



December 11, 2024

Attn: Legal Dept.
TikTok Inc.
5800 Bristol Parkway, Suite 100
Culver City, CA 90230

Dear TikTok,

The Veterans of Foreign Wars of the U.S. (VFW) is grateful for TikTok's consideration to participate in the Veteran Voices campaign. When the VFW entered into the "Veterans Program Grant and Cooperation Agreement" (the Agreement), we had a series of discussions about TikTok's security and the company's compliance with federal law. At the time, there was a mutual understanding that TikTok's compliance with federal law was paramount to executing any agreement. To that end, the VFW accepted certain aspects of TikTok's purported structure. Namely, it was represented that ByteDance would not, in essence, have operational control of TikTok. Additionally, it was represented that TikTok, through TikTok U.S. Data Security Inc., would limit Byte Dance's access to user data and such data would be protected. This was reinforced by the representation that a trusted third party (Oracle) would have the ability to inspect the source code, which would include TikTok's recommendation algorithm. These assurances allowed the VFW to conclude that TikTok was compliant with federal law.

Despite these assurances, on Friday, the U.S. Court of Appeals for the D.C. Circuit rejected TikTok's bid to overturn the pending ban of the platform in the United States authorized by P.L. 118-50. In its decision, the Court concluded that TikTok U.S. Data Security Inc. is not independent of ByteDance and the People's Republic of China.

We, therefore, request an immediate termination of the Agreement with VFW and its 501(c)(3) VFW Foundation. To date, neither the VFW nor the VFW Foundation have received any financial consideration from TikTok, which is why the VFW seeks to terminate the agreement at this time. Should the request for immediate termination not be honored, please let this serve as notice pursuant to Schedule C Section (3)(ii) of the Agreement to terminate in no less than 60 days.

We understand the value that TikTok can bring to the audience we serve and remain open to additional dialogue should the issue of P.L. 118-50 be resolved favorably for TikTok.

Sincerely,

A handwritten signature in black ink that reads "Dan West".

Dan West
Adjutant General

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