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BUSINESS MEETING ON MOTION TO RELEASE EXECUTIVE SESSION HEARING TRANSCRIPT  
TO THE DEPARTMENT OF JUSTICE

THURSDAY, JULY 11, 2024

House of Representatives,  
Committee on Energy and Commerce,  
Washington, D.C.

The committee met, pursuant to call, at 10:05 a.m., in Room 2123, Rayburn House Office Building, Hon. Cathy McMorris Rodgers [chairwoman of the committee] presiding.

Present: Representatives Rodgers, Latta, Guthrie, Griffith, Bilirakis, Bucshon, Hudson, Walberg, Duncan, Palmer, Dunn, Lesko, Pence, Joyce, Allen, Balderson, Fulcher, Pfluger, Harshbarger, Miller-Meeks, Pallone, Eshoo, Schakowsky, Matsui, Castor, Sarbanes, Tonko, Clarke, Cardenas, Ruiz, Dingell, Veasey, Kuster, Kelly, Blunt Rochester, Soto, Schrier, and Trahan.

Staff Present: Sarah Burke, Deputy Staff Director; Sydney Greene, Director of Operations; Slate Herman Counsel; Jessica Herron, Clerk; Nate Hodson, Staff Director; Tara Hupman, Chief Counsel; Noah Jackson, Clerk; Sean Kelly, Press Secretary; Lauren

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Kennedy, Clerk; Alex Khlopin, Staff Assistant; Peter Kielty, General Counsel; Emily King, Member Services Director; Tom Kurth, Chief Counsel; Giulia Leganski, Professional Staff Member; John Lin, Senior Counsel; Kate O'Connor, Chief Counsel; Kaitlyn Peterson, Clerk; Carla Rafael, Senior Staff Assistant; Kate Roberts, Professional Staff Member; Emma Schultheis, Staff Assistant; Jennifer Epperson, Minority Chief Counsel, Communications & Technology; Tiffany Guarascio, Minority Staff Director; Perry Hamilton, Minority Member Services and Outreach Manager; Lisa Hone, Minority Chief Counsel, Innovation, Data, and Commerce; Emma Roehrig, Minority Staff Assistant; Michael Scurato, Minority FCC Detailee; Andrew Souvall, Minority Director of Communications, Outreach and Member Services; and Johanna Thomas, Minority Counsel.

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The Chair. The committee will come to order. Good morning everyone. Chair recognizes herself for an opening statement.

Good morning and welcome to today's committee business meeting. The action we are taking is significant to preserving this committee's hard work to protect the American people and our national security. Foreign adversaries, like the Chinese Communist Party, pose the greatest national security threat of our time. Our adversaries are actively working to undermine America's global leadership.

It has been a bipartisan priority for this Congress and this committee to take action to counter that threat. The Energy and Commerce Committee led on the most significant effort to date to do that, passing H.R. 7521, the Protecting Americans from Foreign Adversary Controlled Applications Act, which has been signed into law.

Our efforts began on March 23, 2023, when the committee held a hearing with the CEO of TikTok, his first appearance before Congress, to understand the risk posed by this CCP-controlled app. That hearing further confirmed our greatest fears, that the CCP is weaponizing applications like TikTok against the American people.

Nearly a year later, on March 7, 2024, the committee held a legislative hearing titled "Legislation to Protect American Data and National Security from Foreign Adversaries." At that hearing, we heard from the intelligence community about the dangers posed by applications like TikTok that are controlled by foreign adversaries who are determined to exploit and weaponize Americans' data and the importance of Congress taking action to defend the American people against this threat.

H.R. 7521 gave TikTok a simple choice: Divest from your parent company, which is beholden to the Chinese Communist Party, and remain operational in the United States

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or side with the CCP and face a ban. Since then, the CCP has made it clear that it has no intention of giving up control over applications like TikTok, further solidifying that the CCP is using these applications in nefarious ways against the American people.

Rather than divest, TikTok has filed suit against the United States to try and undermine this law. I am confident this legislation will withstand legal scrutiny.

In June, this committee received a formal request from DOJ to receive a copy of the executive session transcript from our March 24 hearing to assist in their litigation, and I ask unanimous consent to submit a copy of this letter into the record.

Without objection, so ordered.

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[The information follows:]

\*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

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The Chair. According to the Rules of the House of Representatives, the committee must vote to release evidence or testimony taken in executive session. We will vote to do this this morning. In so doing, we will continue our efforts to protect the American people from foreign adversaries.

Companies controlled by a foreign adversary like the CCP will never embrace American values, virtues of our society and culture, like freedom of speech, human rights, the rule of law, a free press, and others. Our adversaries choose to rule through fear and control. If given the choice, they will always choose the path for more control, more surveillance, and more manipulation.

This foreign interference and manipulation is not welcome here, and we will do whatever it takes to stop it.

I yield back.

I now recognize the ranking member, Mr. Pallone, for his opening statement.

Mr. Pallone. Thank you, Chair Rodgers. I want to say that I agree with your comments and your timeline of this committee's work leading up to the meeting today.

And, as the chair said, the committee received the request from the Department of Justice requesting the transcript from our hearing on March 7, 2024, that was titled "Legislation to Protect American Data and National Security from Foreign Adversaries."

Consistent with House Rules, the committee must vote to authorize the release of this transcript because the hearing was conducted in executive session. I fully support the request and will vote in favor of releasing the transcript to the Department of Justice.

I continue to fully support our bipartisan work to address the threat posed by foreign adversary control of online platforms.

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And, with that, I yield back, Madam Chair.

The Chair. Pursuant to clause 2(k)(7) and (9) of rule XI of the Rules of the House, I move that the Committee on Energy and Commerce authorize the release of the transcript from the March 7 committee hearing to the Department of Justice.

All those in favor, say aye.

Those opposed, no.

The ayes have it. The motion is agreed to.

Without objection, the committee stands adjourned.

[Whereupon, at 10:11 a.m., the committee was adjourned.]