

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—116th Cong., 2d Sess.

S. 3455

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

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Mr. HAWLEY

Viz:

1 Strike all after the enacting clause and insert the following:
2

3 **SECTION 1. SHORT TITLE.**

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

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

7 (a) DEFINITIONS.—In this section—

8 (1) the term “covered application” means the
9 social networking service TikTok or any successor
10 application or service developed or provided by

1 ByteDance Limited or an entity owned by
2 ByteDance Limited;

3 (2) the term “executive agency” has the mean-
4 ing given that term in section 133 of title 41, United
5 States Code; and

6 (3) the term “information technology” has the
7 meaning given that term in section 11101 of title
8 40, United States Code.

9 (b) PROHIBITION ON THE USE OF TIKTOK.—

10 (1) IN GENERAL.—Not later than 60 days after
11 the date of the enactment of this Act, the Director
12 of the Office of Management and Budget, in con-
13 sultation with the Administrator of General Services,
14 the Director of the Cybersecurity and Infrastructure
15 Security Agency, the Director of National Intel-
16 ligence, and the Secretary of Defense, and consistent
17 with the information security requirements under
18 subchapter II of chapter 35 of title 44, United
19 States Code, shall develop standards and guidelines
20 for executive agencies requiring the removal of any
21 covered application from information technology.

22 (2) NATIONAL SECURITY AND RESEARCH EX-
23 CEPTIONS.—The standards and guidelines developed
24 under paragraph (1) shall include—

1 (A) exceptions for law enforcement activi-
2 ties, national security interests and activities,
3 and security researchers; and

4 (B) for any authorized use of a covered ap-
5 plication under an exception, requirements for
6 agencies to develop and document risk mitiga-
7 tion actions for such use.