

109TH CONGRESS
1ST SESSION

H. R. 2216

To develop and deploy technologies to defeat Internet jamming.

IN THE HOUSE OF REPRESENTATIVES

MAY 10, 2005

Mr. COX (for himself, Mr. LANTOS, Ms. ROS-LEHTINEN, Mr. SAXTON, Mr. WELLER, Mr. SCHIFF, and Mr. ACKERMAN) introduced the following bill; which was referred to the Committee on International Relations

A BILL

To develop and deploy technologies to defeat Internet jamming.

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 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 guarantees that “Congress shall
2 make no law . . . abridging the freedom of speech,
3 or of the press; or the right of the people peaceably
4 to assemble . . .”. These constitutional provisions
5 guarantee the rights of Americans to communicate
6 and associate with one another without restriction,
7 including unfettered communication and association
8 via the Internet. Article 19 of the Universal Declara-
9 tion of Human Rights of the United Nations explic-
10 itly guarantees the freedom to “receive and impart
11 information and ideas through any media and re-
12 gardless of frontiers”.

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

16 (3) With nearly 14 percent of the population of
17 the world now online, and an increasing number of
18 people gaining access to the Internet each day, the
19 Internet stands to become the most powerful engine
20 for democratization and the free exchange of ideas
21 ever invented.

22 (4) Unrestricted access to news and information
23 on the Internet is a check on authoritarian rule by
24 repressive foreign governments in countries around
25 the world.

1 (5) The governments of Burma, Cuba, Iran,
2 Laos, the Maldives, North Korea, the People’s Re-
3 public of China, Saudi Arabia, Syria, and Vietnam,
4 among others, are taking active measures to prevent
5 their citizens from freely accessing the Internet and
6 from obtaining international political, religious, and
7 economic news and information.

8 (6) Intergovernmental, nongovernmental, and
9 media organizations have reported the widespread
10 and increasing pattern by repressive foreign govern-
11 ments of Internet jamming, including jamming, cen-
12 soring, blocking, monitoring, and restricting Internet
13 access and content by using technologies such as
14 firewalls, filters, and “black boxes”. Such inter-
15 ference with individual activity on the Internet in-
16 cludes surveillance of e-mail messages, message
17 boards, and the use of particular words, “stealth
18 blocking” individuals from visiting particular
19 websites, the development of “black lists” of users
20 who seek to visit these websites, and the complete
21 denial of access to the Internet.

22 (7) The websites of the Voice of America and
23 Radio Free Asia, as well as hundreds of news
24 sources with an Internet presence, are routinely
25 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-sponsored radio
4 broadcasting available to peoples in countries with
5 governments that seek to block news and informa-
6 tion.

7 (9) The United States has thus far commenced
8 only modest steps to fund and deploy technologies to
9 defeat Internet jamming. To date, for example, the
10 Voice of America and Radio Free Asia have com-
11 mitted a total of \$3,000,000 for technology to
12 counter Internet jamming of their websites by the
13 People's Republic of China. This technology has
14 been relied upon by Voice of America and Radio
15 Free Asia to ensure access to their programming,
16 and it has successfully permitted 100,000 electronic
17 hits per day from users in China. However, United
18 States financial support for this technology has
19 lapsed. In most other countries there is no meaning-
20 ful United States support for Internet freedom.

21 (10) The success of United States policy in sup-
22 port of freedom of speech, press, and association re-
23 quires new initiatives to defeat totalitarian and au-
24 thoritarian controls on news and information over
25 the Internet.

1 **SEC. 3. PURPOSES.**

2 The purposes of this Act are—

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

5 (2) to establish an office within the Inter-
6 national Broadcasting Bureau with the sole mission
7 of countering Internet jamming by repressive foreign
8 governments;

9 (3) to expedite the development and deployment
10 of technologies to protect Internet freedom in coun-
11 tries around the world;

12 (4) to authorize a substantial portion of United
13 States international broadcasting resources to be
14 committed to the continued development and imple-
15 mentation of technologies to counter Internet jam-
16 ming by repressive foreign governments;

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

24 (6) to bring to bear the pressure of the free
25 world on repressive foreign governments that engage
26 in Internet jamming and the intimidation and perse-

1 cution by such governments of their citizens who use
2 the Internet.

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

6 (a) **ESTABLISHMENT OF OFFICE OF GLOBAL INTER-**
7 **NET FREEDOM.**—There is established in the International
8 Broadcasting Bureau the Office of Global Internet Free-
9 dom (in this Act referred to as the “Office”). The Office
10 shall be headed by a Director who shall develop and imple-
11 ment a comprehensive global strategy to combat state-
12 sponsored and state-directed Internet jamming by repres-
13 sive foreign governments, and the intimidation and perse-
14 cution by such governments of their citizens who use the
15 Internet.

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

23 (c) **REPORT TO CONGRESS.**—Not later than March
24 1 of the year following the date of the enactment of this
25 Act and one year thereafter, the Director of the Office

1 shall submit to Congress a report on the status of state-
2 sponsored and state-directed Internet jamming by repres-
3 sive foreign governments and a description of efforts by
4 the United States to counter such jamming. Each report
5 shall list the countries the governments of which engage
6 in Internet jamming, provide information concerning the
7 government agencies or quasi-governmental organizations
8 of such governments that engage in Internet jamming; and
9 describe with the greatest particularity practicable the
10 technological means by which such jamming is accom-
11 plished. If the Director determines that such is appro-
12 priate, the Director may submit such report together with
13 a classified annex.

14 (d) LIMITATION ON AUTHORITY.—Nothing in this
15 Act shall be interpreted to authorize any action by the
16 United States to interfere with Internet jamming by a re-
17 pressive foreign government if such jamming is in further-
18 ance of legitimate law enforcement aims that are con-
19 sistent with the Universal Declaration of Human Rights.

20 (e) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated to the Office
22 \$50,000,000 for each of the fiscal years 2006 and 2007.

23 **SEC. 5. SENSE OF CONGRESS.**

24 It is the sense of Congress that the United States
25 should—

1 (1) publicly, prominently, and consistently de-
2 nounce repressive foreign governments that engage
3 in Internet jamming;

4 (2) direct the United States Representative to
5 the United Nations to submit a resolution at the
6 next annual meeting of the United Nations Human
7 Rights Commission condemning repressive foreign
8 governments that engage in Internet jamming and
9 deny their citizens the freedom to access and share
10 information on the Internet; and

11 (3) deploy, at the earliest practicable date, tech-
12 nologies aimed at defeating state-sponsored and
13 state-directed Internet jamming by repressive for-
14 eign governments and the intimidation and persecu-
15 tion by such governments of their citizens who use
16 the Internet.

17 **SEC. 6. DEFINITION.**

18 In this Act, the term “Internet jamming” means jam-
19 ming, censoring, blocking, monitoring, or restricting Inter-
20 net access and content by using technologies such as fire-
21 walls, filters, and “black boxes”.

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