

118TH CONGRESS
1ST SESSION

H. R. 750

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

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 Appli-
5 cations Using The Information of Our Nation Act of
6 2023” or the “CAUTION Act of 2023”.

1 **SEC. 2. DISCLOSURE REQUIREMENTS.**

2 (a) IN GENERAL.—Any person that sells or distrib-
3 utes a mobile application that the Federal Government has
4 prohibited the use of for Government-owned devices under
5 Public Law 117–328, before the download or update of
6 the application, shall disclose, in a clear and conspicuous
7 manner, that the use of the mobile application is prohib-
8 ited on Government-owned devices under law to any indi-
9 vidual who downloads, updates, or otherwise uses the ap-
10 plication.

11 (b) ENFORCEMENT.—

12 (1) UNFAIR AND DECEPTIVE ACTS OR PRAC-
13 TICES.—A violation of this section shall be treated
14 as a violation of a rule defining an unfair or decep-
15 tive act or practice prescribed under section
16 18(a)(1)(B) of the Federal Trade Commission Act
17 (15 U.S.C. 57a(a)(1)(B)).

18 (2) POWERS OF THE FEDERAL TRADE COMMIS-
19 SION.—

20 (A) IN GENERAL.—The Federal Trade
21 Commission shall enforce this section in the
22 same manner, by the same means, and with the
23 same jurisdiction, powers, and duties as though
24 all applicable terms and provisions of the Fed-
25 eral Trade Commission Act (15 U.S.C. 41 et

1 seq.) were incorporated into and made a part of
2 this section.

3 (B) PRIVILEGES AND IMMUNITIES.—Any
4 person that violates this section shall be subject
5 to the penalties (including the provisions of sub-
6 sections (l) and (m) of section 5 of such Act
7 that provide for a maximum civil penalty per
8 violation of \$46,517 and entitled to the privi-
9 leges and immunities, provided in the Federal
10 Trade Commission Act (15 U.S.C. 41 et seq.).

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