

116TH CONGRESS
2D SESSION

H. R. 7307

To amend the Foreign Assistance Act of 1961 to require information on the status of excessive surveillance and use of advanced technology to violate privacy and other fundamental human rights be included in the annual Country Reports on Human Rights Practices.

IN THE HOUSE OF REPRESENTATIVES

JUNE 24, 2020

Mr. CURTIS (for himself, Mr. MALINOWSKI, Mr. PHILLIPS, and Mr. YOHIO) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To amend the Foreign Assistance Act of 1961 to require information on the status of excessive surveillance and use of advanced technology to violate privacy and other fundamental human rights be included in the annual Country Reports on Human Rights Practices.

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 “Foreign Advanced
5 Technology Surveillance Accountability Act”.

1 **SEC. 2. AMENDMENTS TO ANNUAL COUNTRY REPORTS ON**
2 **HUMAN RIGHTS PRACTICES.**

3 The Foreign Assistance Act of 1961 is amended as
4 follows:

5 (1) In section 116 (22 U.S.C. 2151n), by add-
6 ing at the end the following:

7 “(h) STATUS OF EXCESSIVE SURVEILLANCE AND
8 USE OF ADVANCED TECHNOLOGY.—

9 “(1) IN GENERAL.—The report required by
10 subsection (d) shall include, wherever applicable, a
11 description of the status of surveillance and use of
12 advanced technology to impose arbitrary or unlawful
13 interference with privacy, or unlawful or unnecessary
14 restrictions on freedom of expression, peaceful as-
15 sembly, association, or other internationally recog-
16 nized human rights in each country, including—

17 “(A) whether the government of such
18 country has adopted and is enforcing laws, reg-
19 ulations, policies, or practices relating to—

20 “(i) government surveillance or cen-
21 sorship, including through facial recogni-
22 tion, biometric data collection, internet and
23 social media controls, sensors, spyware
24 data analytics, non-cooperative location
25 tracking, recording devices, or other simi-
26 lar advanced technologies, and any allega-

tions or reports that this surveillance or
censorship was unreasonable;

“(ii) extrajudicial searches or seizures
of individual or private institution data;
and

“(iii) surveillance of any group based
on political views, religious beliefs, eth-
nicity, or other protected category, in viola-
tion of equal protection rights;

“(B) whether such country has imported
or unlawfully obtained biometric or facial rec-
ognition data from other countries or entities
and, if applicable, from whom; and

“(C) whether the government agency end-
user has targeted individuals, including through
the use of technology, in retaliation for the ex-
ercise of their human rights or on discrimina-
tory grounds prohibited by international law,
including targeting journalists or members of
minority groups.

“(2) DEFINITIONS.—In this subsection—

“(A) the term ‘internet and social media
controls’ means the arbitrary or unlawful im-
position of restrictions, by state or service pro-
viders, on internet and digital information and

1 communication, such as through the blocking or
2 filtering of websites, social media platforms,
3 and communication applications, the deletion of
4 content and social media posts, or the penaliza-
5 tion of online speech, in a manner that violates
6 rights to free expression or assembly; and

7 “(B) the term ‘extrajudicial targeted sur-
8 veillance’ means the use of technology to ob-
9 serve the activities of individuals in a manner
10 that unlawfully or arbitrarily interferes with
11 their privacy, such as through physical moni-
12 toring or the interception of digital communica-
13 tions.”.

14 (2) In section 502B(b) (22 U.S.C. 2304(b))—

15 (A) by redesignating the second subsection

16 (i) (as added by section 1207(b)(2) of Public
17 Law 113–4) as subsection (j); and

18 (B) by adding at the end the following:

19 “(k) STATUS OF EXCESSIVE SURVEILLANCE AND
20 USE OF ADVANCED TECHNOLOGY.—The report required
21 under subsection (b) shall include, wherever applicable, a
22 description of the status of excessive surveillance and use
23 of advanced technology to restrict human rights, including

- 1 the descriptions of such policies or practices required
- 2 under section 116(h).”.

