

1. What is the TikTok ban?

Effective June 2, 2023, all federal contracts and solicitations are required to include a new Federal Acquisition Regulation (FAR) clause: FAR 52.204-27, [Prohibition on a ByteDance Covered Application](#)

This new provision prohibits individuals from having or using TikTok or any successor application or service by ByteDance Limited on any *information technology equipment or system* used under a federal contract that contains FAR clause 52.204-27, whether the information technology equipment is issued by the University or is personally owned.

2. What is the definition of "Contractor"?

"Contractor" means any individual or other legal entity that (1) Directly or indirectly (e.g., through an affiliate), submits offers for or is awarded, or reasonably may be expected to submit offers for or be awarded, a Government contract or a subcontract under a Government contract; or (2) Conducts business, or reasonably may be expected to conduct business, with the Government as an agent or representative of another contractor.

3. What information technology is impacted by the ban?

Information technology (IT) owned or operated by federal agencies, and IT "used by a contractor under a contract with the executive agency that requires the use" of that IT, whether expressly or "to a **significant extent** in the performance of a service or the furnishing of a product."

Information technology does not include any equipment acquired by a Federal Contractor that is incidental to a Federal contract.

4. Does the TikTok ban extend to personally owned devices, such as a cell phone?

Yes, it may. A contractor is prohibited from having or using TikTok on any information technology owned or managed by the Government, or on any information technology used or provided by the contractor under a federal contract, including equipment provided by the Contractor's employees. Accordingly, if the personally owned device is required by the agency under the contract or if the personally owned device is used to a significant extent in the performance of the federal contact, the personally owned device can not contain the TikTok app or be used to access or use the Tik Tok website (www.tiktok.com). A personally-owned cell phone **that is not used** in the performance of the contract is not subject to the prohibition.

5. What is considered use to a significant extent in the performance of the contract?

While the FAR Clause does not define what constitutes “significant” or “incidental” use, using a device to occasionally respond to emails about a covered federal contract does not appear to trigger the ban of TikTok. However, this interpretation is subject to change pending further guidance on the interim rule.

6. How is Pitt implementing the ban?

When Pitt receives a contract incorporating the FAR, OSP will contact the PI and the PI will be required to confirm the following:

- You and your project teams understand the requirements of the FAR
- You and your project teams will not use the TikTok app in performance of a federal contract
- If the app is downloaded, you and your project teams will uninstall the TikTok app on any device that is also being used to a significant extent in the performance of the federal contract.
- You and your project teams will not access or use the TikTok website (www.tiktok.com) on any device that is also being used to a significant extent in the performance of the federal contract.

7. What if I have an employee who is refusing to delete the TikTok app from their personal device and they will be using their personal device to a significant extent in the performance of a federal contract incorporating the FAR?

If an employee refuses to delete the app from their personal device and execute a declaration that they have removed the app and will not reinstall it and will not access or use the Tik Tok website (www.tiktok.com) on any personal device in which they also conduct University related research that must with comply with the FAR clause, then that employee will be subject to discipline up to and including the termination of their employment.

If possible, the employee’s job responsibilities may be re-defined so that the scope of their employment duties does not include work under a federal contract that contains FAR clause 52.204-27.