

117TH CONGRESS
2D SESSION

S. 3764

To authorize United States Government efforts to promote and protect internet freedom in countries where the freedom of information is under threat.

IN THE SENATE OF THE UNITED STATES

MARCH 7, 2022

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

A BILL

To authorize United States Government efforts to promote and protect internet freedom in countries where the freedom of information is under threat.

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 “Internet Freedom and
5 Operations (INFO) Act of 2022”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) More than 3,000,000,000 people use the
2 internet around the world every day to access infor-
3 mation.

4 (2) Authoritarian and repressive governments
5 routinely use internet access as a means of sup-
6 pressing information sharing and communications
7 between people, civil society organizations, and jour-
8 nalists.

9 **SEC. 3. INTERNET FREEDOM.**

10 (a) STATEMENT OF POLICY.—It is the policy of the
11 United States to continue to preserve and expand the
12 internet as an open, global space for freedom of expression
13 and association.

14 (b) AUTHORIZATION OF APPROPRIATIONS.—There
15 are authorized to be appropriated for fiscal year 2023—

16 (1) \$75,000,000 to the Department of State
17 and the United States Agency for International De-
18 velopment (referred to in this Act as “USAID”) to
19 continue efforts to promote internet freedom, includ-
20 ing through the Bureau of Democracy, Human
21 Rights, and Labor’s Internet Freedom program; and

22 (2) \$49,000,000 to the United States Agency
23 for Global Media (referred to in this Act as
24 “USAGM”) and grantees for internet freedom and
25 circumvention technologies.

1 (c) OTHER FUNDING SOURCES.—In addition to the
 2 amounts appropriated pursuant to subsection (b), the ef-
 3 forts of the Department of State and USAID to promote
 4 internet freedom may be funded through—

5 (1) the Economic Support Fund authorized
 6 under section 531 of the Foreign Assistance Act of
 7 1961 (22 U.S.C. 2346);

8 (2) the Development Assistance Fund author-
 9 ized under section 653(a) of such Act (22 U.S.C.
 10 2413(a));

11 (3) amounts appropriated under the heading
 12 “Assistance for Europe, Eurasia, and Central Asia”
 13 in an appropriations Act; and

14 (4) amounts appropriated for USAGM.

15 **SEC. 4. CIRCUMVENTION TECHNOLOGY.**

16 (a) DEFINED TERM.—In this section, the term
 17 “internet censorship circumvention tool” means a software
 18 application or other tool that an individual can use to
 19 evade foreign government restrictions on internet access.

20 (b) AUTHORIZATION OF FUNDING.—

21 (1) IN GENERAL.—If the government of a for-
 22 eign country restricts or closes off internet access to
 23 the residents of such country, or access to certain
 24 websites, the Secretary of State shall make available
 25 \$2,500,000 from the Economic Support Fund on an

1 expedited basis to vetted entities already engaged in
2 internet freedom programs in such country if the
3 Secretary determines that such use of funds is in the
4 national interest.

5 (2) CRITERIA.—Amounts may be made avail-
6 able under paragraph (1) within 7 days if—

7 (A) the Secretary of State notifies the
8 Committee on Foreign Relations of the Senate,
9 the Committee on Appropriations of the Senate,
10 the Committee on Foreign Affairs of the House
11 of Representatives, and the Committee on Ap-
12 propriations of the House of Representatives of
13 such planned expenditure; and

14 (B) such amounts are expended to provide
15 bandwidth for private United States companies
16 that received Federal funding during fiscal year
17 2021 to provide unrestricted internet access
18 overseas.

19 (c) REPORT.—Not later than 60 days after the date
20 of the enactment of this Act, the Secretary of State and
21 the Administrator of USAID shall jointly submit a report,
22 which may include a classified annex, to the Committee
23 on Foreign Relations of the Senate and the Committee
24 on Foreign Affairs of the House of Representatives. Such
25 report shall describe—

1 (1) as of the date of the report—

2 (A) the full scope of Internet Freedom pro-
3 grams within the Department of State and
4 USAID, including—

5 (i) Department of State circumvention
6 efforts; and

7 (ii) USAID efforts to support internet
8 infrastructure;

9 (B) the capacity of internet censorship cir-
10 cumvention tools supported by the United
11 States Government that are available for use by
12 individuals in foreign countries seeking to coun-
13 teract censors; and

14 (C) any barriers to the provision of the ef-
15 forts described in clauses (i) and (ii) of sub-
16 paragraph (A), including access to surge fund-
17 ing; and

18 (2) any new resources needed to provide the
19 United States Government with greater capacity to
20 provide and boost internet access—

21 (A) to respond rapidly to internet shut-
22 downs in closed societies; and

23 (B) to provide internet connectivity to for-
24 eign locations where the provision of additional

1 internet access service would promote freedom
2 from repressive regimes.

3 (d) REPORT.—Not later than 60 days after the date
4 of the enactment of this Act, the USAGM Chief Executive
5 Officer shall submit a report to the Committee on Foreign
6 Relations of the Senate and the Committee on Foreign
7 Affairs of the House of Representatives that describes—

8 (1) as of the date of the report—

9 (A) the full scope of Internet Freedom pro-
10 grams within USAGM, including—

11 (i) the efforts of the Office of Internet
12 Freedom; and

13 (ii) the efforts of the Open Tech-
14 nology Fund;

15 (B) the capacity of internet censorship cir-
16 cumvention tools supported by the Office of
17 Internet Freedom and grantees of the Open
18 Technology Fund that are available for use by
19 individuals in foreign countries seeking to coun-
20 teract censors; and

21 (C) any barriers to the provision of the ef-
22 forts described in clause (i) and (ii) of subpara-
23 graph (A), including access to surge funding;
24 and

1 (2) successful examples from the Office of
2 Internet Freedom and Open Technology Fund in-
3 volving—

4 (A) responding rapidly to internet shut-
5 downs in closed societies; and

6 (B) ensuring uninterrupted circumvention
7 services for USAGM entities to promote inter-
8 net freedom within repressive regimes.

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