



## Saving TikTok While Protecting National Security

### **Administration Policy:**

President Trump issued an executive order (EO) titled [Saving Tiktok While Protecting National Security](#) to implement the [Protecting Americans from Foreign Adversary Controlled Applications Act](#).

The EO notes that a plan has been presented to the President to undergo a qualified divestiture of TikTok's United States operations, as outlined in a framework agreement under which TikTok's United States application will be operated by a newly established joint venture based in the United States (Framework Agreement). It would be majority-owned and controlled by United States persons and would no longer be controlled by any foreign adversary, since ByteDance Ltd. and its affiliates would own less than 20 percent of the entity, with the remainder being held by certain investors (Investor Parties). The joint venture will be run by a new board of directors and subject to rules that appropriately protect Americans' data and our national security.

The EO determines that a review led by the Vice President and an interagency team found that the proposed divestiture removes TikTok from the control of a foreign adversary, meeting the criteria of the Act. The divestiture ensures that (1) TikTok, Lemon8, CapCut, and associated apps are under U.S. control, (2) Operations of algorithms, content moderation, and code are controlled by the U.S. joint venture, (3) Sensitive U.S. user data is stored in a secure U.S. cloud environment managed by Oracle, and (4) Software, algorithms, and data flows are closely monitored. The determination concludes that this structure constitutes a "qualified divestiture" under the Act.

The Attorney General will serve as the United States Government's representative under the Framework Agreement. The Attorney General will also protect the Executive Branch's exclusive authority to enforce the Act, ensuring that only the federal government can act on these matters.

The EO revokes the Presidential Memorandum of July 24, 2024, which delegated authority under the Act. It also amends previous orders regarding Musical.ly and TikTok to make clear that, once the Framework Agreement is implemented and the Committee on Foreign Investment in the United States (CFIUS) approves agreements with investors, the prohibitions in those orders will no longer apply.

The EO states that the President reserves the authority to issue additional orders as needed to protect U.S. national security with respect to TikTok and related applications.

### **Background:**

- The [Protecting Americans from Foreign Adversary Controlled Applications Act](#) prohibits social networking services are foreign adversary controlled, requiring that a U.S. company posses at least 20% ownership stake in TikTok or other foreign adversary controlled applications.
- President Trump has given four extensions to the deadline required under the law, on January 20, 2025, an initial 75-day pause on enforcement; April 4, 2025 a second 75-day extension; June 19, 2025 a third 90-day extension; and September 16, 2025 until December 16, 2025.
- The White House factsheet can be found [here](#).