

CHRISTOPHER H. SMITH
4TH DISTRICT, NEW JERSEY

CONSTITUENT SERVICE CENTERS:

1540 Kuser Road, Suite A9
Hamilton, NJ 08619-3828
(609) 585-7878
TTY (609) 585-3650

108 Lacey Road, Suite 38A
Whiting, NJ 08759-1331
(732) 350-2300

2373 Rayburn House Office Building
Washington, DC 20515-3004
(202) 225-3765

<http://chrissmith.house.gov>



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DEAN, NEW JERSEY DELEGATION

U.S. Products Should Not Aid Internet Censorship

*Excerpts of Remarks by Rep. Chris Smith
House Committee on Foreign Affairs
2172 Rayburn House Office Building
April 24, 2013*

About 2 billion people in the world regularly communicate or get information on the Internet. Well over half a billion people of these people do so in repressive countries. As the internet use has become a vital and even the standard means to disseminate beliefs, ideas and opinions, so we see a growing number of countries that censor or conduct surveillance on the Internet, in conflict with internationally recognized human rights laws and standards.

The internet, in many countries, has been transformed from a freedom plaza to big brother's best friend. The technologies to track, monitor, block, filter, trace, remove, attack, hack, and remotely take over internet activity, content and users has exploded. Many of these technologies are made in the U.S.A. Many of them have important and legitimate law-enforcement applications. But, sadly, many of them are also being exported, every day, to some of the most unsavory governments in the world – whose use of them is far from legitimate. Every day we learn about more activists being arrested through the use of newly-developed technologies – much of it American technology – in China, Belarus, Egypt, Syria and many other countries around the world. The stakes are life and death for online democracy activists, and they deserve our support and protection.

We only have to look around the globe at **Belarus, Iran, China, and Vietnam** to see horrific examples of the internet gone wrong. I have introduced the Global Online Freedom Act

of 2013(GOFA), H.R. 491, that addresses this fundamental threat to the democracy activists abroad.

GOFA requires the State Department to beef up its reporting on Internet freedom in the annual Country Report on Human Rights Practices, and to identify by name Internet-restricting countries. This country designation will be useful not only in a diplomatic context in helping to advance Internet freedom through naming and shaming countries, but will also provide U.S. technology companies with the information they need in deciding how to engage in repressive foreign countries.

And GOFA addresses what Google's Eric Schmidt calls the "dark side" of the digital revolution. This bill will prohibit the export of hardware or software that can be used for surveillance, tracking and blocking to the governments of Internet-restricting countries. Current export control laws do not take into account the human rights impact of these exports and therefore do not create any incentive for U.S. companies to evaluate their role in assisting repressive regimes. GOFA will not only help stop the sale of these items to repressive governments, but will create an important foreign policy stance for the United States that will help ensure that dissidents abroad know we are on their side, and that U.S. businesses are not profiting from this repression.

This export control law is long overdue, and thoroughly consistent with the approach Congress has taken, for example, in restricting exports of certain crime control equipment to China. It makes no sense for us to allow U.S. companies to sell technologies of repression to dictators, and then turn around and have to spend millions of dollars to develop and deploy circumvention tools and other technologies to help protect dissidents from the very technologies that U.S. companies exported to their persecutors.

We have a unique role to play in preserving online freedom; and export controls can send a strong message to repressive governments that the Internet must not become a tool of repression.