

**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:

1 **SEC. \_\_. REPORT ON EFFORTS OF COVERED GOVERNMENTS**  
2 **TO EXTRATERRITORIALLY CENSOR, INDUCE**  
3 **SELF-CENSORSHIP WITH RESPECT TO, OR**  
4 **PUNISH FIRST AMENDMENT PROTECTED AC-**  
5 **TIVITY IN THE UNITED STATES.**

6 (a) IN GENERAL.—Not later than 1 year after the  
7 date of the enactment of this Act, the Secretary of De-  
8 fense, in coordination with the Secretary of State and the  
9 Director of National Intelligence, shall submit to the con-  
10 gressional defense committees a report describing efforts  
11 of covered governments, or any entities acting on behalf  
12 of such governments, to extraterritorially censor, induce  
13 self-censorship with respect to, or punish First Amend-  
14 ment protected activity in the United States.

15 (b) MATTERS TO BE INCLUDED.—The report re-  
16 quired by subsection (a) shall include the following:

17 (1) A description of each known instance since  
18 the date that is ten years prior to the date of enact-  
19 ment of this Act in which a government of a covered

1 country, or any entity acting on behalf of such gov-  
2 ernment, has sought to extraterritorially censor, in-  
3 duce self-censorship with respect to, or punish First  
4 Amendment protected activity (including verbal or  
5 written speech, other expressive conduct, and the  
6 publication of imagery or maps) that occurred or  
7 would have occurred within the United States, pro-  
8 vided such activity did not violate any Federal law  
9 or regulation or law or regulation of the State or lo-  
10 cality where such activity occurred, on topics relat-  
11 ing to conditions within or activities of such country,  
12 including with respect to—

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

15 (B) government surveillance;

16 (C) espionage and influence operations;

17 (D) geopolitical disputes; and

18 (E) discussions or depictions of political  
19 leadership.

20 (2) A description of each known instance in  
21 which a commercial entity or other non-govern-  
22 mental entity within the United States has in fact  
23 discharged, suspended, ceased contracting with,  
24 failed to pursue future contracts with, or adversely  
25 altered the terms, conditions, or privileges of em-

1       ployment or contract of an employee or contractor,  
2       or threatened to do so, on the basis of efforts de-  
3       scribed in paragraph (1).

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

13          (4) Such other related matters pertaining to  
14      extraterritorial censorship by the governments of  
15      covered countries as the Secretary may deem appro-  
16      priate.

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

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

22           (1) the People’s Republic of China;

23           (2) the Russian Federation; and

24           (3) any country the government of which the  
25      Secretary of State determines has repeatedly pro-

1 vided support for acts of international terrorism for  
2 purposes of—

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

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

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

