

117TH CONGRESS
1ST SESSION

H. R. 2075

To amend the Foreign Assistance Act of 1961 to require information on the status of excessive surveillance and use of advanced technology to violate privacy and other fundamental human rights be included in the annual Country Reports on Human Rights Practices.

IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 2021

Mr. CURTIS (for himself, Mr. MALINOWSKI, Mrs. KIM of California, Mr. PHILLIPS, and Ms. SPANBERGER) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To amend the Foreign Assistance Act of 1961 to require information on the status of excessive surveillance and use of advanced technology to violate privacy and other fundamental human rights be included in the annual Country Reports on Human Rights Practices.

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 “Foreign Advanced
5 Technology Surveillance Accountability Act”.

1 **SEC. 2. AMENDMENTS TO ANNUAL COUNTRY REPORTS ON**
2 **HUMAN RIGHTS PRACTICES.**

3 The Foreign Assistance Act of 1961 is amended as
4 follows:

5 (1) In section 116 (22 U.S.C. 2151n), by add-
6 ing at the end the following:

7 “(h) STATUS OF EXCESSIVE SURVEILLANCE AND
8 USE OF ADVANCED TECHNOLOGY.—

9 “(1) IN GENERAL.—The report required by
10 subsection (d) shall include, wherever applicable, a
11 description of the status of surveillance and use of
12 advanced technology to impose arbitrary or unlawful
13 interference with privacy, or unlawful or unnecessary
14 restrictions on freedom of expression, peaceful as-
15 sembly, association, or other internationally recog-
16 nized human rights in each country, including—

17 “(A) whether the government of such
18 country has adopted and is enforcing laws, reg-
19 ulations, policies, or practices relating to—

20 “(i) government surveillance or cen-
21 sorship, including through facial recogni-
22 tion, biometric data collection, internet and
23 social media controls, sensors, spyware
24 data analytics, non-cooperative location
25 tracking, recording devices, or other simi-
26 lar advanced technologies, and any allega-

tions or reports that this surveillance or
censorship was unreasonable;

“(ii) extrajudicial searches or seizures
of individual or private institution data;
and

“(iii) surveillance of any group based
on political views, religious beliefs, eth-
nicity, or other protected category, in viola-
tion of equal protection rights;

“(B) whether such country has imported
or unlawfully obtained biometric or facial rec-
ognition data from other countries or entities
and, if applicable, from whom; and

“(C) whether the government agency end-
user has targeted individuals, including through
the use of technology, in retaliation for the ex-
ercise of their human rights or on discrimina-
tory grounds prohibited by international law,
including targeting journalists or members of
minority groups.

“(2) DEFINITIONS.—In this subsection—

“(A) the term ‘internet and social media
controls’ means the arbitrary or unlawful im-
position of restrictions, by state or service pro-
viders, on internet and digital information and

communication, such as through the blocking or filtering of websites, social media platforms, and communication applications, the deletion of content and social media posts, or the penalization of online speech, in a manner that violates rights to free expression or assembly; and

“(B) the term ‘extrajudicial targeted surveillance’ means the use of technology to observe the activities of individuals in a manner that unlawfully or arbitrarily interferes with their privacy, such as through physical monitoring or the interception of digital communications.”.

(2) In section 502B(b) (22 U.S.C. 2304(b))—

(A) by redesignating the second subsection

(i) (as added by section 1207(b)(2) of Public Law 113–4) as subsection (j); and

(B) by adding at the end the following:

“(k) STATUS OF EXCESSIVE SURVEILLANCE AND USE OF ADVANCED TECHNOLOGY.—The report required under subsection (b) shall include, wherever applicable, a description of the status of excessive surveillance and use of advanced technology to restrict human rights, including

1 the descriptions of such policies or practices required
2 under section 116(h).”.

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