

# Calendar No. 375

118TH CONGRESS  
2D SESSION

# 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.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 29, 2024

Mr. CARDIN (for himself and Mr. WICKER) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

MAY 7, 2024

Reported by Mr. CARDIN, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

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## A BILL

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.

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; TABLE OF CONTENTS.**

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

1 (b) TABLE OF CONTENTS.—The table of contents for  
 2 this Act is as follows:

- See. 1. Short title; table of contents.
- See. 2. Findings.
- See. 3. Definitions.
- See. 4. Combating transnational repression abroad.
- See. 5. Strengthening tools to combat authoritarianism.
- See. 6. Combating corruption and kleptocracy.
- See. 7. Investing in democracy research and development.
- See. 8. Addressing authoritarians in the multilateral system.
- See. 9. Confronting digital authoritarianism.
- See. 10. Protecting political prisoners.

3 **SEC. 2. FINDINGS.**

4 Congress makes the following findings:

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

11 (2) Since 2006, autocratic forces and illiberal  
 12 forces have been on the rise, with emboldened auto-  
 13 crats from China, Russia, and Iran—

14 (A) refining their tactics to undermine de-  
 15 mocracy globally;

16 (B) suppressing dissent to sustain their  
 17 own regimes; and

18 (C) frequently collaborating with each an-  
 19 other in such efforts.

20 (3) The rise of authoritarianism—

1           (A) undermines the national security of the  
2           United States and the security of our demo-  
3           cratic allies and partners;

4           (B) creates instability;

5           (C) weakens the rule of law; and

6           (D) increases the risk of war.

7           (4) Democracies are ill-prepared to fight back  
8           against the growing complexity and emerging chal-  
9           lenges posed by autoeratic and illiberal forces.

10          (5) There is an urgent need to update the  
11          United States Government's approach to countering  
12          authoritarianism by strengthening and revitalizing  
13          the relevant tools, strategies, and institutions.

14 **SEC. 3. DEFINITIONS.**

15          In this Act:

16          (1) **APPROPRIATE CONGRESSIONAL COMMIT-**  
17          **TEES.**—The term “appropriate congressional com-  
18          mittees” means—

19               (A) the Committee on Foreign Relations of  
20               the Senate;

21               (B) the Committee on Appropriations of  
22               the Senate;

23               (C) the Committee on Foreign Affairs of  
24               the House of Representatives; and

1           (D) the Committee on Appropriations of  
2           the House of Representatives.

3           (2) ~~RELEVANT FEDERAL AGENCIES.~~—The term  
4           “relevant Federal agencies” means—

5                   (A) the Department of State;

6                   (B) the United States Agency for Inter-  
7                   national Development; and

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

10          (3) ~~TRANSNATIONAL REPRESSION.~~—The term  
11          “transnational repression”—

12                   (A) means acts by governments (either di-  
13                   rectly or through others) to silence, intimidate,  
14                   or exact reprisal against individuals outside  
15                   their sovereign borders, including members of  
16                   diaspora populations, political opponents, civil  
17                   society activists, human rights defenders, jour-  
18                   nalists, and members of ethnic or religious mi-  
19                   nority groups; and

20                   (B) may include—

21                           (i) extrajudicial killings;

22                           (ii) physical assaults and intimidation;

23                           (iii) arbitrary detentions;

24                           (iv) renditions;

25                           (v) deportations;

1 (vi) unexplained or enforced dis-  
2 appearances;

3 (vii) physical or online surveillance or  
4 stalking;

5 (viii) unwarranted passport cancella-  
6 tion or control over other identification  
7 documents;

8 (ix) abuse of international law en-  
9 forcement systems;

10 (x) unlawful asset freezes;

11 (xi) digital threats, such as  
12 cyberattacks, targeted surveillance and  
13 spyware, online harassment, and intima-  
14 tion; and

15 (xii) coercion by proxy, such as har-  
16 assment of, or threats or harm to, family  
17 and associates of private individuals who  
18 remain in their country of origin.

19 **SEC. 4. COMBATING TRANSNATIONAL REPRESSION**  
20 **ABROAD.**

21 (a) **FINDINGS.**—Congress makes the following find-  
22 ings:

23 (1) Amidst a backdrop of global democratic de-  
24 cline, authoritarian governments are increasingly col-  
25 laborating and employing aggressive tactics across

1 borders to silence, coerce, harass, or harm individ-  
2 uals for peacefully exercising their rights and funda-  
3 mental freedoms.

4 (2) Governments commit transnational repres-  
5 sion through physical and digital means. The ad-  
6 vancement of digital technology provides new tools  
7 for censoring, surveilling, harassing, and targeting  
8 individuals deemed to be threats across international  
9 borders. This is particularly significant for dis-  
10 sidents and journalists forced abroad who rely on  
11 communications technology to amplify their mes-  
12 sages and communicate with their professional and  
13 personal support networks.

14 (3) Since 2014, Freedom House has docu-  
15 mented 854 direct physical incidents of  
16 transnational repression committed by 38 govern-  
17 ments in 91 countries. Nonphysical acts of  
18 transnational repression are occurring even more  
19 frequently. The combined effect of these direct  
20 threats produces a chilling effect that compels count-  
21 less more people to modify their behavior due to fear  
22 of transnational repression.

23 (4) In 2023, the countries whose governments  
24 are committing the highest number of direct physical

1 acts of transnational repression are China, Turkey,  
2 Tajikistan, Russia, and Egypt.

3 ~~(5)~~ Transnational repression is used by govern-  
4 ments to target perceived critics, who may include  
5 human rights defenders, democracy activists, polit-  
6 ical opponents, members of diaspora groups, and the  
7 family members of such individuals.

8 ~~(b)~~ STATEMENT OF POLICY ON TRANSNATIONAL RE-  
9 PRESSION.—It is the policy of the United States—

10 ~~(1)~~ to regard transnational repression as a di-  
11 rect threat to the United States national interests of  
12 upholding and promoting democratic values and  
13 human rights;

14 ~~(2)~~ to address transnational repression, includ-  
15 ing by protecting targeted individuals and groups;

16 ~~(3)~~ to strengthen the actions of United States  
17 embassy and mission staff in countering  
18 transnational repression, including by—

19 ~~(A)~~ monitoring and documenting instances  
20 of transnational repression;

21 ~~(B)~~ conducting regular outreach with at-  
22 risk or affected populations to provide informa-  
23 tion regarding available resources without put-  
24 ting such people at further risk; and

1           (C) working with local and national law  
2 enforcement, as appropriate, to support victims  
3 of transnational repression;

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

6           (A) vulnerable populations who are at risk  
7 of, or are experiencing, transnational repres-  
8 sion;

9           (B) nongovernmental organizations work-  
10 ing on issues of transnational repression; and

11           (C) the private sector;

12           (5) to provide training to relevant Federal per-  
13 sonnel—

14           (A) to enhance their understanding of  
15 transnational repression; and

16           (B) to identify and combat threats of  
17 transnational repression;

18           (6) to strengthen documentation and moni-  
19 toring by the United States Government of  
20 transnational repression in foreign countries and  
21 within international organizations; and

22           (7) to seek to hold perpetrators of transnational  
23 repression accountable, including through the use of  
24 targeted sanctions and visa restrictions.

25           (c) REPORT ON TRANSNATIONAL REPRESSION.—



1           (1) IN GENERAL.—Not later than 180 days  
2 after the date of the enactment of this Act, and  
3 every 2 years thereafter, the Secretary of State, in  
4 consultation with the heads of other relevant Federal  
5 agencies, shall submit a report to the appropriate  
6 congressional committees that assesses the efforts of  
7 the United States Government to implement the pol-  
8 icy objectives described in subsection (b).

9           (2) ELEMENTS.—The report required under  
10 paragraph (1) shall include—

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

15                   (B) a detailed accounting, disaggregated  
16 by country, of the most common tactics of  
17 transnational repression;

18                   (C) instances of transnational repression  
19 occurring within international organizations;

20                   (D) a list of countries perpetrating acts of  
21 transnational repression;

22                   (E) a list of countries whose governments  
23 are known to frequently cooperate with other  
24 governments in committing transnational re-  
25 pression;

1           ~~(F)~~ a description of—

2                   (i) efforts by personnel at United  
3           States embassies and missions to support  
4           victims of or those at risk of transnational  
5           repression; and

6                   (ii) resources provided to United  
7           States embassies and missions to support  
8           such efforts; and

9           ~~(G)~~ a strategy to strengthen interagency  
10          efforts and coordination to combat  
11          transnational repression, which shall include—

12                   (i) a plan, developed in consultation  
13          with partner governments, civil society, the  
14          business community, and other entities, to  
15          promote respect for rule of law and human  
16          rights in surveillance technology use, which  
17          shall include—

18                           (I) improving export licensing  
19                           policy, including by applying addi-  
20                           tional scrutiny to export licensing ap-  
21                           plications for products exported to  
22                           perpetrators;

23                           (II) protecting personal digital  
24                           data from being used for the purposes  
25                           of transnational repression;

1 (III) establishing safeguards to  
2 prevent the misuse of surveillance  
3 technology, including elements such as  
4 appropriate legal protections, a prohi-  
5 bition on discrimination, oversight and  
6 accountability mechanisms, trans-  
7 parency on the applicable legal frame-  
8 work, limiting biometric tools for sur-  
9 veillance to what is lawful and appro-  
10 priate, testing and evaluation, and  
11 training;

12 (IV) working to ensure, as appli-  
13 cable, that such technologies are de-  
14 signed, developed, and deployed with  
15 safeguards to protect human rights  
16 (including privacy), consistent with  
17 the United Nations Guiding Principles  
18 on Business and Human Rights;

19 (ii) public diplomacy efforts and plans  
20 for, including the use of the voice, vote,  
21 and influence of the United States at inter-  
22 national organizations, to promote aware-  
23 ness of and oppose acts of transnational  
24 repression;

1 (iii) a plan to develop or enhance glob-  
2 al coalitions to monitor cases of  
3 transnational repression at international  
4 organizations and to strengthen alert  
5 mechanisms for key stakeholders world-  
6 wide;

7 (iv) a description, as appropriate, of  
8 how the United States Government has  
9 previously provided, and will continue to  
10 provide, support to civil society organiza-  
11 tions in foreign countries in which  
12 transnational repression occurs—

13 (I) to improve the documenta-  
14 tion, investigation, and research of  
15 cases, trends, and tactics of  
16 transnational repression; and

17 (II) to promote accountability  
18 and transparency in government ac-  
19 tions impacting victims of  
20 transnational repression; and

21 (v) a description of new or existing  
22 emergency assistance mechanisms, to aid  
23 at-risk groups, communities, and individ-  
24 uals in countries abroad in which  
25 transnational repression occurs.

1           ~~(3) FORM OF REPORT.~~—The report required  
 2           under paragraph (1) shall be submitted in unclassi-  
 3           fied form, but may include a classified annex.

4           ~~(d) TRAINING OF UNITED STATES PERSONNEL.~~—  
 5           The Secretary of State, in coordination with the heads of  
 6           other relevant Federal agencies, shall provide personnel of  
 7           the Department of State and other relevant Federal agen-  
 8           cies, whether serving in the United States or overseas,  
 9           with training regarding—

10           (1) identifying physical and nonphysical threats  
 11           of transnational repression;

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

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

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

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

21           (6) tools to respond to transnational repression  
 22           threats, including relevant authorities which may be  
 23           invoked.

24           ~~(e) TRAINING OF FOREIGN SERVICE OFFICERS AND~~  
 25           ~~PRESIDENTIAL APPOINTEES.~~—Section 708(a)(1) of the

1 Foreign Service Act of 1980 (~~22 U.S.C. 4028(a)(1)~~) is  
2 amended—

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

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

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

8           “(E) for Foreign Service Officers and  
9 Presidential appointees, including chiefs of mis-  
10 sion, in missions abroad who work on political,  
11 economic, public diplomacy, security, or devel-  
12 opment issues; a dedicated module of instruc-  
13 tion on transnational repression (as such term  
14 is defined in section 3(3) of the International  
15 Freedom Protection Act), including—

16           “(i) how to recognize threats of  
17 transnational repression;

18           “(ii) an overview of relevant laws that  
19 can be invoked to combat such threats;  
20 and

21           “(iii) how to support individuals expe-  
22 riencing transnational repression.”.

1 **SEC. 5. STRENGTHENING TOOLS TO COMBAT**  
 2 **AUTHORITARIANISM.**

3 (a) **TRANSNATIONAL REPRESSION.**—The President  
 4 shall consider the use of transnational repression by a for-  
 5 eign person in determining whether to impose sanctions  
 6 with respect to such foreign person under—

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

9 (2) section 7031(e) of the Department of State,  
 10 Foreign Operations, and Related Programs Appro-  
 11 priations Act, 2023 (division K of Public Law 117-  
 12 328; 8 U.S.C. 1182 note); or

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

16 (b) **MODIFICATIONS TO THE GLOBAL MAGNITSKY**  
 17 **HUMAN RIGHTS ACCOUNTABILITY ACT.**—Section 1263 of  
 18 the Global Magnitsky Human Rights Accountability Act  
 19 (subtitle F of title XII of Public Law 114-328; 22 U.S.C.  
 20 2656 note) is amended—

21 (1) in subsection (a)—

22 (A) in paragraph (3), by striking “or” at  
 23 the end;

24 (B) by striking paragraph (4); and

25 (C) by inserting after paragraph (3) the  
 26 following:

1           “(4) is responsible for or complicit in, or has di-  
 2           rectly or indirectly engaged in, significant actions or  
 3           policies that undermine democratic processes or in-  
 4           stitutions; or

5           “(5) has materially assisted, sponsored, or pro-  
 6           vided financial, material, or technological support  
 7           for, or goods or services in support of, an activity  
 8           described in this subsection.”; and

9           (2) in subsection (d)(2), by striking subpara-  
 10          graph (B) and inserting the following:

11           “(B) REQUESTS RELATING TO CORRUP-  
 12          TION.—A request described in paragraph (1)  
 13          with respect to whether a foreign person has  
 14          engaged in an activity described in paragraph  
 15          (3) or (5) of subsection (a) shall be submitted  
 16          to the President in writing jointly by the chair-  
 17          person and the ranking member of—

18                   “(i) any of the appropriate congres-  
 19                   sional committees of the Senate; and

20                   “(ii) any of the appropriate congres-  
 21                   sional committees of the House of Rep-  
 22                   resentatives.

23           “(C) REQUESTS RELATING TO UNDER-  
 24          MINING DEMOCRACY.—A request described in  
 25          paragraph (1) with respect to whether a foreign



1 person has engaged in an activity described in  
 2 subsection (a)(4) shall be submitted in writing  
 3 to the President jointly by the chairperson and  
 4 ranking member of any of the appropriate con-  
 5 gressional committees.”.

6 (c) ~~ANTI-KLEPTOCRACY AND HUMAN RIGHTS INELI-~~  
 7 ~~GIBILITY.—~~

8 (1) ~~INELIGIBILITY.—~~

9 (A) ~~SIGNIFICANT CORRUPTION OR HUMAN~~  
 10 ~~RIGHTS VIOLATIONS.—~~Except as provided in  
 11 paragraphs (2) and (3), a foreign government  
 12 official shall be ineligible for entry into the  
 13 United States if the Secretary of State deter-  
 14 mines that such official was knowingly directly  
 15 or indirectly involved in—

16 (i) significant corruption, including  
 17 corruption related to the extraction of nat-  
 18 ural resources; or

19 (ii) a gross violation of human rights,  
 20 including the wrongful detention of—

21 (I) locally employed staff of a  
 22 United States diplomatic mission; or

23 (II) a United States citizen or  
 24 national.

1           (B) UNDERMINING DEMOCRATIC GOVERN-  
2 ANCE.—Except as provided in paragraphs (2)  
3 and (3), a foreign government official may be  
4 ineligible for entry into the United States if the  
5 Secretary of State determines that such official  
6 was knowingly directly or indirectly involved in  
7 significant actions that undermine democratic  
8 governance.

9           (C) IMMEDIATE FAMILY MEMBERS.—The  
10 immediate family members of an official de-  
11 scribed in subparagraph (A) or (B) may be sub-  
12 ject to the same restriction on entry into the  
13 United States as such official.

14           (D) REFERRAL.—The Secretary of State,  
15 in implementing this subsection, shall, as ap-  
16 propriate, provide information regarding the ac-  
17 tions of officials described in subparagraphs (A)  
18 and (B) to the Office of Foreign Assets Control  
19 of the Department of the Treasury, which shall  
20 determine whether to impose sanctions author-  
21 ized under Federal law to block the transfer of  
22 property and interests in property, and all fi-  
23 nancial transactions, in the United States in-  
24 volving any such official.

1           ~~(E) DESIGNATION OR DETERMINATION.—~~

2           The Secretary of State shall publicly or pri-  
3           vately designate or make the determination that  
4           the foreign government officials or party mem-  
5           bers about whom the Secretary has made such  
6           designation or determination regarding signifi-  
7           cant corruption or gross violations of human  
8           rights, and their immediate family members,  
9           without regard to whether any such individual  
10          has applied for a visa.

11          ~~(2) EXCEPTIONS.—~~

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

15                   (i) would further important United  
16                   States law enforcement objectives; or

17                   (ii) is necessary to permit the United  
18                   States to fulfill its obligations under the  
19                   Agreement regarding the Headquarters of  
20                   the United Nations, signed at Lake Sues-  
21                   sess June 26, 1947, and entered into force  
22                   November 21, 1947, between the United  
23                   Nations and the United States or under  
24                   other international obligations of the  
25                   United States.

1           (B) SAVINGS PROVISION.—Nothing in  
2 paragraph (1) may be construed to derogate  
3 from United States Government obligations  
4 under applicable international agreements or  
5 obligations.

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

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

11           (B) the circumstances that caused such in-  
12 dividual to be ineligible for entry into the  
13 United States have sufficiently changed.

14           (4) SEMIANNUAL REPORT.—

15           (A) IN GENERAL.—Not later than 30 days  
16 after the date of the enactment of this Act, and  
17 every 180 days thereafter, the Secretary of  
18 State shall submit a report, including a classi-  
19 fied annex if necessary, to the Committee on  
20 Foreign Relations of the Senate and the Com-  
21 mittee on Foreign Affairs of the House of Rep-  
22 resentatives. Each such report shall include—

23           (i) all relevant information relating to  
24 corruption, human rights violations, or un-  
25 dermining democratic governance that was

1 a factor in identifying, during the most re-  
2 cent 12-month period—

3 (I) individuals who are ineligible  
4 for entry into the United States under  
5 paragraph (1)(A);

6 (II) individuals about whom the  
7 Secretary has made a designation or  
8 determination pursuant to paragraph  
9 (1)(E); and

10 (III) individuals who would be in-  
11 eligible for entry into the United  
12 States under paragraph (1)(A), but  
13 were excluded from such restriction  
14 pursuant to paragraph (2);

15 (ii) a list of any waivers granted by  
16 the Secretary pursuant to paragraph (3);  
17 and

18 (iii) a description of the justification  
19 for each such waiver.

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

24 (5) CLARIFICATION.—For purposes of para-  
25 graphs (1) and (4), the records of the Department

1 of State and of diplomatic and consular offices of  
2 the United States pertaining to the issuance or re-  
3 fusal of visas or permits to enter the United States  
4 shall not be considered confidential.

5 (d) RESTRICTION ON ASSISTANCE IN THE WAKE OF  
6 A COUP D'ÉTAT.—Chapter 4 of part III of the Foreign  
7 Assistance Act of 1961 (22 U.S.C. 2751 et seq.) is amend-  
8 ed by adding at the end the following:

9 **“SEC. 620N. LIMITATION ON ASSISTANCE IN THE WAKE OF**  
10 **A COUP D'ÉTAT.**

11 “(a) IN GENERAL.—Except as provided under sub-  
12 sections (b) and (d), no assistance may be furnished under  
13 this Act or under the Arms Export Control Act (22 U.S.C.  
14 2751) to the central government of any country in which  
15 the duly elected head of government was deposed by a  
16 military coup d'état or decree or a coup d'état or decree  
17 in which the military played a decisive role.

18 “(b) EXEMPTION FOR NATIONAL SECURITY.—The  
19 Secretary of State, after consultation with the heads of  
20 relevant Federal agencies, may waive the restriction on as-  
21 sistance described in subsection (a) if the Secretary cer-  
22 tifies and reports to the appropriate congressional commit-  
23 tees, not later than 30 days before the provision of such  
24 assistance to such government, that such waiver is in the  
25 national security interest of the United States.

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

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

12               “(1) to promote democratic elections or public  
13 participation in the democratic processes;

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

15               “(3) for humanitarian purposes.

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

18               “(1) the Committee on Foreign Relations of the  
19 Senate;

20               “(2) the Committee on Appropriations of the  
21 Senate;

22               “(3) the Committee on Foreign Affairs of the  
23 House of Representatives; and

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

1 **SEC. 6. COMBATING CORRUPTION AND KLEPTOCRACY.**

2 (a) **PRIORITIZATION.**—The Secretary of State and  
3 the Administrator of the United States Agency for Inter-  
4 national Development shall combat authoritarianism by  
5 prioritizing governance and anti-corruption activities and  
6 programs that—

7 (1) enhance the transparency, accountability,  
8 and responsiveness of governments across relevant  
9 sectors;

10 (2)(A) improve the detection and exposure of  
11 corruption crimes, including crimes that cross bor-  
12 ders;

13 (B) improve citizen oversight and advocacy;

14 (C) protect free expression and civic activism;  
15 and

16 (D) support investigative journalism and media  
17 independence;

18 (3)(A) expand the investigation and prosecution  
19 of corrupt acts;

20 (B) hold corrupt actors accountable;

21 (C) promote the adoption and implementation  
22 of anticorruption preventive measures; and

23 (D) promote good governance, public adminis-  
24 tration, and impartial judiciaries;

25 (4) address corruption in key sectors, whether  
26 at the level of—



1                   (A) delivery of services to citizens;

2                   (B) important governmental processes;

3                   such as procurement; or

4                   (C) priority economic sectors;

5                   (5) strengthen democratic norms and standards

6                   at the local, national, regional, and international lev-

7                   els;

8                   (6) augment cooperation with the private sector

9                   and key industries to root out corruption that—

10                  (A) harms competitiveness, economic

11                  growth, and development; and

12                  (B) taints critical supply chains;

13                  (7) address corrosive capital and the strategic

14                  use of corruption by authoritarian states to under-

15                  mine democracy and good governance; and

16                  (8) provide essential skills and resources to civil

17                  society and media—

18                  (A) to counter corruption; and

19                  (B) to address the weak governance and

20                  poor human rights conditions that cultivate cor-

21                  ruption.

22                  (b) KLEPTOCRACY ASSET RECOVERY REWARDS PRO-

23                  GRAM.—Section 36(b) of the State Department Basic Au-

24                  thorities Act of 1956 (22 U.S.C. 2708(b)) is amended—

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

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

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

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

10 **SEC. 7. INVESTING IN DEMOCRACY RESEARCH AND DEVEL-**  
11 **OPMENT.**

12           (a) PROGRAM FOR DEMOCRACY RESEARCH AND DE-  
13 VELOPMENT.—The Secretary of State, in consultation  
14 with the Administrator of the United States Agency for  
15 International Development, shall establish a program for  
16 democracy research and development that—

17           (1) supports research and development by the  
18           Department of State, the United States Agency for  
19           International Development, and the National En-  
20           dowment for Democracy on policies and programs  
21           relating to democracy efforts;

22           (2) drives innovation within such agencies re-  
23           garding the response to complex, multidimensional  
24           challenges to democracy, including—

25           (A) combating transnational kleptocracy;

1           ~~(B)~~ mitigating hyperpolarization;

2           ~~(C)~~ countering malign authoritarian influ-  
3           ence; and

4           ~~(D)~~ leveraging emerging technology for de-  
5           mocracy;

6           ~~(3)~~ incentivizes collaboration among govern-  
7           ments, nongovernmental organizations, and the pri-  
8           vate sector to identify and mitigate threats to global  
9           democracy;

10          ~~(4)~~ identifies lessons learned and best practices  
11          for democracy programs and diplomatic approaches  
12          to create feedback loops and shape future evidence-  
13          based programming and diplomacy;

14          ~~(5)~~ encourages private sector actors to establish  
15          and implement business practices that will—

16                 ~~(A)~~ strengthen democratic institutions;

17                 ~~(B)~~ bolster democratic processes; and

18                 ~~(C)~~ support democracy activists and  
19                 human rights defenders; and

20          ~~(6)~~ strengthens the resilience of democratic ac-  
21          tors and institutions.

22          ~~(b)~~ REPORT.—Not later than 2 years after the date  
23          of the enactment of this Act, the Secretary of State, in  
24          consultation with the Administrator of the United States  
25          Agency for International Development, shall submit a re-

1 port to the Committee on Foreign Relations of the Senate  
2 and the Committee on Foreign Affairs of the House of  
3 Representatives that describes the efforts and results of  
4 the program established pursuant to subsection (a).

5 **SEC. 8. ADDRESSING AUTHORITARIANS IN THE MULTILAT-**  
6 **ERAL SYSTEM.**

7 It is the sense of Congress that the Secretary of State  
8 and the United States Permanent Representative to the  
9 United Nations should use the voice, vote, and influence  
10 of the United States at the United Nations and with other  
11 multilateral bodies—

12 (1)(A) to promote the full participation of civil  
13 society actors within the United National Human  
14 Rights Council and other multilateral bodies;

15 (B) to closely monitor instances of reprisals  
16 against such actors; and

17 (C) to support the use of targeted sanctions,  
18 censure of member states, and other diplomatic  
19 measures to hold responsible any person who en-  
20 gages in reprisals against human rights defenders  
21 and civil society within such multilateral bodies;

22 (2) to reform the process for suspending the  
23 rights of membership in the United Nations Human  
24 Rights Council for member states that commit gross  
25 and systemic violations of human rights, including—

1           (A) ensuring information detailing the  
2           member state's human rights record is publicly  
3           available before a vote for membership or a vote  
4           on suspending the rights of membership of such  
5           member state; and

6           (B) making publicly available the vote of  
7           each member state on the suspension of rights  
8           of membership from the United Nations  
9           Human Rights Council;

10          (3) to reform the rules for electing members to  
11          the United Nations Human Rights Council to seek  
12          to ensure that member states that have committed  
13          gross and systemic violations of human rights are  
14          not elected to the Human Rights Council; and

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

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

22               (B) the government of which has repeat-  
23               edly provided support for acts of international  
24               terrorism, as determined pursuant to section

1           620A of the Foreign Assistance Act of 1961  
2           (22 U.S.C. 2371);

3           (C) that is designated as a Tier 3 country  
4           under section 110(b)(1)(C) of the Trafficking  
5           Victims Protection Act of 2000 (22 U.S.C.  
6           7107(b)(1)(C));

7           (D) that is included on the list published  
8           by the Secretary of State pursuant to section  
9           404(b)(1) of the Child Soldiers Prevention Act  
10          of 2008 (22 U.S.C. 2370e-1(b)(1)) as a govern-  
11          ment that recruits and uses child soldiers; or

12          (E) the government of which the United  
13          States determines to have committed genocide,  
14          crimes against humanity, war crimes, or ethnic  
15          cleansing.

16 **SEC. 9. CONFRONTING DIGITAL AUTHORITARIANISM.**

17          (a) STATEMENT OF POLICY.—It is the policy of the  
18          United States—

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

21                       (A) restricts the exercise of civil and polit-  
22                       ical rights;

23                       (B) weakens democratic processes and in-  
24                       stitutions, including elections; or

1           (C) surveils, censors, or represses human  
2           rights defenders, democracy activists, civil soci-  
3           ety actors, independent media, or political oppo-  
4           nents;

5           (2) to counter misinformation and  
6           disinformation, especially in the digital domain;

7           (3) to promote internet freedom and elevate the  
8           protection of human rights and democratic principles  
9           in the design and deployment of current and emerg-  
10          ing technologies; and

11          (4) to support efforts to counter government  
12          censorship and surveillance, including efforts—

13               (A) to bypass internet shutdowns and  
14               other forms of censorship, including blocks on  
15               services through circumvention technologies;  
16               and

17               (B) to provide digital security and digital  
18               activism support and training for democracy ac-  
19               tivists, human rights defenders, journalists, and  
20               other at-risk groups.

21          (b) REPORT.—Not later than 270 days after the date  
22          of the enactment of this Act, the Secretary of State, in  
23          coordination with the Administrator of the United States  
24          Agency for International Development, shall submit a re-  
25          port to the appropriate congressional committees that de-

1 scribes the Department of State's efforts to implement the  
2 policy objectives described in subsection (a).

3 **SEC. 10. PROTECTING POLITICAL PRISONERS.**

4 (a) REPORT.—Not later than 270 days after the date  
5 of the enactment of this Act, the Secretary of State shall  
6 submit a report to the Committee on Foreign Relations  
7 of the Senate and the Committee on Foreign Affairs of  
8 the House of Representatives that includes, with respect  
9 to unjustly detained political prisoners worldwide—

10 (1) a description of existing Department of  
11 State processes and efforts to carry out the political  
12 prisoner-related activities described in subsection  
13 (b);

14 (2) an assessment of any resource gaps or insti-  
15 tutional deficiencies that adversely impact the De-  
16 partment of State's ability to engage in the activities  
17 described in subsection (b) in order to respond to in-  
18 creasing numbers of unjustly detained political pris-  
19 oners; and

20 (3) a strategy for enhancing the efforts of the  
21 Department of State and other Federal agencies to  
22 carry out the political prisoner-related activities de-  
23 scribed in subsection (b).



1        ~~(b) POLITICAL PRISONER-RELATED ACTIVITIES.—~~

2        The report required under subsection (a) shall include a  
3        description of the Department of State's efforts—

4                ~~(1) to monitor regional and global trends con-~~  
5                ~~cerning unjustly detained political prisoners and~~  
6                ~~maintain information regarding individual cases;~~

7                ~~(2) to consistently raise concerns regarding un-~~  
8                ~~justly detained political prisoners, including specific~~  
9                ~~individuals, through public and private engagement~~  
10              ~~with foreign governments, public reporting, and mul-~~  
11              ~~tilateral engagement;~~

12              ~~(3) to routinely—~~

13                      ~~(A) attend the trials of political prisoners;~~

14                      ~~(B) conduct wellness visits of political pris-~~  
15                      ~~oners, to the extent practicable and pending ap-~~  
16                      ~~proval from political prisoners or their legal~~  
17                      ~~counsel;~~

18                      ~~(C) visit political prisoners incarcerated~~  
19                      ~~under home arrest, subject to a travel ban, or~~  
20                      ~~confined in detention; and~~

21                      ~~(D) report on the well-being of such polit-~~  
22                      ~~ical prisoners;~~

23                ~~(4) to regularly request information and specific~~  
24                ~~actions related to individual prisoners' medical con-~~

1       ditions, treatment, access to legal counsel, location,  
2       and family visits;

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

6           (6) to utilize foreign assistance resources to  
7       provide support to civil society and others advocating  
8       for the release of unjustly detained political pris-  
9       oners;

10          (7) to utilize embassy resources to provide shel-  
11       ter or facilitate the safe evacuation of willing individ-  
12       uals and their families, whenever feasible; and

13          (8) to use sanctions and other accountability  
14       mechanisms to encourage the release of unjustly de-  
15       tained political prisoners.

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

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

19       (b) *TABLE OF CONTENTS.*—*The table of contents for*  
20 *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, Rus-*  
11 *sia, and Iran—*

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

14 *(B) suppressing dissent to sustain their own*  
15 *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 bor-*  
21 *ders to silence, coerce, harass, or harm individuals for*  
22 *peacefully exercising their internationally-recognized*  
23 *human rights and fundamental freedoms, which pro-*  
24 *duces a chilling effect that compels people to modify*  
25 *their behavior due to fear.*

26 *(4) The rise of authoritarianism—*

1           (A) undermines the national security of the  
2           United States and the security of our democratic  
3           allies and partners;

4           (B) creates instability;

5           (C) weakens the rule of law; and

6           (D) increases the risk of war.

7           (5) Democracies are ill-prepared to fight back  
8           against the growing complexity and emerging chal-  
9           lenges posed by autocratic forces.

10          (6) There is an urgent need to modernize the  
11          United States Government's approach to countering  
12          authoritarianism, including by revitalizing and  
13          strengthening the relevant tools, strategies, and insti-  
14          tutions.

15 **SEC. 3. DEFINITIONS.**

16          *In this Act:*

17           (1) *APPROPRIATE CONGRESSIONAL COMMIT-*  
18           *TEES.—The term “appropriate congressional commit-*  
19           *tees” means—*

20           (A) *the Committee on Foreign Relations of*  
21           *the Senate;*

22           (B) *the Committee on Appropriations of the*  
23           *Senate;*

24           (C) *the Committee on Foreign Affairs of the*  
25           *House of Representatives; and*

1                   (D) the Committee on Appropriations of the  
2                   House of Representatives.

3                   (2) *RELEVANT FEDERAL AGENCIES.*—The term  
4                   “relevant Federal agencies” means—

5                   (A) the Department of State;

6                   (B) the United States Agency for Inter-  
7                   national Development; and

8                   (C) other Federal agencies that are relevant  
9                   for purposes of this Act.

10                  (3) *TRANSNATIONAL REPRESSION.*—The term  
11                  “transnational repression”—

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

22                  (B) may include—

23                   (i) extrajudicial killings;

24                   (ii) physical assaults and intimidati-  
25                   tion;

- 1                   (iii) *arbitrary detentions;*  
2                   (iv) *renditions;*  
3                   (v) *deportations;*  
4                   (vi) *unexplained or enforced dis-*  
5                   *appearances;*  
6                   (vii) *physical or online surveillance or*  
7                   *stalking;*  
8                   (viii) *unwarranted passport cancella-*  
9                   *tion or control over other identification doc-*  
10                   *uments;*  
11                   (ix) *abuse of international law enforce-*  
12                   *ment systems;*  
13                   (x) *unlawful asset freezes;*  
14                   (xi) *digital threats, such as*  
15                   *cyberattacks, targeted surveillance and*  
16                   *spyware, online harassment, and intimidat-*  
17                   *ion; and*  
18                   (xii) *coercion by proxy, such as harass-*  
19                   *ment of, or threats or harm to, family and*  
20                   *associates of private individuals who re-*  
21                   *main in their country of origin.*

22 **SEC. 4. COMBATING TRANSNATIONAL REPRESSION**  
23 **ABROAD.**

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

1           (1) to identify and address transnational repres-  
2           sion as a direct threat to the United States national  
3           interests of upholding and promoting democratic val-  
4           ues and internationally recognized human rights;

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

7           (3) to strengthen the capacity of United States  
8           embassy and mission staff to counter transnational  
9           repression, including by—

10           (A) monitoring and documenting instances  
11           of transnational repression;

12           (B) conducting regular outreach with at-  
13           risk or affected populations to provide informa-  
14           tion regarding available resources without put-  
15           ting such people at further risk; and

16           (C) working with local and national law  
17           enforcement, as appropriate, to support victims  
18           of transnational repression;

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

21           (A) vulnerable populations who are at risk  
22           of, or are experiencing, transnational repression;

23           (B) nongovernmental organizations working  
24           to address transnational repression; and

25           (C) the private sector;

1           (5) to provide training to relevant Federal per-  
2           sonnel—

3                   (A) to enhance their understanding of  
4           transnational repression; and

5                   (B) to identify and combat threats of  
6           transnational repression;

7           (6) to strengthen documentation and monitoring  
8           by the United States Government of transnational re-  
9           pression by foreign governments in the United States,  
10          in foreign countries, and within international organi-  
11          zations; and

12           (7) to seek to hold perpetrators of transnational  
13          repression accountable, including through the use of  
14          targeted sanctions and visa restrictions.

15          (b) *REPORT ON TRANSNATIONAL REPRESSION.*—

16           (1) *IN GENERAL.*—Not later than 180 days after  
17          the date of the enactment of this Act, and every 2  
18          years thereafter for the following 10 years, the Sec-  
19          retary of State, in consultation with the heads of  
20          other relevant Federal agencies, shall submit a classi-  
21          fied report to the appropriate congressional commit-  
22          tees that assesses the efforts of the United States Gov-  
23          ernment to implement the policy objectives described  
24          in subsection (a).



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

3                   (A) *a detailed description and assessment of*  
4                   *United States Government efforts to monitor,*  
5                   *prevent, and respond to transnational repression*  
6                   *abroad;*

7                   (B) *a detailed accounting of the most com-*  
8                   *mon tactics of transnational repression;*

9                   (C) *instances of transnational repression oc-*  
10                   *curring within international organizations;*

11                   (D) *a description of—*

12                           (i) *efforts by personnel at United*  
13                           *States embassies and missions to support*  
14                           *victims of or those at risk of transnational*  
15                           *repression; and*

16                           (ii) *resources provided to United States*  
17                           *embassies and missions to support such ef-*  
18                           *forts; and*

19                   (E) *a strategy to strengthen interagency ef-*  
20                   *forts and coordination to combat transnational*  
21                   *repression, which shall include—*

22                           (i) *a plan, developed in consultation*  
23                           *with partner governments, civil society, the*  
24                           *business community, and other entities, to*  
25                           *promote respect for rule of law and human*

1 *rights in surveillance technology use, which*  
2 *shall include—*

3 *(I) protecting personal digital*  
4 *data from being used for the purposes*  
5 *of transnational repression;*

6 *(II) establishing safeguards to*  
7 *prevent the misuse of surveillance tech-*  
8 *nology, including elements such as ap-*  
9 *propriate legal protections, a prohibi-*  
10 *tion on discrimination, oversight and*  
11 *accountability mechanisms, trans-*  
12 *parency on the applicable legal frame-*  
13 *work, limiting biometric tools for sur-*  
14 *veillance to what is lawful and appro-*  
15 *priate, testing and evaluation, and*  
16 *training; and*

17 *(III) working to ensure, as appli-*  
18 *cable, that such technologies are de-*  
19 *signed, developed, and deployed with*  
20 *safeguards to protect human rights (in-*  
21 *cluding privacy), consistent with the*  
22 *United Nations Guiding Principles on*  
23 *Business and Human Rights;*

24 *(ii) public diplomacy efforts and plans*  
25 *for, including the use of the voice, vote, and*

1 *influence of the United States at inter-*  
2 *national organizations, to promote aware-*  
3 *ness of and oppose acts of transnational re-*  
4 *pression;*

5 *(iii) a plan to develop or enhance glob-*  
6 *al coalitions to monitor cases of*  
7 *transnational repression at international*  
8 *organizations and to strengthen alert mech-*  
9 *anisms for key stakeholders worldwide;*

10 *(iv) a description, as appropriate, of*  
11 *how the United States Government has pre-*  
12 *viously provided, and will continue to pro-*  
13 *vide, support to civil society organizations*  
14 *in foreign countries in which transnational*  
15 *repression occurs—*

16 *(I) to improve the documentation,*  
17 *investigation, and research of cases,*  
18 *trends, and tactics of transnational re-*  
19 *pression; and*

20 *(II) to promote accountability*  
21 *and transparency in government ac-*  
22 *tions impacting victims of*  
23 *transnational repression; and*

24 *(v) a description of new or existing*  
25 *emergency assistance mechanisms, to aid at-*

1                   *risk groups, communities, and individuals*  
2                   *in countries abroad in which transnational*  
3                   *repression occurs.*

4                   (3) *FORM OF REPORT.*—*The report required*  
5                   *under paragraph (1) shall be submitted in classified*  
6                   *form, but may include an unclassified annex.*

7                   (c) *TRAINING OF UNITED STATES PERSONNEL.*—*The*  
8                   *Secretary of State, in coordination with the heads of other*  
9                   *relevant Federal departments and agencies, shall develop*  
10                  *and provide training to relevant personnel of the Depart-*  
11                  *ment of State and other relevant Federal agencies, whether*  
12                  *serving in the United States or overseas, to advance the pur-*  
13                  *poses of this Act, including training on the identification*  
14                  *of—*

15                  (1) *physical and nonphysical threats of*  
16                  *transnational repression;*

17                  (2) *foreign governments that are most frequently*  
18                  *involved in transnational repression;*

19                  (3) *foreign governments that are known to fre-*  
20                  *quently cooperate with other governments in commit-*  
21                  *ting transnational repression;*

22                  (4) *digital surveillance and cyber tools com-*  
23                  *monly used in transnational repression;*

24                  (5) *safe outreach methods for vulnerable popu-*  
25                  *lations at risk of transnational repression; and*

1           (6) *tools to respond to transnational repression*  
 2           *threats, including relevant authorities which may be*  
 3           *invoked.*

4           (d) *TRAINING OF FOREIGN SERVICE OFFICERS AND*  
 5           *PRESIDENTIAL APPOINTEES.*—*Section 708(a)(1) of the For-*  
 6           *ign Service Act of 1980 (22 U.S.C. 4028(a)(1)) is amend-*  
 7           *ed—*

8           (1) *in subparagraph (C), by striking “and” at*  
 9           *the end;*

10          (2) *in subparagraph (D), by striking the period*  
 11          *at the end and inserting “; and”; and*

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

13                 *“(E) for Foreign Service Officers and Presi-*  
 14                 *dential appointees, including chiefs of mission,*  
 15                 *in missions abroad who work on political, eco-*  
 16                 *nomie, public diplomacy, security, or develop-*  
 17                 *ment issues, a dedicated module of instruction on*  
 18                 *transnational repression (as such term is defined*  
 19                 *in section 3(3) of the International Freedom*  
 20                 *Protection Act), including—*

21                         *“(i) how to recognize threats of*  
 22                         *transnational repression;*

23                         *“(ii) an overview of relevant laws that*  
 24                         *can be invoked to combat such threats; and*

1                   “(iii) *how to support individuals expe-*  
2                   *riencing transnational repression.*”.

3 **SEC. 5. STRENGTHENING TOOLS TO COMBAT**  
4                   **AUTHORITARIANISM.**

5           (a) *TRANSNATIONAL REPRESSION.*—*The President*  
6 *should consider the use of transnational repression by a for-*  
7 *ign person in determining whether to impose sanctions*  
8 *with respect to such foreign person under—*

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

11                   (2) *section 7031(c) of the Department of State,*  
12 *Foreign Operations, and Related Programs Appro-*  
13 *propriations Act, 2023 (division K of Public Law 117-*  
14 *328; 8 U.S.C. 1182 note); or*

15                   (3) *any other relevant statutory provision grant-*  
16 *ing human rights-related sanctions authority under*  
17 *which a foreign person has been sanctioned.*

18           (b) *REPORT REQUIRED.*—

19                   (1) *IN GENERAL.*—*Not later than 180 days after*  
20 *the date of the enactment of this Act, and not less fre-*  
21 *quently than annually thereafter, the Secretary of*  
22 *State shall submit a report to the appropriate con-*  
23 *gressional committees that, except as provided in*  
24 *paragraph (2), identifies each foreign person about*  
25 *whom the President has made a determination to im-*

1        *pose sanctions pursuant to paragraphs (1) through*  
2        *(3) of subsection (a) based on the consideration of the*  
3        *use of transnational repression.*

4            (2) *EXCEPTION.—The report required under*  
5        *paragraph (1) may not identify individuals if such*  
6        *identification would interfere with law enforcement*  
7        *efforts.*

8            (3) *FORM.—The report required under para-*  
9        *graph (1) shall be submitted in unclassified form, but*  
10       *may include a classified annex.*

11        (c) *ANTI-KLEPTOCRACY AND HUMAN RIGHTS INELIGI-*  
12       *BILITY.—*

13            (1) *INELIGIBILITY.—*

14            (A) *SIGNIFICANT CORRUPTION OR HUMAN*  
15        *RIGHTS VIOLATIONS.—Except as provided in*  
16        *paragraphs (2) and (3), a foreign government of-*  
17        *ficial shall be ineligible for entry into the United*  
18        *States if the Secretary of State determines that*  
19        *such official was knowingly directly or indirectly*  
20        *involved in—*

21            (i) *significant corruption, including*  
22        *corruption related to the extraction of nat-*  
23        *ural resources; or*

24            (ii) *a gross violation of internationally*  
25        *recognized human rights (as defined in sec-*

1                    *tion 502B(d)(1) of the Foreign Assistance*  
2                    *Act of 1961 (22 U.S.C. 2304(d)(1))), includ-*  
3                    *ing the wrongful detention of—*

4                    *(I) locally employed staff of a*  
5                    *United States diplomatic mission; or*

6                    *(II) a United States citizen or na-*  
7                    *tional.*

8                    *(B) IMMEDIATE FAMILY MEMBERS.—The*  
9                    *immediate family members of an official de-*  
10                    *scribed in subparagraph (A) may be subject to*  
11                    *the same restriction on entry into the United*  
12                    *States as such official.*

13                    *(C) REFERRAL.—The Secretary of State, in*  
14                    *implementing this subsection, shall, as appro-*  
15                    *priate, provide information regarding the ac-*  
16                    *tions of officials described in subparagraph (A)*  
17                    *to the Office of Foreign Assets Control of the De-*  
18                    *partment of the Treasury, which shall determine*  
19                    *whether to impose sanctions authorized under*  
20                    *Federal law to block the transfer of property and*  
21                    *interests in property, and all financial trans-*  
22                    *actions, in the United States involving any such*  
23                    *official.*

24                    *(D) DESIGNATION OR DETERMINATION.—*  
25                    *The Secretary of State shall publicly or privately*



1           *designate or make the determination that the for-*  
2           *ign government officials or party members*  
3           *about whom the Secretary has made such des-*  
4           *ignation or determination regarding significant*  
5           *corruption or gross violations of internationally*  
6           *recognized human rights, and their immediate*  
7           *family members, without regard to whether any*  
8           *such individual has applied for a visa.*

9           (2) *EXCEPTIONS.—*

10           (A) *IN GENERAL.—Individuals are not in-*  
11           *eligible for entry into the United States pursuant*  
12           *to paragraph (1) if such entry—*

13                   (i) *would further important United*  
14                   *States law enforcement objectives; or*

15                   (ii) *is necessary to permit the United*  
16                   *States to fulfill its obligations under the*  
17                   *Agreement regarding the Headquarters of*  
18                   *the United Nations, signed at Lake Success*  
19                   *June 26, 1947, and entered into force No-*  
20                   *vember 21, 1947, between the United Na-*  
21                   *tions and the United States or under other*  
22                   *international obligations of the United*  
23                   *States.*

24           (B) *SAVINGS PROVISION.—Nothing in para-*  
25           *graph (1) may be construed to derogate from*

1           *United States Government obligations under ap-*  
2           *plicable international agreements or obligations.*

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

6                     (A) *such waiver would serve a compelling*  
7                     *national interest of the United States; or*

8                     (B) *the circumstances that caused such in-*  
9                     *dividual to be ineligible for entry into the United*  
10                    *States have sufficiently changed.*

11           (4) *SEMIANNUAL REPORT.*—

12                    (A) *IN GENERAL.*—*Not later than 30 days*  
13                    *after the date of the enactment of this Act, and*  
14                    *every 180 days thereafter, the Secretary of State*  
15                    *shall submit a report, including a classified*  
16                    *annex if necessary, to the Committee on Foreign*  
17                    *Relations of the Senate and the Committee on*  
18                    *Foreign Affairs of the House of Representatives.*  
19                    *Each such report shall include—*

20                            (i) *all relevant information relating to*  
21                            *corruption or gross violations of inter-*  
22                            *nationally recognized human rights that*  
23                            *was a factor in identifying, during the most*  
24                            *recent 12-month period—*

1                   (I) individuals who are ineligible  
2                   for entry into the United States under  
3                   paragraph (1)(A); and

4                   (II) individuals about whom the  
5                   Secretary has made a designation or  
6                   determination pursuant to paragraph  
7                   (1)(D); and

8                   (III) individuals who would be  
9                   ineligible for entry into the United  
10                  States under paragraph (1)(A), but  
11                  were excluded from such restriction  
12                  pursuant to paragraph (2);

13                  (ii) a list of any waivers granted by  
14                  the Secretary pursuant to paragraph (3);  
15                  and

16                  (iii) a description of the justification  
17                  for each such waiver.

18                  (B) *POSTING OF REPORT.*—The unclassified  
19                  portion of each report required under subpara-  
20                  graph (A) shall be posted on a publicly accessible  
21                  website of the Department of State.

22                  (5) *CLARIFICATION.*—For purposes of para-  
23                  graphs (1) and (4), the records of the Department of  
24                  State and of diplomatic and consular offices of the  
25                  United States pertaining to the issuance or refusal of

1       *visas or permits to enter the United States shall not*  
2       *be considered confidential.*

3       *(d) RESTRICTION ON ASSISTANCE IN THE WAKE OF*  
4       *A COUP D'ÉTAT.—Chapter 1 of part III of the Foreign As-*  
5       *istance Act of 1961 (22 U.S.C. 2751 et seq.) is amended*  
6       *by adding at the end the following:*

7       **“SEC. 620N. LIMITATION ON ASSISTANCE IN THE WAKE OF**  
8               **A COUP D'ÉTAT.**

9       *“(a) IN GENERAL.—Except as provided under sub-*  
10       *sections (b) and (d), no assistance may be provided under*  
11       *this Act or under the Arms Export Control Act (22 U.S.C.*  
12       *2751) to the central government of any country in which*  
13       *the head of government, as recognized by the United States,*  
14       *was deposed by a military coup d'état or decree or a coup*  
15       *d'état or decree in which the military played a decisive role.*

16       *“(b) EXEMPTION FOR NATIONAL SECURITY.—*

17               *“(1) IN GENERAL.—The Secretary of State, after*  
18       *consultation with the heads of relevant Federal agen-*  
19       *cies, may exempt assistance from the restriction de-*  
20       *scribed in subsection (a), on a program by program*  
21       *basis for a 90-day renewable period, if the Secretary*  
22       *determines that the continuation of such assistance is*  
23       *in the national security interest of the United States.*

24               *“(2) JUSTIFICATION.—The Secretary of State*  
25       *shall provide a justification to the appropriate con-*

1        *gressional committees for each exemption granted*  
2        *pursuant to paragraph (1) not later than 5 days after*  
3        *making such determination.*

4            “(3) *UPDATES.*—*The Secretary of State shall*  
5        *provide periodic updates, not less frequently than*  
6        *every 90 days, regarding the status of any assistance*  
7        *subject to the exemption granted pursuant to para-*  
8        *graph (1).*

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

17            “(d) *EXCEPTION FOR DEMOCRACY AND HUMANI-*  
18       *TARIAN ASSISTANCE.*—*The restriction under subsection (a)*  
19       *shall not apply to any assistance used—*

20            “(1) *to promote democratic elections or public*  
21        *participation in the democratic processes;*

22            “(2) *to support a democratic transition; or*

23            “(3) *for humanitarian purposes.*

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

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

3           “(2) the Committee on Appropriations of the  
4     Senate;

5           “(3) the Committee on Foreign Affairs of the  
6     House of Representatives; and

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

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

10        Section 36(b) of the State Department Basic Authori-  
11 ties Act of 1956 (22 U.S.C. 2708(b)) is amended—

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

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

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

17           “(15) the restraining, seizing, forfeiting, or repa-  
18     triating of stolen assets linked to foreign government  
19     corruption and the proceeds of such corruption.”.

20     **SEC. 7. INVESTING IN DEMOCRACY RESEARCH AND DEVEL-**  
21           **OPMENT.**

22        The Secretary of State, in consultation with the Ad-  
23 ministrator of the United States Agency for International  
24 Development, should establish, within the Bureau of Democ-

1 racy, Human Rights, and Labor, a program for democracy  
2 research and development that—

3 (1) supports research and development by the  
4 Department of State, the United States Agency for  
5 International Development, and the National Endow-  
6 ment for Democracy on policies and programs relat-  
7 ing to democracy efforts;

8 (2) drives innovation within such agencies re-  
9 garding the response to complex, multidimensional  
10 challenges to democracy;

11 (3) identifies lessons learned and best practices  
12 for democracy programs and diplomatic approaches  
13 to create feedback loops and shape future evidence-  
14 based programming and diplomacy;

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

17 (A) strengthen democratic institutions; and

18 (B) bolster democratic processes; and

19 (5) strengthens the resilience of democratic actors  
20 and institutions.

21 **SEC. 8. ADDRESSING AUTHORITARIANS IN THE MULTILAT-**  
22 **ERAL SYSTEM.**

23 *It is the sense of Congress that the Secretary of State*  
24 *and the United States Permanent Representative to the*  
25 *United Nations should use the voice, vote, and influence of*

1 *the United States at the United Nations and with other*  
2 *multilateral bodies—*

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

6           (B) *to closely monitor instances of reprisals*  
7 *against such actors; and*

8           (C) *to support the use of targeted sanctions, cen-*  
9 *sure of member states, and other diplomatic measures*  
10 *to hold responsible any person who engages in repris-*  
11 *als against human rights defenders and civil society*  
12 *within such multilateral bodies;*

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

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

23           (B) *making publicly available the vote of*  
24 *each member state on the suspension of rights of*



1           *membership from the United Nations Human*  
2           *Rights Council;*

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

9           *(4) to oppose the election to the United Nations*  
10          *Human Rights Council of any member state—*

11           *(A) that engages in a consistent pattern of*  
12           *gross violations of internationally recognized*  
13           *human rights, as determined pursuant to section*  
14           *116 or 502B of the Foreign Assistance Act of*  
15           *1961 (22 U.S.C. 2151n and 2304);*

16           *(B) the government of which has repeatedly*  
17           *provided support for acts of international ter-*  
18           *rorism, as determined pursuant to section 620A*  
19           *of the Foreign Assistance Act of 1961 (22 U.S.C.*  
20           *2371);*

21           *(C) that is designated as a Tier 3 country*  
22           *under section 110(b)(1)(C) of the Trafficking*  
23           *Victims Protection Act of 2000 (22 U.S.C.*  
24           *7107(b)(1)(C));*

1           (D) that is included on the list published by  
2           the Secretary of State pursuant to section  
3           404(b)(1) of the Child Soldiers Prevention Act of  
4           2008 (22 U.S.C. 2370c–1(b)(1)) as a government  
5           that recruits and uses child soldiers; or

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

10 **SEC. 9. CONFRONTING DIGITAL AUTHORITARIANISM.**

11           (a) *STATEMENT OF POLICY.*—It is the policy of the  
12           United States—

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

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

19           (B) weakens democratic processes and insti-  
20           tutions, including elections; or

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

25           (2) to promote internet freedom; and

1           (3) to support efforts to counter government cen-  
2           sorship and surveillance, including efforts—

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

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

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

16 **SEC. 10. PROTECTING POLITICAL PRISONERS.**

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

23                   (1) a description of existing Department of State  
24                   processes and efforts to carry out the political pris-  
25                   oner-related activities described in subsection (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 De-*  
8           *partment of State and other Federal agencies to carry*  
9           *out the political prisoner-related activities described*  
10          *in subsection (b).*

11          (b) *POLITICAL PRISONER-RELATED ACTIVITIES.—The*  
12          *report required under subsection (a) shall include a descrip-*  
13          *tion 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 condi-*  
10          *tions, treatment, access to legal counsel, location, and*  
11          *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 shelter*  
16          *or facilitate the safe evacuation of willing individuals*  
17          *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.*

Calendar No. 375

118<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 3854**

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**A BILL**

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.

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MAY 7, 2024

Reported with an amendment