

# Subpart 4.22 Prohibition on a ByteDance Covered Application.

**Parent topic:** [Part 4 - Administrative and Information Matters](#)

## 4.2201 Definitions.

As used in this subpart—

*Covered application* means the social networking service TikTok or any successor application or service developed or provided by ByteDance Limited or an entity owned by ByteDance Limited.

*Information technology*, as defined in 40 U.S.C. 11101(6)—

(1) Means any equipment or interconnected system or subsystem of equipment, used in the automatic *acquisition*, storage, analysis, evaluation, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information by the *executive agency*, if the equipment is used by the *executive agency* directly or is used by a contractor under a contract with the *executive agency* that requires the use—

(i) Of that equipment; or

(ii) Of that equipment to a significant extent in the performance of a service or the furnishing of a product;

(2) Includes computers, ancillary equipment (including imaging peripherals, input, output, and storage devices necessary for security and surveillance), peripheral equipment designed to be controlled by the central processing unit of a computer, software, firmware and similar procedures, services (including support services), and related resources; but

(3) Does not include any equipment acquired by a Federal contractor incidental to a Federal contract.

## 4.2202 Prohibition.

(a) Section 102 of Division R of the Consolidated Appropriations Act, 2023 (Pub. L. 117-328), the No TikTok on Government Devices Act, and its implementing guidance under Office of Management and Budget (OMB) Memorandum M-23-13, dated February 27, 2023, “No TikTok on Government Devices” Implementation Guidance, collectively prohibit the presence or use of a *covered application* on *information technology*, including certain equipment used by Federal contractors.

(b) This prohibition applies to the presence or use of a *covered application* on any *information technology* owned or managed by the Government, or on any *information technology* used or provided by the contractor under a contract, including equipment provided by the contractor’s employees, unless an exception is granted in accordance with OMB Memorandum M-23-13.

## **4.2203 Contract clause.**

The *contracting officer shall* insert the clause at 52.204-27, Prohibition on a ByteDance Covered Application, in all *solicitations* and contracts, unless an exception is granted in accordance with OMB Memorandum M-23-13.