

118TH CONGRESS  
1ST SESSION

# S. 872

To identify social media entities under the influence of certain foreign entities and to take measures to protect the United States from such entities, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 16, 2023

Mr. COTTON introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

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## A BILL

To identify social media entities under the influence of certain foreign entities and to take measures to protect the United States from such entities, 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 “Stopping Attempts by  
5 Foreign Entities to Target Youths on Social Media Act  
6 Act of 2023” or the “SAFETY on Social Media Act of  
7 2023”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) APP.—The term “app” means a software  
4 application or electronic service that may be run or  
5 directed by a user on a computer, a mobile device,  
6 or any other general purpose computing device.

7 (2) APP STORE.—The term “app store” means  
8 a publicly available website, software application, or  
9 other electronic service that distributes apps from  
10 third-party developers to users of a computer, a mo-  
11 bile device, or any other general purpose computing  
12 device.

13 (3) COVERED NATION.—The term “covered na-  
14 tion” has the meaning given that term in section  
15 4872 of title 10, United States Code.

16 (4) FOREIGN ENTITY OF CONCERN.—The term  
17 “foreign entity of concern” means—

18 (A) the government, Armed Forces, or rul-  
19 ing party of a covered nation;

20 (B) any entity that is owned or controlled,  
21 directly or indirectly, by the government, Armed  
22 Forces, or ruling party of a covered nation;

23 (C) any entity that is organized under the  
24 laws of, or otherwise subject to the jurisdiction  
25 of, the government of a covered nation; or

1 (D) any entity acting on behalf of an enti-  
2 ty described in subparagraph (A), (B), or (C).

3 (5) FOREIGN PERSON.—The term “foreign per-  
4 son” means any individual or entity that is not a  
5 United States person.

6 (6) SOCIAL MEDIA ENTITY.—The term “social  
7 media entity” means any entity that—

8 (A) owns or operates, directly or indirectly,  
9 an app or website, the primary or sole purpose  
10 of which is not—

11 (i) to conduct commercial trans-  
12 actions;

13 (ii) to make video games available for  
14 play by users;

15 (iii) to report news; or

16 (iv) to provide other kinds of informa-  
17 tion concerning businesses, products, or  
18 travel information; and

19 (B) allows users of the app or website to  
20 publish and distribute to the public or to other  
21 users text, images, videos, and other forms of  
22 media content.

23 (7) UNITED STATES PERSON.—The term  
24 “United States person” means—

1 (A) a United States citizen or an alien law-  
2 fully admitted for permanent residence to the  
3 United States; or

4 (B) an entity organized under the laws of  
5 the United States or of any jurisdiction within  
6 the United States, including a foreign branch of  
7 such an entity.

8 **SEC. 3. LIST OF UNTRUSTWORTHY APPLICATIONS AND SO-**  
9 **CIAL MEDIA ENTITIES.**

10 (a) IN GENERAL.—Not later than 90 days after the  
11 date of the enactment of this Act, and annually thereafter,  
12 the President shall publish and submit to Congress a list  
13 of untrustworthy applications and social media entities (in  
14 this Act referred to as the “List”), which shall include  
15 all entities that meet the criteria described in subsection  
16 (b).

17 (b) CRITERIA FOR LIST.—The President shall include  
18 on the List any social media entity that—

19 (1) is a foreign person;

20 (2) owns or controls, is directly or indirectly  
21 owned or controlled by, or is under common owner-  
22 ship or control with a foreign entity of concern;

23 (3)(A) as a result of the influence of a foreign  
24 entity of concern—

1 (i) has altered the content of an app or  
2 website owned or operated by the social media  
3 entity to comply with the request of, or to ad-  
4 vance the interests of, a foreign entity of con-  
5 cern; or

6 (ii) has shared the data of United States  
7 persons with a foreign entity of concern; or

8 (B) may be compelled by a foreign entity of  
9 concern—

10 (i) to alter the content of an app or  
11 website owned or operated by the social media  
12 entity; or

13 (ii) to share the data of United States per-  
14 sons with a foreign entity of concern; and

15 (4) had, in at least one month in the 12-month  
16 period preceding submission of the report, more  
17 than—

18 (A) 1,000,000 active monthly users; or

19 (B) 1,000,000 downloads.

20 **SEC. 4. BLOCKING OF PROPERTY OF LISTED ENTITIES.**

21 (a) IN GENERAL.—Not later than 30 days after each  
22 publication of the List under section 3, the President shall  
23 exercise all of the powers granted to the President under  
24 the International Emergency Economic Powers Act (50  
25 U.S.C. 1701 et seq.) to the extent necessary to block and

1 prohibit all transactions in property and interests in prop-  
2 erty of each entity on the List if such property and inter-  
3 ests in property are in the United States, come within the  
4 United States, or are or come within the possession or  
5 control of a United States person.

6 (b) INAPPLICABILITY OF CERTAIN IEEPA PROVI-  
7 SIONS.—For purposes of subsection (a), the following pro-  
8 visions of the International Emergency Economic Powers  
9 Act (50 U.S.C. 1701 et seq.) shall not apply:

10 (1) The requirement under section 202(b) (50  
11 U.S.C. 1701(b)) to declare a national emergency.

12 (2) The exceptions under section 203(b) of that  
13 Act (50 U.S.C. 1702(b)).

14 (c) IMPLEMENTATION; PENALTIES.—

15 (1) IMPLEMENTATION.—The President may ex-  
16 ercise the authorities provided to the President  
17 under sections 203 and 205 of the International  
18 Emergency Economic Powers Act (50 U.S.C. 1702  
19 and 1704) to the extent necessary to carry out this  
20 section.

21 (2) PENALTIES.—A person that violates, at-  
22 tempts to violate, conspires to violate, or causes a  
23 violation of subsection (a) or any regulation, license,  
24 or order issued to carry out that subsection shall be  
25 subject to the penalties set forth in subsections (b)

1 and (c) of section 206 of the International Emer-  
2 gency Economic Powers Act (50 U.S.C. 1705) to the  
3 same extent as a person that commits an unlawful  
4 act described in subsection (a) of that section.

5 **SEC. 5. HALTING OPERATIONS OF LISTED ENTITIES.**

6 (a) REMOVAL FROM APP STORES.—After the first  
7 publication of the List under section 3 and not later than  
8 1 year after the date of the enactment of this Act, the  
9 Federal Communications Commission (referred to in this  
10 section as the “Commission”) shall prescribe a rule pro-  
11 hibiting any entity that owns, controls, or operates an app  
12 store in the United States from carrying or supporting in  
13 the app store in the United States an app or website  
14 owned or operated by a social media entity that is on the  
15 List.

16 (b) INTERNET SERVICE PROVIDERS.—

17 (1) IN GENERAL.—After the first publication of  
18 the List under section 3 and not later than 1 year  
19 after the date of the enactment of this Act, the  
20 Commission shall prescribe a rule requiring each  
21 internet service provider to ensure that the internet  
22 service of the provider cannot be used to access the  
23 website of any social media entity on the List.

24 (2) LIABILITY PROTECTION.—An internet serv-  
25 ice provider shall not be liable under the rule pre-

1 scribed under paragraph (1) for access to the  
2 website of a social media entity on the List that is  
3 obtained through the use of a virtual private net-  
4 work.

5 (c) ENFORCEMENT.—The Commission may impose a  
6 forfeiture penalty under section 503 of the Communica-  
7 tions Act of 1934 (47 U.S.C. 503) on any person who vio-  
8 lates a rule prescribed under this section.

9 (d) RULE OF CONSTRUCTION.—Nothing in this sec-  
10 tion may be construed to give the Commission the author-  
11 ity to carry out any action under subsection (a) or (b)  
12 with respect to any entity that is not on the List.

13 **SEC. 6. COUNTERMEASURES AGAINST EMPLOYEES OF LIST-**  
14 **ED ENTITIES.**

15 (a) VISA INELIGIBILITY.—Beginning on the date that  
16 is 30 days after an entity is first included on the List—

17 (1) any foreign person employed by such entity  
18 on or after such date of first inclusion who is a na-  
19 tional of a covered nation—

20 (A) shall be permanently ineligible to be  
21 issued or to retain a nonimmigrant visa under  
22 section 101(a)(15)(H)(i)(b) of the Immigration  
23 and Nationality Act (8 U.S.C.  
24 1101(a)(15)(H)(i)(b)); and



1 (B) shall be ineligible to be issued or to re-  
2 tain any other visa authorizing entry into the  
3 United States until the date that is 3 years  
4 after the date on which—

5 (i) such foreign person terminates his  
6 or her employment with such entity; or

7 (ii) such entity is removed from the  
8 List; and

9 (2) any foreign person employed by such entity  
10 on or after such date of first inclusion who is not  
11 a national of a covered nation shall be ineligible to  
12 be issued or to retain any visa authorizing entry into  
13 the United States until the date that is 3 years after  
14 the date on which—

15 (A) such foreign person terminates his or  
16 her employment with such entity; or

17 (B) such entity is removed from the List.

18 (b) FOREIGN AGENT REGISTRATION REQUIRED.—

19 (1) REGISTRATION.—Section 1(b) of the For-  
20 eign Agents Registration Act of 1938, as amended  
21 (22 U.S.C. 611(b)) is amended—

22 (A) in paragraph (2), by striking “; and”  
23 and inserting a semicolon;

24 (B) in paragraph (3), by striking the pe-  
25 riod at the end and inserting “; and”; and

1 (C) by adding at the end the following:

2 “(4) an entity on the list of untrustworthy ap-  
3 plications and social media entities under section 3  
4 of the Stopping Attempts by Foreign Entities to  
5 Target Youths on Social Media Act Act of 2023.”.

6 (2) CESSATION OF EMPLOYMENT.—Section 2 of  
7 the Foreign Agents Registration Act of 1938, as  
8 amended (22 U.S.C. 612) is amended by adding at  
9 the end the following:

10 “(e) AGENTS OF ENTITIES LISTED IN THE  
11 UNTRUSTWORTHY APPLICATIONS AND SOCIAL MEDIA  
12 ENTITIES LIST.—Any individual who ceases employment  
13 as an agent of a foreign principal that is an entity on the  
14 list of untrustworthy applications and social media entities  
15 under section 3 of the Stopping Attempts by Foreign Enti-  
16 ties to Target Youths on Social Media Act Act of 2023  
17 shall, during the 2-year period beginning on the date on  
18 which the individual ceases such employment with the for-  
19 eign principal—

20 “(1) continue to register as an agent of a for-  
21 eign principal; and

22 “(2) be subject to the penalties under section 8  
23 of this Act.”.

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