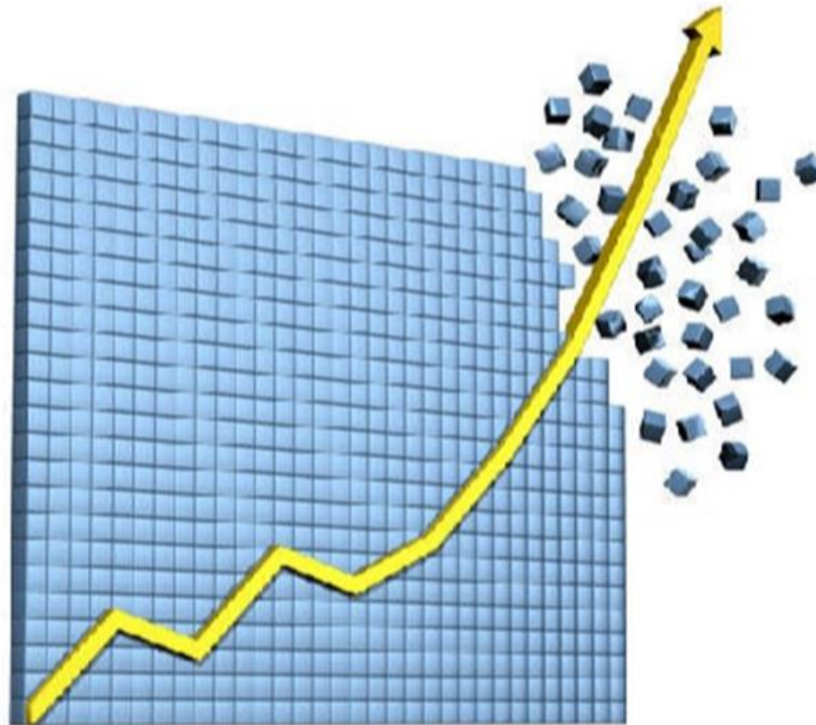
**HR 4639:**

- Requires the government to get a court order to force data brokers to disclose data — the same kind of court order needed to compel data from tech and phone companies.
- Stops law enforcement and intelligence agencies buying data on people in the U.S. and about Americans abroad, if the data was obtained from a user’s account or device, or via deception, hacking, violations of a contract, privacy policy, or terms of service. As such, this bill prevents the government from buying data from Clearview AI.
- Extends existing privacy laws to firms that own data cables & cell towers.
- Closes loopholes that permit the intelligence community to buy or otherwise acquire metadata about Americans’ international calls, texts and emails to family and friends abroad, and obtain records about their web browsing of foreign websites — information that would normally require a court order to compel.
- Takes away the Attorney General’s authority to grant civil immunity to providers and other third parties for assistance with surveillance not required or permitted by statute. Providers retain immunity for surveillance assistance ordered by a court.

Joe Biden is an existential threat to liberty precisely because we as citizens have allowed the government to grow beyond its intended boundaries. For example, fire well kept in a fireplace is nice and keeps you warm. But fire raging out of control throughout your house will kill you, your entire family, and destroy everything you hold dear.

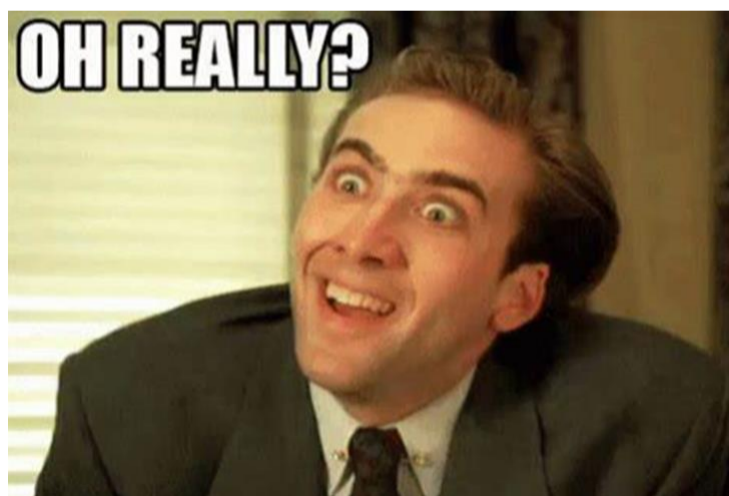
Permitting warrantless spying on Americans is over the top. Our government shouldn’t be able to spy on Americans without a warrant, yet they are. As American’s we must care about that issue, or it will be the end of our free society as we forged the chains of our own enslavement.

The proposed Tic Toc ban only intensifies governmental authority for police state surveillance and, further, it should just be named “**The Facebook Protection and Enhancement Act**”. Why? Because it’s not the American people are going to benefit most from this, it will be Facebook. Just watch their stock go crazy should this bill pass the Senate.



**Facebook Stock Performance Post TikTok Ban**

**Perhaps the most ridiculous aspect of this bill** is its obvious deaf ear to the real threats that China poses to our existence and the endurance of Western Civilization. As congress debates this ban, they do so sitting there with phones made in China, wearing suits made in China, having been driven there in cars with chips “Made in China”. While ignoring all of that, they scream out “TikTok is the devil”.



What can **YOU** do about this?

**Contact your Representative and Senator and:**

1. Demand a “No vote” on the TikTok ban.
2. Insist if they vote yes to the ban, it should at least include a “Sunset Clause.”
3. Advocate for passage of HR 4639 “The 4<sup>th</sup> Amendment is Not for Sale Act.”

Next , get educated and get active in your community.

First step, use these guiding principles to form a team in your community:

**We believe the American system of government, a constitutional Republic, is the finest ever developed by man.**

**We believe the traditional moral values of our Judeo-Christian heritage form the cornerstone of western civilization and that the family is the most vital unit of society.**

**We believe the free market system, competitive capitalism, and private enterprise afford the widest opportunity and highest standard of living for all.**

**We believe in the dignity of the individual. We welcome people from all ethnic racial and religious backgrounds judging others only by character and ability - as we wish to be judged ourselves - our common bond is a love for liberty and our rejection of totalitarianism under any label.**

**We believe that individual rights are endowed by our creator, not government; that the government's function should be limited to protecting our right to life, liberty, and property; and that individual rights are inseparably linked to individual responsibility.**

Next, get organized in local chapters of the John Birch Society and start impacting your community ASAP. In this way we can still work as an organized team statewide without concern of interference from the political thugs that set out to lynch Kristina. Join here: [Join the John Birch Society : The John Birch Society \(jbs.org\)](http://Join the John Birch Society : The John Birch Society (jbs.org)). You can also reach Michigan JBS field officer Rhonda Miller at: [rmiller@jbs.org](mailto:rmiller@jbs.org)

The fight continues!

If you have any comments or questions for MRP, please contact us at: [info@puregrassroots.org](mailto:info@puregrassroots.org)

Yours in Service,



R. Morris Owens, J.D.

Director of Communications for Michigan Republican Policy

**P.S. Please forward this e-mail on to all the other activists in your network.**