

117TH CONGRESS
2D SESSION

H. R. 8772

To establish certain requirements relating to TikTok, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 6, 2022

Mr. JOHNSON of South Dakota (for himself, Mr. NORMAN, and Mr. MAST) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Armed Services, and Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish certain requirements relating to TikTok, and
for other purposes.

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 “Block the Tok Act”.

5 **SEC. 2. LIMITATION ON THE ACCESS OF USER DATA OF**
6 **UNITED STATES CITIZENS.**

7 TikTok may not access user data of United States
8 citizens from within the People’s Republic of China.

1 **SEC. 3. INVESTIGATION BY COMMISSION.**

2 (a) INVESTIGATION.—Not later than 60 days after
3 the date of the enactment of this Act, the Commission
4 shall initiate an investigation to determine if TikTok has
5 engaged in unfair or deceptive acts or practices within the
6 meaning of section 5(a)(1) of the Federal Trade Commis-
7 sion Act (15 U.S.C. 45(a)(1)).

8 (b) COMPLAINT.—Not later than 30 days after the
9 date on which the Commission completes the investigation
10 described in subsection (a), if the Commission determines
11 TikTok has engaged in unfair or deceptive acts or prac-
12 tices within the meaning of section 5(a)(1) of the Federal
13 Trade Commission Act (15 U.S.C. 45(a)(1)) and if the
14 Commission determines that a proceeding by the Commis-
15 sion would be in the interest of the public, the Commission
16 shall issue and serve upon TikTok a complaint stating the
17 charges that contains a notice of a hearing on a fixed date
18 and place at least thirty days after the date on which the
19 complaint is served.

20 **SEC. 4. PROHIBITION ON THE USE OF TIKTOK AT MILITARY**
21 **INSTALLATIONS AND FEDERAL AGENCIES.**

22 (a) PROHIBITION.—Not later than 30 days after the
23 date of the enactment of this Act—

24 (1) TikTok may not be downloaded or used on
25 a personal electronic device at a military installation
26 or a Federal agency; and

8 SEC. 5. PROHIBITION ON THE USE OF TIKTOK ON FEDERAL
9 GOVERNMENT DEVICES.

(1) TikTok may not be downloaded or used on information technology; and

(b) EXCEPTION.—The Chair of the Commission or the head of a Federal agency may authorize an exception to the prohibition described in subsection (a) if the Chair or the head of the relevant Federal agency determines that it is appropriate for the purpose of an investigation to determine if TikTok has engaged in unfair or deceptive acts or practices within the meaning of section 5(a)(1) of the Federal Trade Commission Act (15 U.S.C. 45(a)(1)).

1 **SEC. 6. DEFINITIONS.**

2 In this Act:

3 (1) COMMISSION.—The term “Commission”
4 means the Federal Trade Commission.

5 (2) FEDERAL AGENCY.—The term “Federal
6 agency” includes the following:

7 (A) Air Force Intelligence, Surveillance
8 and Reconnaissance Agency.

9 (B) Army Intelligence and Security Com-
10 mand.

11 (C) Central Intelligence Agency.

12 (D) Coast Guard Intelligence.

13 (E) Defense Intelligence Agency.

14 (F) Department of Defense.

15 (G) Department of Homeland Security.

16 (H) Department of Justice.

17 (I) Department of State.

18 (J) Department of the Treasury.

19 (K) Drug Enforcement Administration.

20 (L) Federal Bureau of Investigation.

21 (M) Marine Corps Intelligence Activity.

22 (N) National Geospatial-Intelligence Agen-
23 cy.

24 (O) National Reconnaissance Office.

25 (P) National Security Agency/Central Se-
26 curity Service.

1 (Q) Office of the Director of National In-
2 telligence.

3 (R) Office of Intelligence and Counterintel-
4 ligence of the Department of Energy.

5 (S) Office of Naval Intelligence.

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

10 (4) MILITARY INSTALLATION.—The term “mili-
11 tary installation” has the meaning given that term
12 in section 2801 of title 10, United States Code.

13 (5) PERSONAL ELECTRONIC DEVICE.—The
14 term “personal electronic device”, with respect to an
15 employee of a military installation or a Federal
16 agency, means—

17 (A) an electronic device that was not pro-
18 vided to the employee by the relevant military
19 installation or Federal agency for the business
20 of such military installation or Federal agency;
21 or

22 (B) an electronic device that was provided
23 to the employee by the relevant military instal-
24 lation or Federal agency for the business of
25 such military installation or Federal agency but

1 that was used by such employee for a purpose
2 other than the business of such military instal-
3 lation or Federal agency.

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