

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—118th Cong., 2d Sess.**

**S. 3854**

To combat transnational repression abroad, to strengthen tools to combat authoritarianism, corruption, and kleptocracy, to invest in democracy research and development, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended  
to be proposed by Mr. CARDIN

Viz:

1 Strike all after the enacting clause and insert the fol-  
2 lowing:

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the  
5 “International Freedom Protection Act”.

6 (b) **TABLE OF CONTENTS.**—The table of contents for  
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Definitions.
- Sec. 4. Combating transnational repression abroad.
- Sec. 5. Strengthening tools to combat authoritarianism.
- Sec. 6. Amendment to Rewards for Justice Program.
- Sec. 7. Investing in democracy research and development.
- Sec. 8. Addressing authoritarians in the multilateral system.

Sec. 9. Confronting digital authoritarianism.

Sec. 10. Protecting political prisoners.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) According to Freedom House’s 2023 report,  
4 “Freedom in the World”, democracy experienced a  
5 worldwide decline for 17 consecutive years and has  
6 been weakened by factors, such as attacks on demo-  
7 cratic institutions, impunity, corruption,  
8 disinformation, human rights violations, and conflict.

9 (2) Since 2006, autocratic forces have been on  
10 the rise, with emboldened autocrats from China,  
11 Russia, and Iran—

12 (A) refining their tactics to undermine de-  
13 mocracy globally;

14 (B) suppressing dissent to sustain their  
15 own regimes; and

16 (C) frequently collaborating with each an-  
17 other in such efforts.

18 (3) Authoritarian governments are increasingly  
19 employing both physical and nonphysical  
20 transnational repression tactics that reach across  
21 borders to silence, coerce, harass, or harm individ-  
22 uals for peacefully exercising their internationally-  
23 recognized human rights and fundamental freedoms,

1       which produces a chilling effect that compels people  
2       to modify their behavior due to fear.

3               (4) The rise of authoritarianism—

4                       (A) undermines the national security of the  
5       United States and the security of our demo-  
6       cratic allies and partners;

7                       (B) creates instability;

8                       (C) weakens the rule of law; and

9                       (D) increases the risk of war.

10              (5) Democracies are ill-prepared to fight back  
11       against the growing complexity and emerging chal-  
12       lenges posed by autoeratic forces.

13              (6) There is an urgent need to modernize the  
14       United States Government’s approach to countering  
15       authoritarianism, including by revitalizing and  
16       strengthening the relevant tools, strategies, and in-  
17       stitutions.

18 **SEC. 3. DEFINITIONS.**

19       In this Act:

20              (1) APPROPRIATE CONGRESSIONAL COMMIT-  
21       TEES.—The term “appropriate congressional com-  
22       mittees” means—

23                       (A) the Committee on Foreign Relations of  
24       the Senate;

1 (B) the Committee on Appropriations of  
2 the Senate;

3 (C) the Committee on Foreign Affairs of  
4 the House of Representatives; and

5 (D) the Committee on Appropriations of  
6 the House of Representatives.

7 (2) RELEVANT FEDERAL AGENCIES.—The term  
8 “relevant Federal agencies” means—

9 (A) the Department of State;

10 (B) the United States Agency for Inter-  
11 national Development; and

12 (C) other Federal agencies that are rel-  
13 evant for purposes of this Act.

14 (3) TRANSNATIONAL REPRESSION.—The term  
15 “transnational repression”—

16 (A) means actions of a foreign government,  
17 or agents of a foreign government, involving the  
18 transgression of national borders through phys-  
19 ical, digital, or analog means to intimidate, si-  
20 lence, coerce, harass, or harm members of dias-  
21 pora populations, political opponents, civil soci-  
22 ety activists, journalists, or members of ethnic  
23 or religious minority groups to prevent their ex-  
24 ercise of internationally recognized human  
25 rights; and

- 1 (B) may include—
- 2 (i) extrajudicial killings;
- 3 (ii) physical assaults and intimidation;
- 4 (iii) arbitrary detentions;
- 5 (iv) renditions;
- 6 (v) deportations;
- 7 (vi) unexplained or enforced dis-
- 8 appearances;
- 9 (vii) physical or online surveillance or
- 10 stalking;
- 11 (viii) unwarranted passport cancella-
- 12 tion or control over other identification
- 13 documents;
- 14 (ix) abuse of international law en-
- 15 forcement systems;
- 16 (x) unlawful asset freezes;
- 17 (xi) digital threats, such as
- 18 cyberattacks, targeted surveillance and
- 19 spyware, online harassment, and intima-
- 20 tion; and
- 21 (xii) coercion by proxy, such as har-
- 22 assment of, or threats or harm to, family
- 23 and associates of private individuals who
- 24 remain in their country of origin.

1 **SEC. 4. COMBATING TRANSNATIONAL REPRESSION**  
2 **ABROAD.**

3 (a) STATEMENT OF POLICY ON TRANSNATIONAL RE-  
4 PRESSION.—It is the policy of the United States—

5 (1) to identify and address transnational re-  
6 pression as a direct threat to the United States na-  
7 tional interests of upholding and promoting demo-  
8 cratic values and internationally recognized human  
9 rights;

10 (2) to address transnational repression, includ-  
11 ing by protecting targeted individuals and groups;

12 (3) to strengthen the capacity of United States  
13 embassy and mission staff to counter transnational  
14 repression, including by—

15 (A) monitoring and documenting instances  
16 of transnational repression;

17 (B) conducting regular outreach with at-  
18 risk or affected populations to provide informa-  
19 tion regarding available resources without put-  
20 ting such people at further risk; and

21 (C) working with local and national law  
22 enforcement, as appropriate, to support victims  
23 of transnational repression;

24 (4) to develop policy and programmatic re-  
25 sponses based on input from—

1 (A) vulnerable populations who are at risk  
2 of, or are experiencing, transnational repres-  
3 sion;

4 (B) nongovernmental organizations work-  
5 ing to address transnational repression; and

6 (C) the private sector;

7 (5) to provide training to relevant Federal per-  
8 sonnel—

9 (A) to enhance their understanding of  
10 transnational repression; and

11 (B) to identify and combat threats of  
12 transnational repression;

13 (6) to strengthen documentation and moni-  
14 toring by the United States Government of  
15 transnational repression by foreign governments in  
16 the United States, in foreign countries, and within  
17 international organizations; and

18 (7) to seek to hold perpetrators of transnational  
19 repression accountable, including through the use of  
20 targeted sanctions and visa restrictions.

21 (b) REPORT ON TRANSNATIONAL REPRESSION.—

22 (1) IN GENERAL.—Not later than 180 days  
23 after the date of the enactment of this Act, and  
24 every 2 years thereafter for the following 10 years,  
25 the Secretary of State, in consultation with the

1 heads of other relevant Federal agencies, shall sub-  
2 mit a classified report to the appropriate congres-  
3 sional committees that assesses the efforts of the  
4 United States Government to implement the policy  
5 objectives described in subsection (a).

6 (2) ELEMENTS.—The report required under  
7 paragraph (1) shall include—

8 (A) a detailed description and assessment  
9 of United States Government efforts to mon-  
10 itor, prevent, and respond to transnational re-  
11 pression abroad;

12 (B) a detailed accounting of the most com-  
13 mon tactics of transnational repression;

14 (C) instances of transnational repression  
15 occurring within international organizations;

16 (D) a description of—

17 (i) efforts by personnel at United  
18 States embassies and missions to support  
19 victims of or those at risk of transnational  
20 repression; and

21 (ii) resources provided to United  
22 States embassies and missions to support  
23 such efforts; and





1 signed, developed, and deployed with  
2 safeguards to protect human rights  
3 (including privacy), consistent with  
4 the United Nations Guiding Principles  
5 on Business and Human Rights;

6 (ii) public diplomacy efforts and plans  
7 for, including the use of the voice, vote,  
8 and influence of the United States at inter-  
9 national organizations, to promote aware-  
10 ness of and oppose acts of transnational  
11 repression;

12 (iii) a plan to develop or enhance glob-  
13 al coalitions to monitor cases of  
14 transnational repression at international  
15 organizations and to strengthen alert  
16 mechanisms for key stakeholders world-  
17 wide;

18 (iv) a description, as appropriate, of  
19 how the United States Government has  
20 previously provided, and will continue to  
21 provide, support to civil society organiza-  
22 tions in foreign countries in which  
23 transnational repression occurs—

24 (I) to improve the documenta-  
25 tion, investigation, and research of

1 cases, trends, and tactics of  
2 transnational repression; and

3 (II) to promote accountability  
4 and transparency in government ac-  
5 tions impacting victims of  
6 transnational repression; and

7 (v) a description of new or existing  
8 emergency assistance mechanisms, to aid  
9 at-risk groups, communities, and individ-  
10 uals in countries abroad in which  
11 transnational repression occurs.

12 (3) FORM OF REPORT.—The report required  
13 under paragraph (1) shall be submitted in classified  
14 form, but may include an unclassified annex.

15 (c) TRAINING OF UNITED STATES PERSONNEL.—  
16 The Secretary of State, in coordination with the heads of  
17 other relevant Federal departments and agencies, shall de-  
18 velop and provide training to relevant personnel of the De-  
19 partment of State and other relevant Federal agencies,  
20 whether serving in the United States or overseas, to ad-  
21 vance the purposes of this Act, including training on the  
22 identification of—

23 (1) physical and nonphysical threats of  
24 transnational repression;

1           (2) foreign governments that are most fre-  
2           quently involved in transnational repression;

3           (3) foreign governments that are known to fre-  
4           quently cooperate with other governments in com-  
5           mitting transnational repression;

6           (4) digital surveillance and cyber tools com-  
7           monly used in transnational repression;

8           (5) safe outreach methods for vulnerable popu-  
9           lations at risk of transnational repression; and

10          (6) tools to respond to transnational repression  
11          threats, including relevant authorities which may be  
12          invoked.

13          (d) TRAINING OF FOREIGN SERVICE OFFICERS AND  
14          PRESIDENTIAL APPOINTEES.—Section 708(a)(1) of the  
15          Foreign Service Act of 1980 (22 U.S.C. 4028(a)(1)) is  
16          amended—

17                 (1) in subparagraph (C), by striking “and” at  
18                 the end;

19                 (2) in subparagraph (D), by striking the period  
20                 at the end and inserting “; and”; and

21                 (3) by adding at the end the following:

22                         “(E) for Foreign Service Officers and  
23                         Presidential appointees, including chiefs of mis-  
24                         sion, in missions abroad who work on political,  
25                         economic, public diplomacy, security, or devel-

1           opment issues, a dedicated module of instruc-  
2           tion on transnational repression (as such term  
3           is defined in section 3(3) of the International  
4           Freedom Protection Act), including—

5                   “(i) how to recognize threats of  
6                   transnational repression;

7                   “(ii) an overview of relevant laws that  
8                   can be invoked to combat such threats;  
9                   and

10                   “(iii) how to support individuals experi-  
11                   encing transnational repression.”.

12 **SEC. 5. STRENGTHENING TOOLS TO COMBAT**  
13 **AUTHORITARIANISM.**

14           (a) **TRANSNATIONAL REPRESSION.**—The President  
15           should consider the use of transnational repression by a  
16           foreign person in determining whether to impose sanctions  
17           with respect to such foreign person under—

18                   (1) the Global Magnitsky Human Rights Ac-  
19                   countability Act (22 U.S.C. 10101 et seq.);

20                   (2) section 7031(c) of the Department of State,  
21           Foreign Operations, and Related Programs Appro-  
22           priations Act, 2023 (division K of Public Law 117–  
23           328; 8 U.S.C. 1182 note); or

1           (3) any other relevant statutory provision  
2           granting human rights-related sanctions authority  
3           under which a foreign person has been sanctioned.

4           (b) REPORT REQUIRED.—

5           (1) IN GENERAL.—Not later than 180 days  
6           after the date of the enactment of this Act, and not  
7           less frequently than annually thereafter, the Sec-  
8           retary of State shall submit a report to the appro-  
9           priate congressional committees that, except as pro-  
10          vided in paragraph (2), identifies each foreign per-  
11          son about whom the President has made a deter-  
12          mination to impose sanctions pursuant to para-  
13          graphs (1) through (3) of subsection (a) based on  
14          the consideration of the use of transnational repres-  
15          sion.

16          (2) EXCEPTION.—The report required under  
17          paragraph (1) may not identify individuals if such  
18          identification would interfere with law enforcement  
19          efforts.

20          (3) FORM.—The report required under para-  
21          graph (1) shall be submitted in unclassified form,  
22          but may include a classified annex.

23          (c) ANTI-KLEPTOCRACY AND HUMAN RIGHTS INELI-  
24          GIBILITY.—

25          (1) INELIGIBILITY.—

1 (A) SIGNIFICANT CORRUPTION OR HUMAN  
2 RIGHTS VIOLATIONS.—Except as provided in  
3 paragraphs (2) and (3), a foreign government  
4 official shall be ineligible for entry into the  
5 United States if the Secretary of State deter-  
6 mines that such official was knowingly directly  
7 or indirectly involved in—

8 (i) significant corruption, including  
9 corruption related to the extraction of nat-  
10 ural resources; or

11 (ii) a gross violation of internationally  
12 recognized human rights (as defined in  
13 section 502B(d)(1) of the Foreign Assist-  
14 ance Act of 1961 (22 U.S.C. 2304(d)(1))),  
15 including the wrongful detention of—

16 (I) locally employed staff of a  
17 United States diplomatic mission; or

18 (II) a United States citizen or  
19 national.

20 (B) IMMEDIATE FAMILY MEMBERS.—The  
21 immediate family members of an official de-  
22 scribed in subparagraph (A) may be subject to  
23 the same restriction on entry into the United  
24 States as such official.

1           (C) REFERRAL.—The Secretary of State,  
2           in implementing this subsection, shall, as ap-  
3           propriate, provide information regarding the ac-  
4           tions of officials described in subparagraph (A)  
5           to the Office of Foreign Assets Control of the  
6           Department of the Treasury, which shall deter-  
7           mine whether to impose sanctions authorized  
8           under Federal law to block the transfer of prop-  
9           erty and interests in property, and all financial  
10          transactions, in the United States involving any  
11          such official.

12          (D) DESIGNATION OR DETERMINATION.—  
13          The Secretary of State shall publicly or pri-  
14          vately designate or make the determination that  
15          the foreign government officials or party mem-  
16          bers about whom the Secretary has made such  
17          designation or determination regarding signifi-  
18          cant corruption or gross violations of inter-  
19          nationally recognized human rights, and their  
20          immediate family members, without regard to  
21          whether any such individual has applied for a  
22          visa.

23          (2) EXCEPTIONS.—



1 (A) IN GENERAL.—Individuals are not in-  
2 eligible for entry into the United States pursu-  
3 ant to paragraph (1) if such entry—

4 (i) would further important United  
5 States law enforcement objectives; or

6 (ii) is necessary to permit the United  
7 States to fulfill its obligations under the  
8 Agreement regarding the Headquarters of  
9 the United Nations, signed at Lake Suc-  
10 cess June 26, 1947, and entered into force  
11 November 21, 1947, between the United  
12 Nations and the United States or under  
13 other international obligations of the  
14 United States.

15 (B) SAVINGS PROVISION.—Nothing in  
16 paragraph (1) may be construed to derogate  
17 from United States Government obligations  
18 under applicable international agreements or  
19 obligations.

20 (3) WAIVER.—The Secretary of State may  
21 waive the application of paragraph (1) with respect  
22 to any individual if the Secretary determines that—

23 (A) such waiver would serve a compelling  
24 national interest of the United States; or

1 (B) the circumstances that caused such in-  
2 dividual to be ineligible for entry into the  
3 United States have sufficiently changed.

4 (4) SEMIANNUAL REPORT.—

5 (A) IN GENERAL.—Not later than 30 days  
6 after the date of the enactment of this Act, and  
7 every 180 days thereafter, the Secretary of  
8 State shall submit a report, including a classi-  
9 fied annex if necessary, to the Committee on  
10 Foreign Relations of the Senate and the Com-  
11 mittee on Foreign Affairs of the House of Rep-  
12 resentatives. Each such report shall include—

13 (i) all relevant information relating to  
14 corruption or gross violations of inter-  
15 nationally recognized human rights that  
16 was a factor in identifying, during the  
17 most recent 12-month period—

18 (I) individuals who are ineligible  
19 for entry into the United States under  
20 paragraph (1)(A); and

21 (II) individuals about whom the  
22 Secretary has made a designation or  
23 determination pursuant to paragraph  
24 (1)(D); and

1 (III) individuals who would be in-  
2 eligible for entry into the United  
3 States under paragraph (1)(A), but  
4 were excluded from such restriction  
5 pursuant to paragraph (2);

6 (ii) a list of any waivers granted by  
7 the Secretary pursuant to paragraph (3);  
8 and

9 (iii) a description of the justification  
10 for each such waiver.

11 (B) POSTING OF REPORT.—The unclassi-  
12 fied portion of each report required under sub-  
13 paragraph (A) shall be posted on a publicly ac-  
14 cessible website of the Department of State.

15 (5) CLARIFICATION.—For purposes of para-  
16 graphs (1) and (4), the records of the Department  
17 of State and of diplomatic and consular offices of  
18 the United States pertaining to the issuance or re-  
19 fusal of visas or permits to enter the United States  
20 shall not be considered confidential.

21 (d) RESTRICTION ON ASSISTANCE IN THE WAKE OF  
22 A COUP D'ÉTAT.—Chapter 1 of part III of the Foreign  
23 Assistance Act of 1961 (22 U.S.C. 2751 et seq.) is amend-  
24 ed by adding at the end the following:

1 **“SEC. 620N. LIMITATION ON ASSISTANCE IN THE WAKE OF**  
2 **A COUP D’ÉTAT.**

3 “(a) IN GENERAL.—Except as provided under sub-  
4 sections (b) and (d), no assistance may be provided under  
5 this Act or under the Arms Export Control Act (22 U.S.C.  
6 2751) to the central government of any country in which  
7 the head of government, as recognized by the United  
8 States, was deposed by a military coup d’état or decree  
9 or a coup d’état or decree in which the military played  
10 a decisive role.

11 “(b) EXEMPTION FOR NATIONAL SECURITY.—

12 “(1) IN GENERAL.—The Secretary of State,  
13 after consultation with the heads of relevant Federal  
14 agencies, may exempt assistance from the restriction  
15 described in subsection (a), on a program by pro-  
16 gram basis for a 90-day renewable period, if the Sec-  
17 retary determines that the continuation of such as-  
18 sistance is in the national security interest of the  
19 United States.

20 “(2) JUSTIFICATION.—The Secretary of State  
21 shall provide a justification to the appropriate con-  
22 gressional committees for each exemption granted  
23 pursuant to paragraph (1) not later than 5 days  
24 after making such determination.

25 “(3) UPDATES.—The Secretary of State shall  
26 provide periodic updates, not less frequently than

1 every 90 days, regarding the status of any assistance  
2 subject to the exemption granted pursuant to para-  
3 graph (1).

4 “(c) RESUMPTION OF ASSISTANCE.—Assistance to a  
5 foreign government that is subject to the restriction de-  
6 scribed in subsection (a) may be resumed if the Secretary  
7 of State certifies and reports to the appropriate congres-  
8 sional committees, not fewer than 30 days before the re-  
9 sumption of such assistance, that a democratically-elected  
10 government has taken office subsequent to the termination  
11 of assistance pursuant to subsection (a).

12 “(d) EXCEPTION FOR DEMOCRACY AND HUMANI-  
13 TARIAN ASSISTANCE.—The restriction under subsection  
14 (a) shall not apply to any assistance used—

15 “(1) to promote democratic elections or public  
16 participation in the democratic processes;

17 “(2) to support a democratic transition; or

18 “(3) for humanitarian purposes.

19 “(e) DEFINED TERM.—In this section, the term ‘ap-  
20 propriate congressional committees’ means—

21 “(1) the Committee on Foreign Relations of the  
22 Senate;

23 “(2) the Committee on Appropriations of the  
24 Senate;

1           “(3) the Committee on Foreign Affairs of the  
2           House of Representatives; and

3           “(4) the Committee on Appropriations of the  
4           House of Representatives.”.

5 **SEC. 6. AMENDMENT TO REWARDS FOR JUSTICE PROGRAM.**

6           Section 36(b) of the State Department Basic Au-  
7           thorities Act of 1956 (22 U.S.C. 2708(b)) is amended—

8           (1) in paragraph (13), by striking “or” at the  
9           end;

10          (2) in paragraph (14), by striking the period at  
11          the end and inserting “; or”; and

12          (3) by adding at the end the following:

13          “(15) the restraining, seizing, forfeiting, or re-  
14          patriating of stolen assets linked to foreign govern-  
15          ment corruption and the proceeds of such corrup-  
16          tion.”.

17 **SEC. 7. INVESTING IN DEMOCRACY RESEARCH AND DEVEL-**  
18 **OPMENT.**

19          The Secretary of State, in consultation with the Ad-  
20          ministrators of the United States Agency for International  
21          Development, should establish, within the Bureau of De-  
22          mocracy, Human Rights, and Labor, a program for de-  
23          mocracy research and development that—

24          (1) supports research and development by the  
25          Department of State, the United States Agency for

1 International Development, and the National En-  
2 dowment for Democracy on policies and programs  
3 relating to democracy efforts;

4 (2) drives innovation within such agencies re-  
5 garding the response to complex, multidimensional  
6 challenges to democracy;

7 (3) identifies lessons learned and best practices  
8 for democracy programs and diplomatic approaches  
9 to create feedback loops and shape future evidence-  
10 based programming and diplomacy;

11 (4) encourages private sector actors to establish  
12 and implement business practices that will—

13 (A) strengthen democratic institutions; and

14 (B) bolster democratic processes; and

15 (5) strengthens the resilience of democratic ac-  
16 tors and institutions.

17 **SEC. 8. ADDRESSING AUTHORITARIANS IN THE MULTILAT-**  
18 **ERAL SYSTEM.**

19 It is the sense of Congress that the Secretary of State  
20 and the United States Permanent Representative to the  
21 United Nations should use the voice, vote, and influence  
22 of the United States at the United Nations and with other  
23 multilateral bodies—

1           (1)(A) to promote the full participation of civil  
2 society actors within the United Nations Human  
3 Rights Council and other multilateral bodies;

4           (B) to closely monitor instances of reprisals  
5 against such actors; and

6           (C) to support the use of targeted sanctions,  
7 censure of member states, and other diplomatic  
8 measures to hold responsible any person who en-  
9 gages in reprisals against human rights defenders  
10 and civil society within such multilateral bodies;

11          (2) to reform the process for suspending the  
12 rights of membership in the United Nations Human  
13 Rights Council for member states that commit gross  
14 and systemic violations of internationally recognized  
15 human rights, including—

16           (A) ensuring information detailing the  
17 member state's human rights record is publicly  
18 available before a vote for membership or a vote  
19 on suspending the rights of membership of such  
20 member state; and

21           (B) making publicly available the vote of  
22 each member state on the suspension of rights  
23 of membership from the United Nations  
24 Human Rights Council;



1           (3) to reform the rules for electing members to  
2           the United Nations Human Rights Council to seek  
3           to ensure that member states that have committed  
4           gross and systemic violations of internationally rec-  
5           ognized human rights are not elected to the Human  
6           Rights Council; and

7           (4) to oppose the election to the United Nations  
8           Human Rights Council of any member state—

9                   (A) that engages in a consistent pattern of  
10                  gross violations of internationally recognized  
11                  human rights, as determined pursuant to sec-  
12                  tion 116 or 502B of the Foreign Assistance Act  
13                  of 1961 (22 U.S.C. 2151n and 2304);

14                   (B) the government of which has repeat-  
15                  edly provided support for acts of international  
16                  terrorism, as determined pursuant to section  
17                  620A of the Foreign Assistance Act of 1961  
18                  (22 U.S.C. 2371);

19                   (C) that is designated as a Tier 3 country  
20                  under section 110(b)(1)(C) of the Trafficking  
21                  Victims Protection Act of 2000 (22 U.S.C.  
22                  7107(b)(1)(C));

23                   (D) that is included on the list published  
24                  by the Secretary of State pursuant to section  
25                  404(b)(1) of the Child Soldiers Prevention Act

1 of 2008 (22 U.S.C. 2370e-1(b)(1)) as a govern-  
2 ment that recruits and uses child soldiers; or

3 (E) the government of which the United  
4 States determines to have committed genocide,  
5 crimes against humanity, war crimes, or ethnic  
6 cleansing.

7 **SEC. 9. CONFRONTING DIGITAL AUTHORITARIANISM.**

8 (a) STATEMENT OF POLICY.—It is the policy of the  
9 United States—

10 (1) to combat digital authoritarianism, includ-  
11 ing the use of digital technologies, that—

12 (A) restricts the exercise of civil and polit-  
13 ical rights (as defined in the International Cov-  
14 enant on Civil and Political Rights, done at  
15 New York December 16, 1966);

16 (B) weakens democratic processes and in-  
17 stitutions, including elections; or

18 (C) surveils, censors, or represses human  
19 rights defenders, democracy activists, civil soci-  
20 ety actors, independent media, or political oppo-  
21 nents;

22 (2) to promote internet freedom; and

23 (3) to support efforts to counter government  
24 censorship and surveillance, including efforts—

1 (A) to bypass internet shutdowns and  
2 other forms of censorship, including blocks on  
3 services through circumvention technologies;  
4 and

5 (B) to provide digital security support and  
6 training for democracy activists, journalists,  
7 and other at-risk groups.

8 (b) REPORT.—Not later than 270 days after the date  
9 of the enactment of this Act, the Secretary of State, in  
10 coordination with the Administrator of the United States  
11 Agency for International Development, shall submit a re-  
12 port to the appropriate congressional committees that de-  
13 scribes the Department of State’s efforts to implement the  
14 policy objectives described in subsection (a).

15 **SEC. 10. PROTECTING POLITICAL PRISONERS.**

16 (a) REPORT.—Not later than 270 days after the date  
17 of the enactment of this Act, the Secretary of State shall  
18 submit a report to the Committee on Foreign Relations  
19 of the Senate and the Committee on Foreign Affairs of  
20 the House of Representatives that includes, with respect  
21 to unjustly detained political prisoners worldwide—

22 (1) a description of existing Department of  
23 State processes and efforts to carry out the political  
24 prisoner-related activities described in subsection

25 (b);

1           (2) an assessment of any resource gaps or insti-  
2           tutional deficiencies that adversely impact the De-  
3           partment of State’s ability to engage in the activities  
4           described in subsection (b) in order to respond to in-  
5           creasing numbers of unjustly detained political pris-  
6           oners; and

7           (3) a strategy for enhancing the efforts of the  
8           Department of State and other Federal agencies to  
9           carry out the political prisoner-related activities de-  
10          scribed in subsection (b).

11          (b) POLITICAL PRISONER-RELATED ACTIVITIES.—  
12          The report required under subsection (a) shall include a  
13          description of the Department of State’s efforts—

14                (1) to monitor regional and global trends con-  
15                cerning unjustly detained political prisoners and  
16                maintain information regarding individual cases;

17                (2) to consistently raise concerns regarding un-  
18                justly detained political prisoners, including specific  
19                individuals, through public and private engagement  
20                with foreign governments, public reporting, and mul-  
21                tilateral engagement;

22                (3) to routinely—

23                      (A) attend the trials of political prisoners;

24                      (B) conduct wellness visits of political pris-  
25                      oners, to the extent practicable and pending ap-

1           proval from political prisoners or their legal  
2           counsel;

3           (C) visit political prisoners incarcerated  
4           under home arrest, subject to a travel ban, or  
5           confined in detention; and

6           (D) report on the well-being of such polit-  
7           ical prisoners;

8           (4) to regularly request information and specific  
9           actions related to individual prisoners' medical con-  
10          ditions, treatment, access to legal counsel, location,  
11          and family visits;

12          (5) to identify cases in which an imminent ar-  
13          rest, a potential re-arrest, or physical violence poses  
14          a risk to an at-risk individual;

15          (6) to utilize embassy resources to provide shel-  
16          ter or facilitate the safe evacuation of willing individ-  
17          uals and their families, whenever feasible; and

18          (7) to use sanctions and other accountability  
19          mechanisms to encourage the release of unjustly de-  
20          tained political prisoners.