

117TH CONGRESS
2D SESSION

H. R. 9397

To promote global internet freedom.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 1, 2022

Ms. SPANBERGER (for herself, Mr. STEWART, and Mr. KEATING) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To promote global internet freedom.

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 “Internet Freedom and
5 Operations Act of 2022” or “INFO Act of 2022”.

6 **SEC. 2. GLOBAL INTERNET FREEDOM.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) More than 3,000,000,000 people use the
9 internet around the world every day to access infor-
10 mation.

11 (2) Authoritarian and repressive governments
12 routinely use internet access as a means of sup-

1 pressing information sharing and communications
2 between people, civil society organizations, and jour-
3 nalists.

4 (3) Following the arrest and subsequent murder
5 of a 22-year-old woman, Mahsa Amini, while in the
6 custody of Iran’s “morality police”, the government
7 imposed severe internet and mobile network restric-
8 tions, in an attempt to isolate and intimidate its
9 people.

10 (4) Under the cover of such internet blackouts,
11 the Iranian Government has intensified a brutal
12 crackdown on peaceful protestors, killing hundreds
13 and arresting thousands more.

14 (5) Following its illegal invasion of Ukraine, the
15 Russian Government has sought to restrict access to
16 independent reporting and eliminate free speech by
17 forcing the closure of independent press outlets and
18 banning social media websites.

19 (6) Under this expanding policy of state censor-
20 ship and surveillance, the Russian Government has
21 blocked over 3,300 websites, including both social
22 media sites such as Facebook, Instagram, and Twit-
23 ter, as well as the BBC, Associated Press, and other
24 international news outlets.

1 (7) This authoritarian abuse of technology has
2 dramatically reduced access to independent informa-
3 tion and has increased the Kremlin’s control over
4 the daily lives of the Russian people through secret
5 monitoring systems designed to unmask and surveil
6 government critics and democracy activists.

7 (8) The United States has a commitment to
8 promote and uphold a free and open internet glob-
9 ally.

10 (9) The demand for internet freedom software,
11 tools, and technology has increased exponentially in
12 recent years as authoritarian regimes have pursued
13 policies of censorship and surveillance.

14 (b) SENSE OF CONGRESS.—It is the sense of Con-
15 gress that—

16 (1) the United States should provide direct as-
17 sistance to technology and communications entities
18 engaged in internet freedom programs in countries
19 restricting internet access and repressing democratic
20 and civil society; and

21 (2) the United States should help grow the ca-
22 pacity of these entities to respond rapidly to censor-
23 ship events by supporting the development, licensing,
24 and launch of platforms that enable direct internet

1 access and circumvent authoritarian governments’
2 restrictions.

3 (c) STATEMENT OF POLICY.—It is the policy of the
4 United States to promote internet freedom through pro-
5 grams of the Department of State and the United States
6 Agency for International Development (referred to in this
7 section as “USAID”) that preserve and expand the inter-
8 net as an open, global space for freedom of expression and
9 association, which shall be prioritized for countries—

10 (1) whose governments restrict freedom of ex-
11 pression on the internet; and

12 (2) that are important to the national interest
13 of the United States.

14 (d) PURPOSE AND COORDINATION WITH OTHER
15 PROGRAMS.—Global internet freedom programming under
16 this section—

17 (1) shall be coordinated with other United
18 States foreign assistance programs that promote de-
19 mocracy and support the efforts of civil society—

20 (A) to counter the development of repres-
21 sive internet-related laws and regulations, in-
22 cluding countering threats to internet freedom
23 at international organizations;

1 (B) to combat violence against bloggers
2 and other civil society activists who utilize the
3 internet; and

4 (C) to enhance digital security training
5 and capacity building for democracy activists;

6 (2) shall seek to assist efforts—

7 (A) to research key threats to internet
8 freedom;

9 (B) to continue the development of tech-
10 nologies that provide or enhance access to the
11 internet, including circumvention tools that by-
12 pass internet blocking, filtering, and other cen-
13 sorship techniques used by authoritarian gov-
14 ernments; and

15 (C) to maintain the technological advan-
16 tage of the Federal Government over the cen-
17 sorship techniques described in subparagraph
18 (B); and

19 (3) shall be incorporated into country assistance
20 and democracy promotion strategies, as appropriate.

21 (e) AUTHORIZATION OF APPROPRIATIONS.—There
22 are authorized to be appropriated for fiscal year 2023—

23 (1) \$75,000,000 to the Department of State
24 and USAID, which shall be used to continue efforts
25 to promote internet freedom globally, and shall be

1 matched, to the maximum extent practicable, by
2 sources other than the Federal Government, includ-
3 ing the private sector; and

4 (2) \$49,000,000 to the United States Agency
5 for Global Media (referred to in this section as the
6 “USAGM”) and its grantees, which shall be used for
7 internet freedom and circumvention technologies
8 that are designed—

9 (A) for open-source tools and techniques to
10 securely develop and distribute digital content
11 produced by the USAGM and its grantees;

12 (B) to facilitate audience access to such
13 digital content on websites that are censored;

14 (C) to coordinate the distribution of such
15 digital content to targeted regional audiences;
16 and

17 (D) to promote and distribute such tools
18 and techniques, including digital security tech-
19 niques.

20 (f) UNITED STATES AGENCY FOR GLOBAL MEDIA
21 ACTIVITIES.—

22 (1) ANNUAL CERTIFICATION.—For any new
23 tools or techniques authorized under subsection
24 (d)(2), the Chief Executive Officer of the USGAM,
25 in consultation with the President of the Open Tech-

1 nology Fund (referred to in this subsection as the
2 “OTF”) and relevant Federal departments and
3 agencies, shall submit an annual certification to the
4 appropriate congressional committees that verifies
5 they—

6 (A) have evaluated the risks and benefits
7 of such new tools or techniques; and

8 (B) have established safeguards to mini-
9 mize the use of such new tools or techniques for
10 illicit purposes.

11 (2) INFORMATION SHARING.—The Secretary of
12 State may not direct programs or policy of the
13 USAGM or the OTF, but may share any research
14 and development with relevant Federal departments
15 and agencies for the exclusive purposes of—

16 (A) sharing information, technologies, and
17 best practices; and

18 (B) assessing the effectiveness of such
19 technologies.

20 (3) UNITED STATES AGENCY FOR GLOBAL
21 MEDIA.—The Chief Executive Officer of the
22 USAGM, in consultation with the President of the
23 OTF, shall—

1 (A) coordinate international broadcasting
2 programs and incorporate such programs into
3 country broadcasting strategies, as appropriate;

4 (B) solicit project proposals through an
5 open, transparent, and competitive application
6 process, including by seeking input from tech-
7 nical and subject matter experts; and

8 (C) support internet circumvention tools
9 and techniques for audiences in countries that
10 are strategic priorities for the OTF, in accord-
11 ance with USAGM's annual language service
12 prioritization review.

13 (g) USAGM REPORT.—Not later than 120 days after
14 the date of the enactment of this Act, the Chief Executive
15 Office of the USAGM shall submit a report to the appro-
16 priate congressional committees that describes—

17 (1) as of the date of the report—

18 (A) the full scope of internet freedom pro-
19 grams within the USAGM, including—

20 (i) the efforts of the Office of Internet
21 Freedom; and

22 (ii) the efforts of the Open Tech-
23 nology Fund;

24 (B) the capacity of internet censorship cir-
25 cumvention tools supported by the Office of

1 Internet Freedom and grantees of the Open
2 Technology Fund that are available for use by
3 individuals in foreign countries seeking to coun-
4 teract censors; and

5 (C) any barriers to the provision of the ef-
6 forts described in clauses (i) and (ii) of sub-
7 paragraph (A), including access to surge fund-
8 ing; and

9 (2) successful examples from the Office of
10 Internet Freedom and Open Technology Fund in-
11 volving—

12 (A) responding rapidly to internet shut-
13 downs in closed societies; and

14 (B) ensuring uninterrupted circumvention
15 services for USAGM entities to promote inter-
16 net freedom within repressive regimes.

17 (h) JOINT REPORT.—Not later than 120 days after
18 the date of the enactment of this Act, the Secretary of
19 State and the Administrator of USAID shall jointly sub-
20 mit a report, which may include a classified annex, to the
21 appropriate congressional committees that describes—

22 (1) as of the date of the report—

23 (A) the full scope of internet freedom pro-
24 grams within the Department of State and
25 USAID, including—

1 (i) Department circumvention efforts;

2 and

3 (ii) USAID efforts to support internet

4 infrastructure;

5 (B) the capacity of internet censorship cir-

6 cumvention tools supported by the Federal Gov-

7 ernment that are available for use by individ-

8 uals in foreign countries seeking to counteract

9 censors; and

10 (C) any barriers to provision of the efforts

11 enumerated in clauses (i) and (ii) of subsection

12 (g)(1)(A), including access to surge funding;

13 and

14 (2) any new resources needed to provide the

15 Federal Government with greater capacity to provide

16 and boost internet access—

17 (A) to respond rapidly to internet shut-

18 downs in closed societies; and

19 (B) to provide internet connectivity to for-

20 eign locations where the provision of additional

21 internet access service would promote freedom

22 from repressive regimes.

23 (i) SECURITY AUDITS.—Before providing any sup-

24 port for open source technologies under this section, such

25 technologies must undergo comprehensive security audits

1 to ensure that such technologies are secure and have not
2 been compromised in a manner that is detrimental to the
3 interest of the United States or to the interests of individ-
4 uals and organizations benefitting from programs sup-
5 ported by such funding.

6 (j) SURGE.—

7 (1) AUTHORIZATION OF APPROPRIATIONS.—

8 Subject to paragraph (2), there is authorized to be
9 appropriated, in addition to amounts otherwise made
10 available for such purposes, \$2,500,000 to support
11 internet freedom programs in closed societies, in-
12 cluding programs that—

13 (A) are carried out in crisis situations by
14 vetted entities that are already engaged in
15 internet freedom programs;

16 (B) involve circumvention tools; or

17 (C) increase the overseas bandwidth for
18 companies that received Federal funding during
19 the previous fiscal year.

20 (2) CERTIFICATION.—Amounts authorized to be
21 appropriated pursuant to paragraph (1) may not be
22 expended until the Secretary of State has certified to
23 the appropriate congressional committees, the Com-
24 mittee on Appropriations of the Senate, and the
25 Committee on Appropriations of the House of Rep-

1 representatives that the use of such funds is in the na-
2 tional interest of the United States.

3 (k) DEFINITIONS.—In this section—

4 (1) the term “appropriate congressional com-
5 mittees” means the Committee on Foreign Affairs of
6 the House of Representatives and the Committee on
7 Foreign Relations of the Senate;

8 (2) the term “internet censorship circumvention
9 tool” means a software application or other tool that
10 an individual can use to evade foreign government
11 restrictions on internet access; and

12 (3) the term “vetted entity” means a private
13 company or organization that has an established
14 contractual relationship or is in the process of be-
15 coming a new vendor for internet freedom programs
16 of USAGM.

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