

AMENDMENT TO H.R. 5300
OFFERED BY MR. HUIZENGA OF MICHIGAN

At the appropriate place, insert the following:

1 **SEC. ____.** **LIMITATIONS CONCERNING FREE SPEECH**
2 **RIGHTS.**

3 (a) FOREIGN AUDIENCE LIMITATION.—Public diplo-
4 macy activities shall be directed exclusively at foreign au-
5 diences.

6 (b) RESTRICTIONS.—The Under Secretary of State
7 for Public Diplomacy shall ensure the following restric-
8 tions are imposed:

9 (1) No Department employee, officer, or agent,
10 and no person or entity awarded a grant or contract
11 or otherwise provided, directly or indirectly, Federal
12 funds from the Department, may engage in or facili-
13 tate conduct that would unconstitutionally abridge
14 the free speech of a United States citizen.

15 (2) None of the funds authorized to be appro-
16 priated or otherwise made available to the Under
17 Secretary may be used to engage in or facilitate con-
18 duct that would abridge the free speech of a United
19 States citizen.

1 (3) Appropriate action shall be taken to correct
2 past misconduct by each Department employee, offi-
3 cer, and agent, and each person or entity awarded
4 a grant or contract or otherwise provided, directly or
5 indirectly, Federal funds from the Department, who
6 engaged in or facilitated the censorship of the free
7 speech of a United States citizen.

8 (c) PROHIBITING USING FUNDS TO CENSOR FREE
9 SPEECH.—No funds authorized to be appropriated or oth-
10 erwise made available to the Under Secretary for Public
11 Diplomacy may be awarded, granted, or otherwise pro-
12 vided, directly or indirectly, to any person or entity that—

13 (1) publishes or disseminates an advertising
14 blacklist; or

15 (2) creates, tests, or distributes a censorship
16 tool without sufficient safeguards, as determined by
17 the Under Secretary for Public Diplomacy, for pre-
18 venting such tool from being used to censor the free
19 speech of a United States citizen.

20 (d) ENFORCEMENT.—As soon as practicable, but not
21 later than 7 days after the date on which the Under Sec-
22 retary for Public Diplomacy is notified of an actual or po-
23 tential violation of the restriction in subsection (b)(1), the
24 Under Secretary shall provide to the Chair and ranking
25 member of each of the appropriate congressional commit-

1 tees and the United States citizen whose free speech was
2 unconstitutionally abridged a notification of such censor-
3 ship.

4 (e) DEFINITIONS.—In this section:

5 (1) ADVERTISING BLACKLIST.—The term “ad-
6 vertising blacklist” means a curated list used to
7 identify a United States citizen for the purpose of
8 discouraging or prohibiting an advertiser from plac-
9 ing an advertisement with, or providing financial
10 support to, such citizen because of the content of the
11 free speech of such citizen.

12 (2) CENSOR.—The term “censor” means to
13 scrutinize and examine the free speech of a United
14 States citizen with the intent to suppress such free
15 speech, and includes—

16 (A) exerting substantial coercive pressure
17 on a third party, such as a social media com-
18 pany, to moderate, remove, or otherwise sup-
19 press such free speech; or

20 (B) contacting, directly or indirectly, such
21 as through an academic institution, a social
22 media company, to moderate, remove, or other-
23 wise suppress such protected speech.

24 (3) FREE SPEECH.—The term “free speech”
25 means speech protected by the First Amendment of

1 the United States Constitution from being sup-
2 pressed by the United States Government.

