

United States Senate

WASHINGTON, DC 20510-0908

September 16, 2020

President Donald Trump
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20510

Dear Mr. President:

The potential status of Oracle as a “trusted technology provider” to ByteDance raises a number of significant concerns. According to reporting from Reuters,¹ Oracle would merely assume a management role of TikTok’s U.S. data and possibly acquire only a stake in the company’s American operations. This arrangement could violate the requirements set about in the August 6, 2020 Executive Order on Addressing the Threat Posed by TikTok and would do little to satisfy the range of concerns expressed in that order.

The Executive order is a clear-eyed directive that highlights the data security, corporate espionage, and censorship hazards posed by TikTok, which is owned by the Chinese company ByteDance. Furthermore, the order prohibits any transactions between U.S. citizens and ByteDance after a 45-day deadline.

On September 13, 2020, Oracle Corp. confirmed a deal with ByteDance to become a “trusted technology provider” for TikTok’s U.S. operations. As this deal appears to fall short of a full acquisition, serious questions remain with regard to Oracle’s role in TikTok’s U.S. operations, the type of technology Oracle will be providing ByteDance, and the question of what will happen to the crucial algorithms, which make the application function. In particular, we remain opposed to any deal that would allow China-based or controlled entities to retain, control or modify the code or algorithms that operate any U.S.-based version of TikTok. We are heartened that this deal still requires government approval, and if reports indicating this proposed deal will retain links to ByteDance or other Chinese-controlled entities, we strongly urge the Administration to reject such a proposal on national security grounds.

Your Administration has been clear that any proposal must fully protect the data of American citizens and represents a full break with any Chinese-based corporation, which could potentially be influenced by the Chinese Communist Party. A partial sale, or trusted partnership deal, is insufficient in achieving the goals of protecting Americans and U.S. interests from the severe risks detailed in the Executive order.

Any deal between an American company and ByteDance must ensure that TikTok’s U.S. operations, data, and algorithms are entirely outside the control of ByteDance or any Chinese-

¹ <https://www.reuters.com/article/us-usa-tiktok-trump/trump-says-oracle-close-to-tiktok-deal-as-bytedance-aims-for-majority-ownership-idUSKBN26637C>

state directed actors, including any entity that can be compelled by Chinese law to turn over or access U.S. consumer data. As reported, the proposed partnership agreement between Oracle and TikTok leaves significant unresolved national security issues, and we expect the Administration to keep Congress fully informed as you evaluate this potential agreement.

We appreciate your attention to this critical matter and look forward to your response.

Sincerely,



Marco Rubio
U.S. Senator



Thom Tillis
U.S. Senator



Roger F. Wicker
U.S. Senator



Rick Scott
U.S. Senator



Dan Sullivan
U.S. Senator



John Cornyn
U.S. Senator

CC: Secretary Steven Mnuchin, U.S. Department of Treasury