AMENDMENT TO RULES COMMITTEE PRINT 118–10

OFFERED BY MR. BUCK OF COLORADO

At the end of division C, insert the following:

TITLE XXXVI—NO TIKTOK ON UNITED STATES DEVICES

SEC. 3601. IMPOSITION OF SANCTIONS WITH RESPECT TO TIKTOK.

(a) Blocking of Property.—On and after the date that is 30 days after the date of the enactment of this Act, the President shall exercise all the powers granted to the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a covered company if such property and interests in property—

(1) are in the United States or come within the United States; or

(2) to the extent necessary to prevent commercial operation of the covered company in the United States, are or come within the possession or control of a United States person.
(b) INAPPLICABILITY OF NATIONAL EMERGENCY REQUIREMENT.—The requirements of section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701) shall not apply for purposes of this section.

(c) IMPLEMENTATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) EXCEPTIONS.—The exceptions under subsection (b) of section 203 of the International Emergency Economic Powers Act (50 U.S.C. 1702) shall not apply to the use by the President in carrying out this section of the authorities under such section 203.

(d) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulation, license, or order issued to carry out this section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.
(e) National Security and Research Exceptions.—Sanctions under this section shall not apply with respect to law enforcement activities, national security interests and activities, and security research activities, as provided under the standards and guidelines developed by the Director of the Office of Management and Budget under section 102(b)(1) of the No TikTok on Government Devices Act (division R of Public Law 117–328).

(f) Covered Company Defined.—In this section, the term “covered company” means—

(1) ByteDance Limited, or any successor entity to ByteDance Limited, if ByteDance Limited or the successor entity—

(A) is involved in matters relating to the social networking service TikTok, or any successor service; or

(B) is involved in matters relating to any information, videos, or data associated with such service; or

(2) any entity owned by ByteDance Limited or the successor entity that—

(A) is involved in matters relating to the social networking service TikTok, or any successor service; or
(B) is involved in matters relating to any information, videos, or data associated with such service.

SEC. 3602. REPORT ON THREATS TO NATIONAL SECURITY POSED BY TIKTOK.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of Defense, the Director of the Cybersecurity and Infrastructure Security Agency, the Secretary of Homeland Security, and the Director of the Federal Bureau of Investigation, shall submit to Congress a report on the threats to national security posed by TikTok, including the following:

(1) The ability of the Government of the People’s Republic of China to access, directly or indirectly, data of users in the United States via TikTok.

(2) The ability of the Government of the People’s Republic of China to use data of users in the United States, including that of members of the Armed Forces, accessed via TikTok for intelligence or military purposes, including surveillance, micro-targeting, deepfakes, or blackmail.

(3) Any ongoing efforts by the Government of the People’s Republic of China to monitor or manip-
ulate United States persons using data accessed via TikTok, including a detailed account of any data employed for those purposes.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

SEC. 3603. BRIEFING.

Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall provide to Congress a classified briefing on the implementation of this Act, which shall include a briefing on the report required by section 3602(a).