

118TH CONGRESS  
1ST SESSION

# H. R. 1162

To require the Office of Management and Budget to report to Congress on actions taken by Executive branch employees to censor lawful speech, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 24, 2023

Mr. PERRY introduced the following bill; which was referred to the Committee on Oversight and Accountability

---

## A BILL

To require the Office of Management and Budget to report to Congress on actions taken by Executive branch employees to censor lawful speech, 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 “Accountability for Gov-  
5 ernment Censorship Act”.

6 **SEC. 2. REPORTS ON FEDERAL AGENCY COMMUNICATIONS**

7 **WITH PLATFORMS REGARDING CENSORSHIP**  
8 **OF SPEECH.**

9 (a) AGENCY REPORT TO OMB.—

1           (1) IN GENERAL.—Not later than 90 days after  
2 the date of enactment of this Act, the head of each  
3 agency shall submit a report to the Director of the  
4 Office of Management and Budget listing each in-  
5 stance during the 5-year period immediately pre-  
6 ceding the date of enactment of this Act that an of-  
7 ficer or employee of the agency communicated with  
8 a platform (including an interactive computer serv-  
9 ice) that is not owned and operated by the Federal  
10 Government for the purposes of—

11                   (A) removing or suppressing lawful speech,  
12 in whole or in part, from or on any platform;

13                   (B) adding any disclaimer, information, or  
14 other alert to lawful speech expressed on any  
15 platform; or

16                   (C) removing or restricting the access of  
17 any person or entity to any platform.

18           (2) ADDITIONAL INFORMATION.—With respect  
19 to any communication listed pursuant to paragraph  
20 (1), the head of the agency shall include the fol-  
21 lowing information:

22                   (A) The name of the sub-agency, bureau,  
23 or office at which the officer or employee is em-  
24 ployed.

1           (B) The name of any officer or employee  
2 involved in the communication, including their  
3 position and direct supervisor or supervisors.

4           (C) The statutory authority for making the  
5 communication (if any), and if no such author-  
6 ity exists, an explanation for why the agency  
7 viewed it in their authority to take the action.

8           (D) The name of the platform that re-  
9 ceived the communication, including the name  
10 and positions of employees of the platform that  
11 were specifically communicated with.

12           (E) A written justification summarizing  
13 and explaining the purpose for taking the com-  
14 munication.

15           (F) A written summary of the outcome of  
16 the communication.

17           (G) A list of any other agency that was in-  
18 volved in, consulted with, or otherwise coordi-  
19 nated on the communication.

20           (3) CERTIFICATION OF NO COMMUNICATIONS.—

21 If an officer or employee of an agency has not en-  
22 gaged in a communication described under para-  
23 graph (1) during such 5-year period, the head of  
24 that agency shall submit to the Director a certifi-

1 cation to that effect not later than 90 days after the  
2 date of enactment of this Act.

3 (b) OMB REPORT TO CONGRESS.—

4 (1) IN GENERAL.—Not later than 210 days  
5 after the date of enactment of this Act, the Director  
6 shall submit to the Committee on Homeland Secu-  
7 rity and Governmental Affairs of the Senate and the  
8 Committee on Oversight and Accountability of the  
9 House of Representatives a report, which may in-  
10 clude a classified annex, that includes—

11 (A) the information on communications  
12 submitted to the Director by any agency pursu-  
13 ant to subsection (a); and

14 (B) a summary of the agency communica-  
15 tions reported under subsection (a) organized  
16 by platform (including an interactive computer  
17 service) that received such communications.

18 (2) UNCLASSIFIED FORM.—The information in-  
19 cluded in the report submitted by the Director list-  
20 ing communications under subsection (a), descrip-  
21 tions of such communications under each of sub-  
22 paragraphs (A) through (D) of subsection (a)(2),  
23 and the summary under paragraph (1)(B) of this  
24 paragraph may not be included in any classified  
25 annex and shall be submitted in unclassified form.

1 (c) INSPECTORS GENERAL REVIEW AND ENFORCE-  
2 MENT.—

3 (1) IN GENERAL.—Not later than 210 days  
4 after the date of enactment of this Act, each Inspec-  
5 tor General of an agency that submits a report or  
6 certification to the Director under subsection (a)  
7 shall conduct a review of the agency’s compliance  
8 with the requirements of this Act and submit a re-  
9 port on such compliance to the Committee on Home-  
10 land Security and Governmental Affairs of the Sen-  
11 ate and the Committee on Oversight and Account-  
12 ability of the House of Representatives.

13 (2) CONGRESSIONAL BRIEFING FOR AGENCIES  
14 FOUND TO BE NONCOMPLIANT.—An agency required  
15 to submit a report or certification to the Director  
16 under subsection (a) that is found by the agency’s  
17 Inspector General to be noncompliant with the re-  
18 quirements of this Act shall brief the Committee on  
19 Homeland Security and Governmental Affairs of the  
20 Senate and the Committee on Oversight and Ac-  
21 countability of the House of Representatives not  
22 later than 60 days after the committee receives an  
23 Inspector General report on an agency’s compliance.

24 (d) DEFINITIONS.—In this Act—

1           (1) the term “agency” has the meaning given  
2 that term in section 551(1) of title 5, United States  
3 Code, and includes any office within the Executive  
4 Office of the President;

5           (2) the term “Director” means the Director of  
6 the Office of Management and Budget; and

7           (3) the term “interactive computer service” has  
8 the meaning given that term in section 230(f) of the  
9 Communications Act of 1934 (47 U.S.C. 230(f)).

○