

<?xml encoding="UTF-8">

## 52.204-27 Prohibition on a ByteDance Covered Application.

As prescribed in [4.2203](#), insert the following clause:

Prohibition on a ByteDance *Covered Application* (Jun 2023)

(a) *Definitions*. As used in this clause—

*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.

(b) *Prohibition*. 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 *executive agency information technology*, including certain equipment used by Federal contractors. The Contractor is prohibited from having or using 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 this contract, including equipment provided by the Contractor’s employees; however, this prohibition does not apply if the *Contracting Officer* provides written notification to the Contractor that an exception has been granted in accordance with OMB Memorandum M-23-13.

(c) *Subcontracts*. The Contractor *shall* insert the substance of this clause, including this paragraph (c), in all subcontracts, including subcontracts for the *acquisition* of *commercial products* or *commercial services*.

(End of clause)

**Parent topic:** [52.204 \[Reserved\]](#)