

111TH CONGRESS
2D SESSION

H. R. 4504

To authorize the Federal Communications Commission to issue regulations against the censorship of Internet search results, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 26, 2010

Mr. FOSTER introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To authorize the Federal Communications Commission to issue regulations against the censorship of Internet search results, 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 “Standards for Internet
5 Non-Censorship Act of 2010” or the “SINC Act of 2010”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

1 (1) The Internet has been a tremendous force
2 for freedom and economic development worldwide.

3 (2) In recent years, Internet freedom has been
4 compromised by repressive regimes that use this
5 technology to control the free flow of information
6 and to limit nonviolent political debate.

7 (3) One of the most egregious violations of
8 Internet freedom has been the enforcement of arbi-
9 trary and politically motivated censorship of search
10 engines by repressive regimes that often force search
11 providers to censor search results domestically and
12 globally as a condition of doing business.

13 (4) Access to United States Web sites by search
14 engines around the world provides billions of dollars
15 of market value to the owners of these search en-
16 gines.

17 (5) Search engines under the control of repres-
18 sive regimes receive the economic benefit of access-
19 ing United States Web sites and use this access to
20 provide an incomplete and distorted view of the
21 United States and the world.

22 (6) Repressive control and censorship of the
23 Internet will continue to be a significant inter-
24 national issue that requires decisive action from the
25 United States and other free countries.

1 (7) The long-term future of the Internet as an
2 unfettered source of nonviolent free speech will de-
3 pend on the worldwide adoption of minimum stand-
4 ards of non-censorship.

5 **SEC. 3. SENSE OF CONGRESS.**

6 It is the sense of Congress that—

7 (1) the President should promptly establish in-
8 terim minimum standards of non-censorship for
9 Internet search providers and create programs to re-
10 strict access to domestic online information by
11 search providers determined to be censoring non-
12 violent political speech;

13 (2) any long-term solution to the problem of the
14 censorship of nonviolent political speech on the
15 Internet must include minimum standards of non-
16 censorship set by a coalition of free countries; and

17 (3) the President should begin negotiations with
18 free countries to adopt minimum standards for non-
19 censorship of nonviolent political speech as a condi-
20 tion for access to the Internet.

21 **SEC. 4. FEDERAL COMMUNICATIONS COMMISSION REGULA-**
22 **TION AGAINST CENSORSHIP.**

23 (a) REGULATIONS AGAINST CENSORSHIP AUTHOR-
24 IZED.—The Commission may commence a proceeding to

1 adopt regulations to restrict repressive Internet search
2 providers from accessing domestic online information.

3 (b) WEB SITE.—If the Commission adopts regula-
4 tions under subsection (a), the Commission shall develop,
5 operate, and maintain a public Web site that lists such
6 repressive Internet search providers and the reasons for
7 finding that such Internet search providers were repres-
8 sive.

9 (c) ENFORCEMENT AUTHORIZED.—The Commission
10 may enforce the regulations under subsection (a) using
11 any existing enforcement authority to prevent Internet
12 search providers and any other person or entity from
13 colluding to evade such regulations.

14 **SEC. 5. DEVELOPMENT OF INTERNATIONAL MINIMUM**
15 **STANDARDS OF NON-CENSORSHIP FOR THE**
16 **INTERNET.**

17 (a) INTERNATIONAL AGREEMENTS.—The Secretary
18 of State, in consultation with the Commission, shall seek
19 to enter into agreements with appropriate representatives
20 of free countries to adopt minimum standards to prevent
21 censorship of nonviolent political speech on the Internet
22 as a condition for connection to the Internet.

23 (b) RESTRICTION OF THE INTERNET.—Not earlier
24 than 1 year after the date of enactment of this Act, the
25 Commission may commence a proceeding to adopt regula-

1 tions to restrict or prevent foreign countries and other en-
2 tities that operate outside of any agreements made pursu-
3 ant to subsection (a) from accessing domestic online infor-
4 mation.

5 **SEC. 6. DEFINITIONS.**

6 In this Act:

7 (1) COMMISSION.—The term “Commission”
8 means the Federal Communications Commission.

9 (2) FREE COUNTRY.—The term “free country”
10 means a foreign country that does not censor non-
11 violent political speech on the Internet.

12 (3) INTERNET.—The term “Internet” has the
13 meaning given the term in section 231(e) of the
14 Communications Act of 1934 (47 U.S.C. 231(e)).

15 (4) DOMESTIC ONLINE INFORMATION.—The
16 term “domestic online information” means Web
17 sites, databases, and other digital information that
18 is housed or hosted on computers located in the
19 United States or any territory or possession of the
20 United States.

21 (5) REPRESSIVE INTERNET SEARCH PRO-
22 VIDER.—The term “repressive Internet search pro-
23 vider” means an Internet search provider that cen-

- 1 sors search results for the purpose of suppressing
- 2 nonviolent political speech.

