

AMENDMENT TO RULES COMM. PRINT 117-13
OFFERED BY MR. BERGMAN OF MICHIGAN

At the appropriate place in title LX of division E,
insert the following:

1 **SEC. ____ . DETERMINATION REGARDING WECHAT AND**
2 **TIKTOK.**

3 (a) IN GENERAL.—Not later than 90 days after the
4 date of the enactment of this Act, the Secretary of State
5 shall submit to the appropriate congressional committees
6 a determination whether WeChat, any component thereof,
7 or any entity owned or controlled by WeChat, or TikTok,
8 any component thereof, or any entity owned or controlled
9 by TikTok, have—

10 (1) engaged in the theft of any user’s data or
11 transmitted such data in an unauthorized manner;
12 or

13 (2) provided access to such data to any of the
14 following:

15 (A) A communist country, as such term is
16 defined in section 620(f)(1) of the Foreign As-
17 sistance Act of 1961 (22 U.S.C. 2370(f)(1)).

18 (B) A foreign adversary, as such term is
19 defined in Executive Order 13920 (85 Fed.

1 Reg. 26595; relating to securing the United
2 States bulk-power system), including the list, as
3 in effect on January 19, 2021, of foreign adver-
4 saries identified by the Office of Electricity of
5 the Department of Energy pursuant to such
6 Executive Order on July 7, 2020.

7 (C) A country the government of which the
8 Secretary of State determines has repeatedly
9 provided support for international terrorism,
10 pursuant to—

11 (i) section 1754(c)(1)(A) of the Ex-
12 port Control Reform Act of 2018 (50
13 U.S.C. 4813(c)(1)(A));

14 (ii) section 620A of the Foreign As-
15 sistance Act of 1961 (22 U.S.C. 2371);

16 (iii) section 40 of the Arms Export
17 Control Act (22 U.S.C. 2780); or

18 (iv) any other provision of law.

19 (D) The Chinese Communist Party.

20 (b) FORM.—The determination required by sub-
21 section (a) shall be submitted in unclassified form but may
22 contain a classified annex.

23 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
24 FINED.—For purposes of this section, the term “appro-
25 priate congressional committees” means—

1 (1) the Committee on Armed Services, the
2 Committee on Foreign Affairs, the Permanent Select
3 Committee on Intelligence, the Committee on Finan-
4 cial Services, and the Committee on the Judiciary of
5 the House of Representatives; and

6 (2) the Committee on Armed Services, the
7 Committee on Foreign Relations, the Select Com-
8 mittee on Intelligence, the Committee on Banking,
9 Housing, and Urban Affairs, and the Committee on
10 the Judiciary of the Senate.

