

S. ____

To develop and deploy firewall circumvention tools for the people of Hong Kong after the People's Republic of China violated its agreement under the Joint Declaration, and for other purposes.

Mr. Lankford (for himself and Mr. Kaine) introduced the following bill; which was read twice and referred to the Committee on _____

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Jimmy Lai Internet Freedom Act".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The People's Republic of China has repeatedly violated its obligations under the Joint Declaration by suppressing the basic rights and freedoms of Hong Kongers.

(2) On June 30, 2020 the National People's Congress passed a law on Safeguarding National Security in the Hong Kong Special Administrative Region (referred to in this Act as the "National Security Law"), which further erodes Hong Kong's autonomy and enables authorities to suppress dissent.

(3) The Government of the People's Republic of China continues to utilize the National Security Law to undermine the fundamental rights of Hong Kongers by suppressing freedoms of speech, assembly, religion, and the press.

(4) Article 9 of the National Security Law authorizes unprecedented regulation and supervision of internet activity in Hong Kong, including expanded police powers to force internet service providers to censor content, hand over user information, and block access to platforms.

(5) On January 13, 2021, the Hong Kong Broadband Network blocked public access to HKChronicles, which is a website promoting pro-democracy viewpoints, under the authorities of the National Security Law.

(6) On January 28, 2021, the Hong Kong Internet Registration Corporation Limited enacted a revised "acceptable use" policy that enables authorities to require the rejection of website registration requests that may "incite 'illegal acts'".

(7) On February 4, 2021, Carrie Lam expressed support for implementing additional laws to increase internet censorship.

(8) On February 12, 2021, internet service providers blocked access to the Taiwan Transitional Justice Commission website in Hong Kong.

(9) Major tech companies including Facebook, Twitter, WhatsApp, and Google have

1 stopped reviewing requests for user data from Hong Kong authorities.

2 (10) On February 28, 2021, 47 pro-democracy activists in Hong Kong were arrested
3 charged under the National Security Law on the charge of “conspiracy to commit
4 subversion”.

5 (11) On December 12, 2022, Chris Tang and John Lee advocated for Google to remove
6 search results for a pro-democracy song.

7 (12) On February 14, 2023, John Lee reaffirmed his commitment to pass Article 23 of the
8 Basic Law by 2024, which would require Hong Kong to enact national security legislation
9 for seven types of offenses, further eroding individual freedoms and giving unrestricted
10 power to authorities.

11 (13) In March 2023, Hong Kong authorities arrested a student returning from Japan for
12 violating the National Security Law by sharing pro-democracy statements online while
13 studying abroad.

14 (14) On May 16, 2023, John Lee encouraged public libraries to remove books with
15 messages that do not serve the interests of Hong Kong.

16 (15) On June 6, 2023, the Hong Kong government attempted to ban all forms of
17 broadcasting and distribution of a pro-democracy song.

18 (16) On March 19, 2024, Hong Kong’s Legislative Council passed Article 23 of the Basic
19 Law, which created new criminal offenses, expanded legal penalties, and broadened the
20 authorities’ power to target political opposition and criminalize free speech.

21 (17) In May 2024, 45 out of 47 pro-democracy activists were convicted of “conspiracy to
22 commit subversion” and later handed prison sentences under Beijing’s-imposed National
23 Security Law.

24 (18) On December 15, 2025, pro-democracy activist Jimmy Lai was convicted by Hong
25 Kong’s High Court and later sentenced to 20 years in prison.

26 (19) On July 15, 2026, Hong Kong national security police raided 2 independent
27 bookstores and arrested 5 people under authorities granted by the newly passed Article 23
28 Ordinance.

30 SEC. 3. SENSE OF CONGRESS.

31 It is the sense of Congress that the United States should—

32 (1) support the ability of the people of Hong Kong to maintain their freedom to access
33 information online; and

34 (2) focus on investments in technologies that facilitate the unhindered exchange of
35 information in Hong Kong in advance of any future efforts by the Chinese Communist
36 Party—

37 (A) to suppress internet access;

38 (B) to increase online censorship; or

(C) to inhibit online communication and content-sharing by the people of Hong Kong.

SEC. 4. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

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

(B) the Committee on Appropriations of the Senate;

(C) the Select Committee on Intelligence of the Senate;

(D) the Committee on Foreign Affairs of the House of Representatives;

(E) the Committee on Appropriations of the House of Representatives; and

(F) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) INTERAGENCY WORKING GROUP.—The term “interagency working group” means a group composed of—

(A) the Under Secretary of State for Civilian Security, Democracy, and Human Rights;

(B) the Assistant Secretary of State for East Asian and Pacific Affairs;

(C) the Chief Executive Officer of the Open Technology Fund; and

(D) the Administrator of the United States Agency for International Development.

(3) JOINT DECLARATION.—The term “Joint Declaration” means the Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People’s Republic of China on the Question of Hong Kong, done at Beijing on December 19, 1984.

SEC. 5. HONG KONG INTERNET FREEDOM PROGRAM.

(a) Interagency Working Group.—The Secretary of State is authorized to establish an interagency working group, composed of the individuals occupying the positions listed in section 4(2), to develop a strategy to bolster internet resiliency and online access in Hong Kong.

(b) Hong Kong Internet Freedom Program.—

(1) DEPARTMENT OF STATE.—The Secretary of State shall establish a Hong Kong Internet Freedom Program in the Bureau of Democracy, Human Rights, and Labor of the Department of State.

(2) OPEN TECHNOLOGY FUND.—The Chief Executive Officer of the Open Technology Fund is authorized to establish a Hong Kong Internet Freedom Program.

(3) COORDINATION.—The programs established pursuant to paragraphs (1) and (2) shall operate independently, but shall strategically coordinate with other entities represented in

the interagency working group.

(c) Independence.—During the period beginning on the date of the enactment of this Act and ending on September 30, 2031, the programs established pursuant to subsection (b) shall be carried out independent from the mainland China internet freedom portfolios in order to focus on supporting liberties presently enjoyed by the people of Hong Kong.

(d) Consolidation of Department of State Program.—Beginning on October 1, 2031, the Secretary of State may—

(1) consolidate the program established pursuant to subsection (b)(1) with the mainland China initiatives in the Bureau of Democracy, Human Rights, and Labor; or

(2) continue to carry out such program in accordance with subsection (c).

(e) Consolidation of Open Technology Fund Program.—Beginning on October 1, 2031, the Chief Executive Officer of the Open Technology Fund may—

(1) consolidate the Program with the mainland China initiatives in the Open Technology Fund; or

(2) continue to carry out the Program in accordance with subsection (c).

SEC. 6. SUPPORT FOR INFORMATION PROGRAMS.

(a) Grants Authorized.—

(1) IN GENERAL.—The Secretary of State, working through the Open Technology Fund and the Bureau of Democracy, Human Rights, and Labor, is authorized to award grants to private organizations to support and develop programs in Hong Kong that promote or expand—

(A) online information access;

(B) freedom of the press;

(C) disruptive technologies that bypass internet blocking, filtering, and other censorship techniques;

(D) virtual private networks;

(E) firewall circumvention tools;

(F) distributed denial of service mitigation techniques;

(G) digital security capacity building for internet users; or

(H) digital resiliency for international organizations, pro-democracy activists, and other civil society actors in Hong Kong, including emergency support.

(2) GOALS.—The programs receiving grants pursuant to paragraph (1) should strive—

(A) to make the technologies described in paragraph (1) available in Hong Kong;

(B) to increase the number of the tools in the circumvention technology portfolio;

(C) to promote the availability of such technologies and tools in Hong Kong;

(D) to encourage the adoption of such technologies and tools by the people of Hong

Kong;

(E) to scale up the distribution of such technologies and tools throughout Hong Kong;

(F) to prioritize the development of tools, components, code, and technologies that are fully open-source, to the extent practicable;

(G) to conduct research on repressive tactics that undermine internet freedom in Hong Kong; and

(H) to engage American private industry, including e-commerce firms and social networking companies, on the importance of preserving internet access in Hong Kong.

(3) GRANT RECIPIENTS.—Grants awarded pursuant to paragraph (1) shall be distributed to multiple vendors and suppliers through an open, fair, competitive, and evidence-based decision process—

(A) to diversify the technical base; and

(B) to reduce the risk of mitigation by bad actors.

(4) SECURITY AUDITS.—New technologies developed using grants from this subsection shall undergo comprehensive security audits to ensure that such technologies are secure and have not been compromised in a manner detrimental to the interests of the United States or to individuals or organizations benefitting from programs supported by the Open Technology Fund.

(b) Funding Source.—The Secretary of State is authorized to expend funds from the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights, and Labor of the Department of State during fiscal year 2027 for grants awarded pursuant to subsection (a) by any entity represented in the interagency working group.

(c) Authorization of Appropriations.—

(1) OPEN TECHNOLOGY FUND.—In addition to the amounts authorized to be expended pursuant to subsection (b), there are authorized to be appropriated to the Open Technology Fund \$5,000,000 for each of the fiscal years 2027 through 2031 to carry out this section.

(2) BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR.—In addition to the amounts authorized to be expended pursuant to subsection (b), there are authorized to be appropriated to the Office of Internet Freedom Programs of the Bureau of Democracy, Human Rights, and Labor of the Department of State \$10,000,000 for each of the fiscal years 2027 through 2031 to carry out this section.

(3) AVAILABILITY.—Amounts appropriated pursuant to paragraphs (1) and (2) shall remain available until expended.

SEC. 7. STRATEGIC PLANNING REPORT.

Not later than 120 days after the date of the enactment of this Act, the Secretary of State and the interagency working group shall submit a classified report to the appropriate congressional committees that—

(1) describes the Federal Government’s plan to bolster and increase the availability of

1 firewall circumvention technology in Hong Kong during fiscal year 2027;

2 (2) outlines a plan for—

3 (A) supporting the preservation of an open, interoperable, reliable, and secure
4 internet in Hong Kong;

5 (B) increasing the supply of the technology referred to in paragraph (1);

6 (C) accelerating the dissemination of such technology;

7 (D) promoting the availability of such technology in Hong Kong;

8 (E) utilizing presently-available tools in the mainland China portfolio for further use
9 in the unique context of Hong Kong;

10 (F) expanding the portfolio of tools in order to diversify and strengthen the
11 effectiveness and resiliency of the circumvention efforts; and

12 (G) providing training for high-risk groups and individuals in Hong Kong;

13 (3) includes a detailed description of the technical and fiscal steps necessary to
14 implement the plans referred to in paragraphs (1) and (2), including an analysis of the
15 market conditions in Hong Kong;

16 (4) describes the Federal Government's plans for awarding grants to private organizations
17 for the purposes described in section 6(a)(1);

18 (5) outlines the interagency working group's consultations regarding the implementation
19 of this Act to ensure that all Federal efforts are aligned and well coordinated; and

20 (6) outlines the Department of State's strategy to influence global internet legal standards
21 at international organizations and multilateral fora.
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