

Union Calendar No. 441

118TH CONGRESS
2^D SESSION

H. R. 750

[Report No. 118–530]

To require any person that sells or distributes a mobile application that the Federal Government has prohibited for Government-owned devices to disclose that fact to any individual who downloads, updates, or otherwise uses such application, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 2023

Mrs. CAMMACK (for herself and Mr. SOTO) introduced the following bill; which was referred to the Committee on Energy and Commerce

MAY 31, 2024

Additional sponsors: Mr. BALDERSON and Mr. ALLEN

MAY 31, 2024

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on February 2, 2023]

A BILL

To require any person that sells or distributes a mobile application that the Federal Government has prohibited for Government-owned devices to disclose that fact to any individual who downloads, updates, or otherwise uses such application, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Chinese-owned Applica-*
5 *tions Using The Information of Our Nation Act of 2023”*
6 *or the “CAUTION Act of 2023”.*

7 **SEC. 2. DISCLOSURE REQUIREMENTS.**

8 *(a) IN GENERAL.—Any person that sells or distributes*
9 *a covered application that the Federal Government has pro-*
10 *hibited the use of for information technology and required*
11 *to be removed from such information technology under the*
12 *No TikTok on Government Devices Act (Public Law 117–*
13 *328), before any individual downloads or updates the cov-*
14 *ered application, shall disclose, in a clear and conspicuous*
15 *manner, that the use of the covered application is prohibited*
16 *on Government-owned devices under law.*

17 *(b) FALSE INFORMATION.—It shall be unlawful for*
18 *any person to knowingly provide false information with re-*
19 *spect to the disclosure required under this section.*

20 *(c) ENFORCEMENT.—*

21 *(1) UNFAIR AND DECEPTIVE ACTS OR PRAC-*
22 *TICES.—A violation of this section shall be treated as*
23 *a violation of a rule defining an unfair or deceptive*
24 *act or practice prescribed under section 18(a)(1)(B) of*

1 *the Federal Trade Commission Act (15 U.S.C.*
2 *57a(a)(1)(B)).*

3 (2) *POWERS OF THE FEDERAL TRADE COMMIS-*
4 *SION.—*

5 (A) *IN GENERAL.—The Federal Trade Com-*
6 *mission shall enforce this section in the same*
7 *manner, by the same means, and with the same*
8 *jurisdiction, powers, and duties as though all ap-*
9 *plicable terms and provisions of the Federal*
10 *Trade Commission Act (15 U.S.C. 41 et seq.)*
11 *were incorporated into and made a part of this*
12 *section.*

13 (B) *PRIVILEGES AND IMMUNITIES.—Any*
14 *person that violates this section shall be subject*
15 *to the penalties, provided in the Federal Trade*
16 *Commission Act (15 U.S.C. 41 et seq.).*

17 (3) *AUTHORITY PRESERVED.—Nothing in this*
18 *section shall be construed to limit the authority of the*
19 *Federal Trade Commission under any other provision*
20 *of law.*

21 (d) *EFFECTIVE DATE.—This section shall take effect*
22 *180 days after the date of the enactment of this Act.*

23 (e) *DEFINITIONS.—In this section:*

24 (1) *COVERED APPLICATION.—The term “covered*
25 *application” has the meaning given that term in sec-*

1 *tion 102 of division R of the Consolidated Appropriations Act, 2023 (Public Law 117–328).*
2

3 (2) *INDIVIDUAL.*—*The term “individual” means*
4 *a natural person residing in the United States.*

5 (3) *INFORMATION TECHNOLOGY.*—*The term “in-*
6 *formation technology” has the meaning given that*
7 *term in section 102 of division R of the Consolidated*
8 *Appropriations Act, 2023 (Public Law 117–328).*

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