SmartSuite

Framework / Supply Chain Security / Other

# FAR 52.204-27

FAR 52.204-27 bars federal contractors from having or using TikTok or other ByteDance applications on Government IT and on contractor or employee devices used under the contract.




## What it is

FAR 52.204-27, Prohibition on a ByteDance Covered Application, is a Federal Acquisition Regulation clause (48 CFR 52.204-27) that binds federal contractors. It forbids a contractor from having or using TikTok, or any successor application or service developed or provided by ByteDance Limited or an entity it owns. The prohibition covers information technology owned or managed by the Government or used or provided by the contractor under the contract, including equipment the contractor's employees provide. It has applied to every federal solicitation and contract since June 2, 2023.

## At a glance

PUBLISHER
Federal Acquisition Regulatory Council (DoD, GSA and NASA); statute enacted by the United States Congress (Division R, Pub. L. 117-328); guidance by OMB (M-23-13)

TYPE
Regulation

VERSION
Interim rule FAC 2023-04 (88 FR 36430), clause dated JUN 2023 and unchanged in the FAR; proposed for consolidation into FAR 52.240-3 under FAR Case 2026-001

EFFECTIVE
June 2, 2023 (solicitations issued on or after that date; earlier solicitations amended by July 3, 2023)

DOMAIN
Supply Chain Security

FAMILY
Other

REGION
United States

INDUSTRY
Government & Public Sector

ADOPTION MODEL
Regulatory Compliance

IMPLEMENTATION COMPLEXITY
Low

Source: acquisition.gov/far/52.204-27

## Why it matters

- **One defined target** Paragraph (a) defines the covered application as the social networking service TikTok or any successor application or service developed or provided by ByteDance Limited or an entity owned by ByteDance Limited, the words of section 102(a)(1) of the Act.
- **Statutory reach for information technology** The clause uses the 40 U.S.C. 11101(6) definition, which includes equipment a contractor uses under a contract that requires its use, and excludes equipment acquired incidental to a federal contract.


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## How SmartSuite supports FAR 52.204-27

### Contract Obligation Register

Record every solicitation and contract that carries 52.204-27, the date it was added or modified in, and the subcontracts that received the paragraph (c) flow-down.

### Device and System Inventory

Track in IT Asset Management (ITAM) the Government-furnished, contractor-owned and employee-provided devices used in performance, each marked as in or out of the clause's scope.

### Acceptable-Use Policy and Acknowledgments

Publish the policy that names the covered application, assign it to employees and subcontractor staff, and keep dated acknowledgments as evidence.

### Exception Notices

Log each Contracting Officer written notification under M-23-13 with the agency exception category, period and the risk mitigation actions the agency documented.

### Subcontractor Flow-Down

Use Third Party Risk Management to confirm that each subcontract includes the substance of the clause and to collect the subcontractor's attestation.

### Evidence and Reporting

Attach blocklist and removal evidence to each device record and report contract coverage, open exceptions and unacknowledged staff on dashboards for contract reviews.

## Common framework mappings

CIS Controls v8.1 | FedRAMP Rev. 5 | GDPR | ISO 27001:2022 | ISO 27002:2022 | NIST CSF 2.0 | NIST 800-53 Rev.5 | PCI DSS 4.0.1 | SOC 2 | GovRAMP

## Official resources

### Federal Acquisition Regulation (FAR) Overview

Provides an overview of the Federal Acquisition Regulation system, including the Part 52 clauses FAR 52.204-21 and FAR 52.204-27.

acquisition.gov/far

### FAR 52.204-27 clause text (acquisition.gov)

The clause as it reads in the FAR today: definitions, the prohibition including contractor-provided and employee devices, and the flow-down.

acquisition.gov/far/52.204-27

### FAR Council Guidance

Offers detailed explanations and implementation guidance for compliance with FAR clauses.

federalregister.gov/agencies/federal-acquisition-regulation-system

### Federal Register: FAR Prohibition on a ByteDance Covered Application (88 FR 36430)

The interim rule of June 2, 2023 (FAC 2023-04, FAR Case 2023-010) that added FAR 4.22 and clause 52.204-27.

federalregister.gov/documents/2023/06/02/2023-11756/federal-acquisition-regulation-prohibition-on-a-bytedance-covered-application

## Frequently asked questions

### What is a covered application under FAR 52.204-27?

Paragraph (a) of the clause defines it as the social networking service TikTok or any successor application or service developed or provided by ByteDance Limited or an entity owned by ByteDance Limited. The definition is taken word for word from section 102(a)(1) of the No TikTok on Government Devices Act (Division R of Pub. L. 117-328) and repeated in FAR 4.2201.

### Does the prohibition reach employees' personal phones?

Yes, when they are used in performance of the contract. Paragraph (b) prohibits the covered application on any information technology used or provided by the Contractor under the contract, including equipment provided by the Contractor's employees. The preamble to the interim rule (88 FR 36430) says a device used under a bring-your-own-device program is covered and a personally owned phone that is not used in performance is not.


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### Which contracts include FAR 52.204-27?

All of them. FAR 4.2203 prescribes the clause for all solicitations and contracts unless an exception is granted under OMB M-23-13, and the FAR Council and the Administrator for Federal Procurement Policy determined to apply it to acquisitions at or below the simplified acquisition threshold, to commercial products and services and to COTS items; FAR 13.2 extends it to micro-purchases. Paragraph (c) requires the clause in every subcontract, including commercial subcontracts.

### Are there exceptions, and who grants them?

The statute allows exceptions for law enforcement activities, national security interests and activities and security researchers (section 102(b)(2)). Under M-23-13 section IV an agency head or designee grants them for a specific program or action, never agency-wide, documents the category, period and risk mitigation, and limits each to one year. A contractor may rely on one only after the Contracting Officer provides written notification under paragraph (b) of the clause.

### Is FAR 52.204-27 still an interim rule, and is it changing?

The clause was issued as an immediately effective interim rule on June 2, 2023 (FAC 2023-04, FAR Case 2023-010) and the eCFR shows no amendment since; acquisition.gov still carries the clause dated JUN 2023. The Revolutionary FAR Overhaul proposed rule of June 23, 2026 (FAR Case 2026-001) would fold it, with the Kaspersky, covered telecommunications and FASCSA clauses, into a new clause at FAR 52.240-3, Security Prohibitions and Exclusions. Until a final rule issues, 52.204-27 applies as written.

License included / downloadable: Yes FAR 52.204-27 is a U.S. federal regulation published free on acquisition.gov and in the Electronic Code of Federal Regulations; the statute and OMB M-23-13 are free on govinfo.gov and whitehouse.gov.

Full framework page and mappings: smartsuite.com/frameworks/us-far-52-204-27-prohibition-on-a-bytedance-covered-application