



February 3, 2023

TO: Subcommittee on Innovation, Data, and Commerce Members and Staff
FROM: Committee on Energy and Commerce, Majority Staff
RE: Subcommittee Markup of 5 Bills

I. INTRODUCTION

The Subcommittee on Innovation, Data, and Commerce will meet in open markup session on Tuesday, February 7, 2023, at 2:00 p.m. (ET), or 15 minutes after the conclusion of the Energy, Climate, & Grid Security and Environment, Manufacturing, & Critical Materials Joint Subcommittee Hearing starting at 10 a.m. (ET), whichever is later, in 2322 Rayburn House Office Building to consider the following:

H.R. 750, the, “Chinese-owned Applications Using The Information of Our Nation Act of 2023” or the “CAUTION Act of 2023” (Reps. Cammack (R-FL) and Soto (D-FL) introduced on 02.02.2023)

H.R. 784, the, “Internet Application Integrity and Disclosure Act” or the “Internet Application I.D. Act” (Reps. Fulcher (R-ID) and Pappas (D-NH) introduced on 02.02.2023)

H.R. 742, the “Telling Everyone the Location of data Leaving the U.S. Act” or the “TELL Act” (Reps. Duncan (R-SC), Kaptur (D-OH), and Perry (R-PA) introduced on 02.02.2023)

H.R. 813, the, “Global Investment in American Jobs Act of 2023” (Rep. Pence (R-IN) introduced on 02.02.2023)

H.R. 752, the “Securing Semiconductor Supply Chains Act of 2023” (Reps. Eshoo (D-CA) and Pence (R-IN) introduced on 02.02.2023)

II. EXPLANATION OF LEGISLATION

H.R. 750, the, “Chinese-owned Applications Using The Information of Our Nation Act of 2023” or the “CAUTION Act of 2023”

The legislation would require any person who sells or distributes a mobile application that is banned on federal government devices to disclose that fact in a clear and conspicuous manner, to any individual who downloads, updates, or otherwise uses the application. The required disclosure would be provided to the individual before the download or update of such application. These requirements would be enforced by the Federal Trade Commission (FTC).

H.R. 784, the “Internet Application Integrity and Disclosure Act” or the “Internet Application I.D. Act”

The legislation would require any person who maintains websites or that sells or distributes a mobile application that is owned, wholly or partially by the Chinese Communist party (CCP) or by a non-state-owned entity located in China, to conspicuously disclose to the user that such website or seller is located in China or owned by the CCP. The legislation would make it unlawful for any person to knowingly provide false information required under the disclosure and would provide enforcement authority for the FTC.

H.R. 742, the “Telling Everyone the Location of data Leaving the U.S. Act” or the “TELL Act”

The legislation would require that any person that maintains an internet website or that sells or distributes an online application that stores and maintains information collected from such website or application in China, disclose to any individual who downloads or otherwise uses such application, in a clear and conspicuous manner that such information is stored and maintained in China and whether the CCP or a Chinese state-owned entity has access to such information. The legislation would make it unlawful for any person to knowingly provide false information required under the disclosure and would provide enforcement authority for the FTC.

H.R. 813, the, “Global Investment in American Jobs Act of 2023”

The legislation would direct the Secretary of Commerce and the Comptroller General of the Government Accountability Office to conduct an interagency review and report on ways to increase global competitiveness of the U.S. in attracting foreign direct investment (FDI) from responsible private-sector entities based in trusted countries. The review conducted shall include but not be limited to the current economic impact of FDI in the United States, trends in global cross-border investment, Federal Government policies that are closely linked to the ability of the United States to attract and retain FDI, FDI as compared to domestic direct investment, barriers to the U.S. competitiveness to attract FDI, and ongoing U.S. efforts to attract FDI. The bill would also require the Secretary of Commerce and the Comptroller General to report to Congress recommendations for increasing global competitiveness of the United States in attracting FDI.

H.R. 752, the “Securing Semiconductor Supply Chains Act of 2023”

The legislation would require the Executive Director of SelectUSA to solicit comments from State-level economic development organizations to review efforts to support

increased FDI in any segment of the semiconductor-related production and current barriers and challenges to such investment. The legislation would also require the Executive Director to develop recommendations for how SelectUSA can increase such investment and work with allied countries to ensure foreign adversaries do not benefit from U.S. efforts to increase investment. The legislation would also require the Executive Director in coordination with the Federal interagency Investment Working Group to submit to Congress a report on the review and recommendations. The legislation would not authorize additional funds for purposes of carrying out the Act.

III. STAFF CONTACTS

If you have any questions regarding this markup, please contact Tim Kurth, Teddy Tanzer, Brannon Rains, Michael Cameron, or Lacey Strahm at 202-225-3641.