AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 750

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Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

- This Act may be cited as the "Chinese-owned Appli-
- 3 cations Using The Information of Our Nation Act of
- 4 2023" or the "CAUTION Act of 2023".

5 SEC. 2. DISCLOSURE REQUIREMENTS.

- 6 (a) IN GENERAL.—Any person that sells or distrib-
- 7 utes a covered application that the Federal Government
- 8 has prohibited the use of for information technology and
- 9 required to be removed from such information technology
- 10 under the No TikTok on Government Devices Act (Public
- 11 Law 117-328), before any individual downloads or up-
- 12 dates the covered application, shall disclose, in a clear and
- 13 conspicuous manner, that the use of the covered applica-
- 14 tion is prohibited on Government-owned devices under law.
- 15 (b) False Information.—It shall be unlawful for
- 16 any person to knowingly provide false information with re-
- 17 spect to the disclosure required under this section.
- 18 (c) Enforcement.—

1	(1) Unfair and deceptive acts or prac-
2	TICES.—A violation of this section shall be treated
3	as a violation of a rule defining an unfair or decep-
4	tive act or practice prescribed under section
5	18(a)(1)(B) of the Federal Trade Commission Act
6	(15 U.S.C. 57a(a)(1)(B)).
7	(2) Powers of the federal trade commis-
8	SION.—
9	(A) IN GENERAL.—The Federal Trade
10	Commission shall enforce this section in the
11	same manner, by the same means, and with the
12	same jurisdiction, powers, and duties as though
13	all applicable terms and provisions of the Fed-
14	eral Trade Commission Act (15 U.S.C. 41 et
15	seq.) were incorporated into and made a part of
16	this section.
17	(B) Privileges and immunities.—Any
18	person that violates this section shall be subject
19	to the penalties, provided in the Federal Trade
20	Commission Act (15 U.S.C. 41 et seq.).
21	(3) Authority Preserved.—Nothing in this
22	section shall be construed to limit the authority of
23	the Federal Trade Commission under any other pro-
24	vision of law.

1	(d) Effective Date.—This section shall take effect
2	180 days after the date of the enactment of this Act.
3	(e) DEFINITIONS.—In this section:
4	(1) COVERED APPLICATION.—The term "cov-
5	ered application" has the meaning given that term
6	in section 102 of division R of the Consolidated Ap-
7	propriations Act, 2023 (Public Law 117–328).
8	(2) Individual.—The term "individual" means
9	a natural person residing in the United States.
10	(3) Information technology.—The term
11	"information technology" has the meaning given
12	that term in section 102 of division R of the Consoli-
13	dated Appropriations Act, 2023 (Public Law 117–
14	328).

