

Calendar No. 507

116TH CONGRESS
2D SESSION

S. 3455

To prohibit certain individuals from downloading or using TikTok on any device issued by the United States or a government corporation.

IN THE SENATE OF THE UNITED STATES

MARCH 12, 2020

Mr. HAWLEY (for himself, Mr. SCOTT of Florida, Mr. COTTON, Ms. ERNST, Mr. KENNEDY, and Ms. MCSALLY) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

AUGUST 6, 2020

Reported by Mr. JOHNSON, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To prohibit certain individuals from downloading or using TikTok on any device issued by the United States or a government corporation.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “No TikTok on Govern-
5 ment Devices Act”.

1 **SEC. 2. PROHIBITION ON DOWNLOADING OR USING TIKTOK**
 2 **BY FEDERAL EMPLOYEES.**

3 (a) ~~IN GENERAL.~~—Except as provided in subsection
 4 (b), no employee of the United States, officer of the
 5 United States, Member of Congress, congressional em-
 6 ployee, or officer or employee of a government corporation
 7 may download or use TikTok or any successor application
 8 developed by ByteDance or any entity owned by
 9 ByteDance on any device issued by the United States or
 10 a government corporation.

11 (b) ~~EXCEPTION.~~—Subsection (a) shall not apply to
 12 any investigation, cybersecurity research activity, enforce-
 13 ment action, disciplinary action, or intelligence activity.

14 **SECTION 1. SHORT TITLE.**

15 *This Act may be cited as the “No TikTok on Govern-*
 16 *ment Devices Act”.*

17 **SEC. 2. PROHIBITION ON THE USE OF TIKTOK.**

18 (a) *DEFINITIONS.*—*In this section—*

19 (1) *the term “covered application” means the so-*
 20 *cial networking service TikTok or any successor ap-*
 21 *plication or service developed or provided by*
 22 *ByteDance Limited or an entity owned by ByteDance*
 23 *Limited;*

24 (2) *the term “executive agency” has the meaning*
 25 *given that term in section 133 of title 41, United*
 26 *States Code; and*

1 (3) the term “information technology” has the
2 meaning given that term in section 11101 of title 40,
3 United States Code.

4 (b) *PROHIBITION ON THE USE OF TIKTOK.*—

5 (1) *IN GENERAL.*—Not later than 60 days after
6 the date of the enactment of this Act, the Director of
7 the Office of Management and Budget, in consultation
8 with the Administrator of General Services, the Direc-
9 tor of the Cybersecurity and Infrastructure Security
10 Agency, the Director of National Intelligence, and the
11 Secretary of Defense, and consistent with the informa-
12 tion security requirements under subchapter II of
13 chapter 35 of title 44, United States Code, shall de-
14 velop standards and guidelines for executive agencies
15 requiring the removal of any covered application from
16 information technology.

17 (2) *NATIONAL SECURITY AND RESEARCH EXCEP-*
18 *TIONS.*—The standards and guidelines developed
19 under paragraph (1) shall include—

20 (A) exceptions for law enforcement activi-
21 ties, national security interests and activities,
22 and security researchers; and

23 (B) for any authorized use of a covered ap-
24 plication under an exception, requirements for

- 1 *agencies to develop and document risk mitiga-*
- 2 *tion actions for such use.*

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