

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
**TO H. RES. 768**  
**OFFERED BY MS. BASS OF CALIFORNIA**

Strike the preamble and insert the following:

Whereas access to information and freedom of expression are pillars of an open, free, and democratic society;

Whereas open and secure access to the internet enables the exercise of human rights and freedom of expression, allowing people to connect, access information, and participate in a global society;

Whereas according to Access Now, there were 21 instances of partial or total internet shutdowns in Africa in 2018, compared with only 4 in 2016;

Whereas governments, including those of Chad, Cameroon, Ethiopia, Uganda, Sudan, and Zimbabwe, have restricted access to the internet and disrupted networks, online applications, and services to censor and interfere with the flow of information during politically sensitive moments, including elections, political protests, and mass demonstrations, when unfettered journalism, public oversight, and political participation are crucial to bolster democratic processes and the rule of law;

Whereas governments often attempt to justify partial or total internet shutdowns for purposes of security or to stop the spread of false information;

Whereas the frequency of internet shutdowns has increased across Africa, levying broad economic costs and directly

violating citizens rights to freedom of expression and access to information;

Whereas African whistleblowers, journalists, bloggers, and other media workers often lack legal protection and suffer harassment and detention at the hands of government authorities, often facilitated by invasive and unauthorized surveillance, with the encouragement, technical expertise, and financial support of foreign entities and governments;

Whereas some African governments have introduced taxes to discourage citizens from sharing and accessing information in the digital space, and have imposed laws and regulations that often target journalists, bloggers, activists, and others, banning speech and discouraging expression in the digital space;

Whereas those operating independent news websites and blogs are obstructed through blocking and censorship, burdensome licensing requirements, and regulatory measures that effectively limit their audience and their livelihoods;

Whereas many African governments lack robust data protection and privacy laws, and the systems to implement such laws, leaving the privacy of citizens exposed and susceptible to infringement;

Whereas the People's Republic of China, through initiatives associated with their "digital Silk Road", has facilitated the building of telecommunications infrastructure and fiber optic networks that can enhance monitoring and surveillance of individuals by African governments;

Whereas the People's Republic of China also facilitated the export of technology and training to African governments

that have made it easier for those governments to exercise greater control over internet access in those African countries;

Whereas Huawei Technologies has reportedly sold products and services to African governments that have been used to support spying on political opponents; and

Whereas Russia has been testing new disinformation techniques and tactics through a series of online networks linked to Yevgeny Prigozhin, a Russian oligarch indicted by the United States for meddling in the United States Presidential election in 2016, in African countries that include Sudan, Cameroon, Libya, and Mozambique: Now, therefore, be it

Strike all after the resolved clause and insert the following:

1 That the House of Representatives—

2 (1) strongly condemns the restriction or disruption  
3 tion of the internet through methods including net-  
4 work shutdowns, disruptions, use of “kill switches”,  
5 bandwidth throttling, high taxes, and the blocking of  
6 applications and services across Africa, and any ef-  
7 forts by foreign governments to facilitate such activ-  
8 ity;

9 (2) urges African governments to—

10 (A) promote inclusive and meaningful par-  
11 ticipation by all stakeholders in the development  
12 of policies on telecommunications, internet gov-

1 ernance, information and communications tech-  
2 nologies, and infrastructure;

3 (B) prevent the use of broad and invasive  
4 surveillance technologies that violate privacy  
5 and discourage the freedom of expression of all  
6 users, particularly journalists, bloggers, and  
7 their sources, and to ensure accountability for  
8 crimes against them;

9 (C) actively pursue laws and policies that  
10 protect and promote human rights online and  
11 offline and review laws that criminalize free  
12 speech and are used to harass and prosecute  
13 those who offer dissenting views and informa-  
14 tion; and

15 (D) establish digital governance models  
16 that protect privacy and prevent invasive sur-  
17 veillance that undermines human rights and re-  
18 stricts fundamental freedoms;

19 (3) urges telecommunications providers and  
20 internet platforms to promote and facilitate the exer-  
21 cise of human rights online, including by disclosing  
22 requests from governments or other parties to hand  
23 over user data and to disrupt networks, and their re-  
24 sponses thereto;

1           (4) urges businesses operating in Africa to fa-  
2           cilitate open and secure access to the internet, and  
3           work with stakeholders to prevent, mitigate, and  
4           remedy harms from internet shutdowns and other  
5           disruptions to the free flow of information online;  
6           and

7           (5) urges businesses operating in Africa to af-  
8           firm the United Nations Guiding Principles on Busi-  
9           ness and Human Rights, and adhere to best prac-  
10          tices, scrutinizing government or other third-party  
11          requests to interfere with networks, applications,  
12          services, and personal data for any potential human  
13          rights impacts.

