

118TH CONGRESS
1ST SESSION

S. _____

To require any person that maintains an internet website or that sells or distributes a mobile application that is owned, wholly or partially, by the Chinese Communist Party, by a Chinese state-owned-entity, or by a non-state-owned entity located in the People's Republic of China, or that stores and maintains information collected from such website or application in China, to disclose that fact to any individual who downloads or otherwise uses such website or application.

IN THE SENATE OF THE UNITED STATES

Ms. CORTEZ MASTO introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To require any person that maintains an internet website or that sells or distributes a mobile application that is owned, wholly or partially, by the Chinese Communist Party, by a Chinese state-owned-entity, or by a non-state-owned entity located in the People's Republic of China, or that stores and maintains information collected from such website or application in China, to disclose that fact to any individual who downloads or otherwise uses such website or application.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Internet Application
3 Integrity and Disclosure Act” or the “Internet Application
4 I.D. Act”.

5 **SEC. 2. DISCLOSURE REQUIREMENTS RELATING TO CHI-
6 NESE OWNERSHIP, STORAGE, AND MAINTEN-
7 NANCE OF INFORMATION IN CHINA.**

8 (a) DISCLOSURE REQUIREMENTS.—Beginning 1 year
9 after the date of enactment of this Act, any person who
10 owns or controls an internet website or a mobile applica-
11 tion shall clearly and conspicuously disclose to any indi-
12 vidual who downloads or otherwise uses the covered service
13 the following:

14 (1) Whether the covered service is owned, whol-
15 ly or partially, by the Chinese Communist Party, by
16 a Chinese state-owned entity, or by a non-state-
17 owned entity domiciled in the People’s Republic of
18 China.

19 (2) Whether information collected from the cov-
20 ered service is stored and maintained in the People’s
21 Republic of China.

22 (3) Whether the Chinese Communist Party or
23 a Chinese state-owned entity has access to such in-
24 formation.

1 (b) FALSE INFORMATION.—It shall be unlawful for
2 any person to knowingly disclose false information under
3 this section.

4 (c) DEFINITIONS.—In this section:

5 (1) COVERED SERVICE DEFINED.—The term
6 “covered service” means an internet website or a
7 mobile application that—

8 (A) is owned, wholly or partially, by the
9 Chinese Communist Party, by a Chinese state-
10 owned entity, or by a non-state-owned entity
11 domiciled in the People’s Republic of China; or

12 (B) stores and maintains information col-
13 lected from such website or application in the
14 People’s Republic of China.

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

17 (3) NON-STATE OWNED ENTITY LOCATED IN
18 THE PEOPLE’S REPUBLIC OF CHINA.—The term
19 “non-state owned entity located in the People’s Re-
20 public of China” means an entity that is—

21 (A) controlled (as such term is defined in
22 section 800.208 of title 31, Code of Federal
23 Regulations, or a successor regulation) by any
24 governmental organization of the People’s Re-
25 public of China; or

1 (B) organized under the laws of the Peo-
2 ple’s Republic of China.

3 (4) PEOPLE’S REPUBLIC OF CHINA.—The term
4 “People’s Republic of China” has the meaning given
5 the term “China” in section 142 of title 15, United
6 States Code.

7 **SEC. 3. ENFORCEMENT.**

8 (a) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—
9 A violation of this Act is a violation of a rule defining
10 an unfair or deceptive act or practice prescribed under sec-
11 tion 18(a)(1)(B) of the Federal Trade Commission Act
12 (15 U.S.C. 57a(a)(1)(B)).

13 (b) POWERS OF THE FEDERAL TRADE COMMIS-
14 SION.—

15 (1) IN GENERAL.—The Federal Trade Commis-
16 sion shall enforce this Act in the same manner, by
17 the same means, and with the same jurisdiction,
18 powers, and duties as though all applicable terms
19 and provisions of the Federal Trade Commission Act
20 (15 U.S.C. 41 et seq.) were incorporated into and
21 made a part of this Act.

22 (2) PRIVILEGES AND IMMUNITIES.—Any person
23 that violates this Act shall be subject to the pen-
24 alties, and entitled to the privileges and immunities,

1 provided in the Federal Trade Commission Act (15
2 U.S.C. 41 et seq.).

3 (3) AUTHORITY PRESERVED.—Nothing in this
4 Act shall be construed to limit the authority of the
5 Federal Trade Commission under any other provi-
6 sion of law.