AMENDMENT TO RULES COMM. PRINT 116–57
OFFERED BY MS. CLARKE OF NEW YORK

At the end of subtitle G of title XII, add the following:

SEC. __. REPORT ON EFFORTS OF COVERED GOVERNMENTS TO EXTRATERRITORIALLY CENSOR, INDUCE SELF-CENSORSHIP WITH RESPECT TO, OR PUNISH FIRST AMENDMENT PROTECTED ACTIVITY IN THE UNITED STATES.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State and the Director of National Intelligence, shall submit to the congressional defense committees a report describing efforts of covered governments, or any entities acting on behalf of such governments, to extraterritorially censor, induce self-censorship with respect to, or punish First Amendment protected activity in the United States.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include the following:

(1) A description of each known instance since the date that is ten years prior to the date of enactment of this Act in which a government of a covered
country, or any entity acting on behalf of such government, has sought to extraterritorially censor, induce self-censorship with respect to, or punish First Amendment protected activity (including verbal or written speech, other expressive conduct, and the publication of imagery or maps) that occurred or would have occurred within the United States, provided such activity did not violate any Federal law or regulation or law or regulation of the State or locality where such activity occurred, on topics relating to conditions within or activities of such country, including with respect to—

(A) human rights, democracy, and the rule of law;

(B) government surveillance;

(C) espionage and influence operations;

(D) geopolitical disputes; and

(E) discussions or depictions of political leadership.

(2) A description of each known instance in which a commercial entity or other non-governmen tal entity within the United States has in fact discharged, suspended, ceased contracting with, failed to pursue future contracts with, or adversely altered the terms, conditions, or privileges of em-
ployment or contract of an employee or contractor, or threatened to do so, on the basis of efforts described in paragraph (1).

(3) A description of each known instance in which a commercial entity or other non-governmental entity within the United States has in fact altered, or instructed another to alter, a publication or performative work (including content on a website, on a social media channel, or within an audiovisual production) intended for distribution in the United States on the basis of efforts described in paragraph (1).

(4) Such other related matters pertaining to extraterritorial censorship by the governments of covered countries as the Secretary may deem appropriate.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form and made publicly available.

(d) COVERED COUNTRY DEFINED.—For purposes of this section, the term “covered country” means—

(1) the People’s Republic of China;

(2) the Russian Federation; and

(3) any country the government of which the Secretary of State determines has repeatedly pro-
vided support for acts of international terrorism for purposes of—

(A) section 1754(c) of the Export Control Reform Act of 2018 (50 U.S.C. 4813(e));

(B) section 620A of the Foreign Assistance Act of 1961 (22 U.S.C. 2371); or

(C) section 40 of the Arms Export Control Act (22 U.S.C. 2780).