

108TH CONGRESS
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S. 1183

To develop and deploy technologies to defeat Internet jamming and
censorship, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 4, 2003

Mr. KYL (for himself and Mr. WYDEN) introduced the following bill; which
was read twice and referred to the Committee on Foreign Relations

A BILL

To develop and deploy technologies to defeat Internet
jamming and censorship, 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 “Global Internet Free-
5 dom Act of 2003”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) Freedom of speech, freedom of the press,
9 and freedom of association are fundamental charac-
10 teristics of a free society. The first amendment to

1 the Constitution of the United States guarantees
2 that “Congress shall make no law . . . abridging the
3 freedom of speech, or of the press; or the right of
4 the people peaceably to assemble.”. These constitu-
5 tional provisions guarantee the rights of Americans
6 to communicate and associate with one another
7 without restriction, including unfettered communica-
8 tion and association via the Internet. Article 19 of
9 the United Nation’s Universal Declaration of
10 Human Rights explicitly guarantees the freedom to
11 “receive and impart information and ideas through
12 any media and regardless of frontiers”.

13 (2) All people have the right to communicate
14 freely with others, and to have unrestricted access to
15 news and information, on the Internet.

16 (3) With nearly 10 percent of the world’s popu-
17 lation now online, and more gaining access each day,
18 the Internet stands to become the most powerful en-
19 gine for democratization and the free exchange of
20 ideas ever invented.

21 (4) Unrestricted access to news and information
22 on the Internet is a check on repressive rule by au-
23 thoritarian regimes around the world.

24 (5) The governments of Burma, Cuba, Laos,
25 North Korea, the People’s Republic of China, Saudi

1 Arabia, Syria, and Vietnam, among others, are tak-
2 ing active measures to keep their citizens from freely
3 accessing the Internet and obtaining international
4 political, religious, and economic news and informa-
5 tion.

6 (6) Intergovernmental, nongovernmental, and
7 media organizations have reported the widespread
8 and increasing pattern by authoritarian governments
9 to block, jam, and monitor Internet access and con-
10 tent using methods that include—

11 (A) firewalls, filters, and “black boxes”;

12 (B) surveillance of e-mail messages and
13 message boards;

14 (C) the use of particular words to identify
15 content to be monitored;

16 (D) “stealth blocking” individuals from
17 visiting websites;

18 (E) the development of “black lists” of
19 users that visit certain websites; and

20 (F) the denial of access to the Internet.

21 (7) The transmission of the Voice of America
22 and Radio Free Asia, as well as hundreds of news
23 sources with an Internet presence, are routinely
24 being jammed by repressive governments.

1 (8) Since the 1940s, the United States has de-
2 ployed anti-jamming technologies to make Voice of
3 America and other United States Government spon-
4 sored broadcasting available to people in nations
5 with governments that seek to block news and infor-
6 mation.

7 (9) The United States Government has thus far
8 commenced only modest steps to fund and deploy
9 technologies to defeat Internet censorship. As of
10 January 2003, the Voice of America and Radio Free
11 Asia have committed a total of \$1,000,000 for tech-
12 nology to counter Internet jamming by the People's
13 Republic of China. This technology, which has been
14 successful in attracting 100,000 electronic hits per
15 day from the People's Republic of China, has been
16 relied upon by Voice of America and Radio Free
17 Asia to ensure access to their programming by citi-
18 zens of the People's Republic of China, but United
19 States Government financial support for the tech-
20 nology has lapsed. In most other countries there is
21 no meaningful United States support for Internet
22 freedom.

23 (10) The success of United States policy in sup-
24 port of freedom of speech, press, and association re-
25 quires new initiatives to defeat totalitarian and au-

1 thoritarian controls on news and information over
2 the Internet.

3 **SEC. 3. PURPOSES.**

4 The purposes of this Act are—

5 (1) to adopt an effective and robust global
6 Internet freedom policy;

7 (2) to establish an office within the Inter-
8 national Broadcasting Bureau with the sole mission
9 of countering Internet jamming and blocking by re-
10 pressive regimes;

11 (3) to expedite the development and deployment
12 of technology to protect Internet freedom around the
13 world;

14 (4) to authorize the commitment of a substan-
15 tial portion of United States international broad-
16 casting resources to the continued development and
17 implementation of technologies to counter the jam-
18 ming of the Internet;

19 (5) to utilize the expertise of the private sector
20 in the development and implementation of such tech-
21 nologies, so that the many current technologies used
22 commercially for securing business transactions and
23 providing virtual meeting space can be used to pro-
24 mote democracy and freedom; and

1 (6) to bring to bear the pressure of the free
2 world on repressive governments guilty of Internet
3 censorship and the intimidation and persecution of
4 their citizens who use the Internet.

5 **SEC. 4. DEVELOPMENT AND DEPLOYMENT OF TECH-**
6 **NOLOGIES TO DEFEAT INTERNET JAMMING**
7 **AND CENSORSHIP.**

8 (a) **ESTABLISHMENT OF OFFICE OF GLOBAL INTER-**
9 **NET FREEDOM.**—There is established in the International
10 Broadcasting Bureau the Office of Global Internet Free-
11 dom (hereinafter in this section referred to as the “Of-
12 fice”). The Office shall be headed by a Director who shall
13 develop and implement a comprehensive global strategy to
14 combat state-sponsored and state-directed jamming of the
15 Internet and persecution of those who use the Internet.

16 (b) **AUTHORIZATION OF APPROPRIATIONS.**—There
17 are authorized to be appropriated to the Office
18 \$30,000,000 for each of the fiscal years 2004 and 2005.

19 (c) **COOPERATION OF OTHER FEDERAL DEPART-**
20 **MENTS AND AGENCIES.**—The head of each department
21 and agency of the United States Government shall cooper-
22 ate fully with, and assist in the implementation of, the
23 strategy developed by the Director of the Office and shall
24 make such resources and information available to the Di-

1 rector as is necessary for the achievement of the purposes
2 of this Act.

3 (d) REPORT TO CONGRESS.—

4 (1) IN GENERAL.—On March 1 following the
5 date of enactment of this Act, and annually there-
6 after, the Director of the Office shall submit to Con-
7 gress a report on the status of state interference
8 with Internet use and of efforts by the United States
9 to counter such interference.

10 (2) CONTENT.—Each report required by para-
11 graph (1) shall—

12 (A) list the countries that pursue policies
13 of Internet censorship, blocking, and other
14 abuses;

15 (B) provide information concerning the
16 government agencies or quasi-governmental or-
17 ganizations that implement Internet censorship;
18 and

19 (C) describe with the greatest particularity
20 practicable the technological means by which
21 such blocking and other abuses are accom-
22 plished.

23 (3) FORMS OF REPORT.—In the discretion of
24 the Director, a report required by paragraph (1)

1 may be submitted in both a classified and a non-
2 classified form.

3 (e) **LIMITATION ON AUTHORITY.**—Nothing in this
4 Act shall be interpreted to authorize any action by the
5 United States to interfere with foreign national censorship
6 in furtherance of legitimate law enforcement aims that is
7 consistent with the United Nation’s Universal Declaration
8 of Human Rights.

9 **SEC. 5. SENSE OF CONGRESS.**

10 It is the sense of Congress that the United States
11 should—

12 (1) publicly, prominently, and consistently de-
13 nounce governments that restrict, censor, ban, and
14 block access to information on the Internet;

15 (2) direct the United States Representative to
16 the United Nations to submit a resolution at the
17 first annual meeting of the United Nations Human
18 Rights Commission after the date of enactment of
19 this Act that condemns all governments that practice
20 Internet censorship and deny individuals the free-
21 dom to access and share information; and

22 (3) deploy, at the earliest practicable date, tech-
23 nologies aimed at defeating State-directed Internet

- 1 censorship and the persecution of those who use the
- 2 Internet.

