

107TH CONGRESS  
2D SESSION

# S. 3093

To develop and deploy technologies to defeat Internet jamming and  
censorship.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 10, 2002

Mr. WYDEN (for himself and Mr. KYL) introduced the following bill; which  
was read twice and referred to the Committee on Commerce, Science, and  
Transportation

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## A BILL

To develop and deploy technologies to defeat Internet  
jamming and censorship.

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”.

6       **SEC. 2. FINDINGS.**

7       The 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 technologies such as firewalls, filters, and  
11      “black boxes”. Such jamming and monitoring of in-  
12      dividual activity on the Internet includes surveillance  
13      of e-mail messages, message boards, and the use of  
14      particular words; “stealth blocking” individuals from  
15      visiting websites; the development of “black lists” of  
16      users that seek to visit these websites; and the denial  
17      of access to the Internet.

18           (7) The Voice of America and Radio Free Asia,  
19       as well as hundreds of news sources with an Internet  
20       presence, are routinely being jammed by repressive  
21       governments.

22           (8) Since the 1940s, the United States has de-  
23       ployed anti-jamming technologies to make Voice of  
24       America and other United States Government spon-  
25       sored broadcasting available to people in nations

1 with governments that seek to block news and infor-  
2 mation.

3 (9) The United States Government has thus far  
4 commenced only modest steps to fund and deploy  
5 technologies to defeat Internet censorship. To date,  
6 the Voice of America and Radio Free Asia have  
7 committed a total of \$1,000,000 for technology to  
8 counter Internet jamming by the People's Republic  
9 of China. This technology, which has been successful  
10 in attracting 100,000 electronic hits per day from  
11 the People's Republic of China, has been relied upon  
12 by Voice of America and Radio Free Asia to ensure  
13 access to their programming by citizens of the Peo-  
14 ple's Republic of China, but United States Govern-  
15 ment financial support for the technology has  
16 lapsed. In most other countries there is no meaning-  
17 ful United States support for Internet freedom.

18 (10) The success of United States policy in sup-  
19 port of freedom of speech, press, and association re-  
20 quires new initiatives and technologies to defeat to-  
21 talitarian and authoritarian controls on news and in-  
22 formation over the Internet.

23 **SEC. 3. PURPOSES.**

24 The purposes of this Act are—

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

3           (2) to establish an office within the National  
4 Telecommunications and Information Administration  
5 with the sole mission of promoting technological  
6 means of countering Internet jamming and blocking  
7 by repressive regimes;

8           (3) to expedite the development and deployment  
9 of technology to protect Internet freedom around the  
10 world;

11          (4) to authorize the commitment of a substan-  
12 tial portion of United States Government resources  
13 to the continued development and implementation of  
14 technologies to counter the jamming of the Internet;

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

21          (6) to bring to bear the pressure of the free  
22 world on repressive governments guilty of Internet  
23 censorship and the intimidation and persecution of  
24 their citizens who use the Internet.

1 **SEC. 4. DEVELOPMENT AND DEPLOYMENT OF TECH-**  
2 **NOLOGIES TO DEFEAT INTERNET JAMMING**  
3 **AND CENSORSHIP.**

4 (a) ESTABLISHMENT OF OFFICE OF GLOBAL INTER-  
5 NET FREEDOM.—There is established in the National  
6 Telecommunications and Information Administration the  
7 Office of Global Internet Freedom (hereinafter in this Act  
8 referred to as the “Office”). The Office shall be headed  
9 by a Director who shall develop and implement, in con-  
10 sultation with the International Broadcasting Bureau, a  
11 comprehensive global strategy for promoting technology to  
12 combat state-sponsored and state-directed Internet jam-  
13 ming and persecution of those who use the Internet.

14 (b) AUTHORIZATION OF APPROPRIATIONS.—There  
15 are authorized to be appropriated to the Office  
16 \$30,000,000 for each of the fiscal years 2003 and 2004.

17 (c) COOPERATION OF OTHER FEDERAL DEPART-  
18 MENTS AND AGENCIES.—Each department and agency of  
19 the United States Government shall cooperate fully with,  
20 and assist in the implementation of, the strategy developed  
21 by the Office and shall make such resources and informa-  
22 tion available to the Office as is necessary to the achieve-  
23 ment of the purposes of this Act.

24 (d) REPORT TO CONGRESS.—On March 1 following  
25 the date of the enactment of this Act and annually there-  
26 after, the Director of the Office shall submit to the Con-

1 gress a report on the status of state interference with  
2 Internet use and of efforts by the United States to counter  
3 such interference. Each report shall list the countries that  
4 pursue policies of Internet censorship, blocking, and other  
5 abuses; provide information concerning the government  
6 agencies or quasi-governmental organizations that imple-  
7 ment Internet censorship; and describe with the greatest  
8 particularity practicable the technological means by which  
9 such blocking and other abuses are accomplished. In the  
10 discretion of the Director, such report may be submitted  
11 in both a classified and nonclassified version.

12 (e) LIMITATION ON AUTHORITY.—Nothing in this  
13 Act shall be interpreted to authorize any action by the  
14 United States to interfere with foreign national censorship  
15 for the purpose of protecting minors from harm, pre-  
16 serving public morality, or assisting with legitimate law  
17 enforcement aims.

18 **SEC. 5. SENSE OF CONGRESS.**

19 It is the sense of the Congress that the United States  
20 should—

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

24 (2) direct the United States Representative to  
25 the United Nations to submit a resolution at the

1        next annual meeting of the United Nations Human  
2        Rights Commission condemning all governments  
3        that practice Internet censorship and deny freedom  
4        to access and share information; and

5            (3) deploy, at the earliest practicable date, tech-  
6        nologies aimed at defeating state-directed Internet  
7        censorship and the persecution of those who use the  
8        Internet.

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