

# H.R.21

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## IN THE HOUSE OF REPRESENTATIVES

January 1st, 2023

Mr. Sullivan (for himself) introduced the following bill;

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## A BILL

To Prohibit the Usage of Chinese Spyware on Government Devices.

*Be it enacted by the Senate and the House of Representatives of the United States of America in Congress Assembled,*

### SEC. 1. SHORT TITLE.

This Act may be cited as the “Chinese Spyware Removal Act of 2023”, or alternatively, as the “CSRA”

### SEC. 2. FINDINGS.

Congress finds that—

- (a) Tiktok, an application run within the jurisdiction of the People’s Republic of China, has [openly admitted](#) to spying on journalists, following an expose by [Forbes magazine](#).
- (b) Tiktok, an application run within the jurisdiction of the People’s Republic of China, has [engaged in unscrupulous user data collection policies](#).
- (c) Tiktok, an application run within the jurisdiction of the People’s Republic of China, [is sharing user data](#) with the government of the People’s Republic of China
- (d) It is crucial to the National Security of the United States, for obvious reasons, that no foreign spyware be installed on any government device.

### SEC. 3. DEFINITIONS.

In this Act—

- (a) The term “covered application” refers to the social networking service TikTok or any successor application or service developed or provided by ByteDance Limited or an entity owned by ByteDance Limited;
- (b) The term “governmental entity” refers to any department, agency, or organization of the United States.
- (c) The term “information technology” refers to the definition given that term in section 11101 of title 40, United States Code. ([40 U.S.C. §11101](#))

#### **SEC. 4. PROHIBITION ON TIKTOK USAGE.**

- (1) IN GENERAL. — Not later than 15 days after the date of the enactment of this Act, the heads of all governmental entities covered within this Act, consistent with the information security requirements under subchapter II of chapter 35 of title 44, United States Code ([44 U.S.C. §§3551-3559](#)) , shall develop standards and guidelines for governmental entities requiring the removal of any covered application from information technology.
- (2) NATIONAL SECURITY AND RESEARCH EXCEPTIONS —  
The standards and guidelines developed under paragraph (1) shall include —
  - (a) exceptions for law enforcement activities, national security interests and activities, and security researchers; and
  - (b) for any authorized use of a covered application under an exception, requirements for agencies to develop and document risk mitigation actions for such use.

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*Written by Representative Daniel Sullivan, sourcing portions of the text from the IRL [No TikTok on Government Devices Act](#), for use by the Congress of the United States of America.*