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Congressional Executive Commission on China Testimony:  
Digital Authoritarianism and The Global Threat to Free Speech

*Submitted by:*

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Good Morning. I want to thank Senator Rubio and Congressman Smith for the invitation to participate in this hearing and I want to commend you both for convening a hearing on such an important topic. I would ask that my full testimony, including relevant correspondence between the Internet Freedom Coalition and the State Department, BBG, and Members of Congress be included as part of the hearing record.

The French have a wonderful saying, “Plus ca change, plus c’est la meme chose”; the more things change, the more they remain the same. I could not help but think of this phrase as I prepared my remarks for today’s hearing.

Over ten years ago, my late father, Tom Lantos, then Chairman of the House Foreign Affairs Committee, held a hearing that crystallized the sad truth about the devastating moral compromises so many major companies and countries, including at times, our own, are willing to make in order to appease the Chinese government and gain access to its vast markets.

The Chief Executive of Yahoo, Jerry Yang, was in my father’s crosshairs that day over his company’s cooperation in giving up the identity of a dissident journalist, Shi Tao, to the Chinese authorities. After Yahoo disclosed his identity to the government, Mr. Shi was sentenced to prison for 10 years for the crime of engaging in pro-democracy activities. As these high tech billionaires and technological whiz kids sat before him, my father, who came to this country as a penniless Holocaust survivor from Hungary, said, “While technologically and financially you are giants, morally you are pygmies.”

On that memorable occasion, Jerry Yang felt so “called out” by my father’s words that he actually turned around and publicly bowed in apology to Mr. Shi’s weeping mother, who was seated behind him. It was a dramatic moment to be sure, but most episodes of cowardly cowering and quiet collaboration with the bullies, the censors, and the persecutors of the Chinese Communist party occur without public comment or scrutiny. Furthermore, as today’s hearing demonstrates, China is not content with censoring and controlling its own citizens. It is using the immense power of its financial resources to reach every corner of the world in an effort to intimidate businesses, universities, publishers, hotel chains, religious institutions, human rights, democracy activists, and even governments. It pains me to have to say this, but right now, China is succeeding in this effort to a shocking degree. Even more shocking, later in my remarks I will expose why I feel our government is doing far too little in the way of Internet Freedom to truly help the people of China and other repressed regimes around the world.

Two of my fellow witnesses this morning have had personal experiences with the long arm of Chinese government intimidation and their testimony is a cautionary and chilling tale. Just as my father did back in 2007, we must use the power of public naming and shaming to try and restrain the worst impulses of businesses, other organizations, individuals, and even our own government agencies who seem all too willing to sell their precious birthright of free speech and democracy for a mess of Chinese pottage.

To be clear, I think we all recognize that the Internet is not an unalloyed good when it comes to spreading ideas and expanding the borders of freedom and democracy. As Shakespeare so memorably penned, “The web of our life is of a mingled yarn, good and ill together.” It is analogous to our intricate system of modern transportation. While we recognize that it contributes to pollution, congestion, disrupts the environment, and of course, makes possible terrible accidents involving injuries and fatalities; nonetheless, it is the indispensable circulatory system that makes possible our modern world of travel and commerce. Similarly, the Internet, despite its ability to spread hate, disrupt elections, and propagate fake news, is indispensable to our modern system of global communication. And as such, it is central to freedom of expression everywhere in the world.

That is why, there was so much enthusiasm and energy eight years ago when then Secretary of State Hillary Clinton delivered a landmark speech on Internet freedom. I was sitting in the audience that day and felt the surge of optimism as our nation’s top diplomat laid out a robust vision of America’s central role in tearing down what Secretary Clinton referred to as “the Berlin Wall of our digital age.” Remember, I am the daughter of the only member of Congress who personally experienced the horrors of living under fascism of the right, the Nazis, and the totalitarianism of the left, the Communists. It is in my DNA to resist these authoritarian efforts to control free, uncensored access to knowledge and I’m pretty sure, Senator Rubio and Congressman Smith, that it is in your DNA too.

The year after that speech, the Lantos Foundation played a leading role in redirecting a good part of our government’s spending on Internet freedom to the BBG. Prior to that, almost all funding was inside the State Department, and frankly, it led to situations where China was able to deftly use the US’s efforts to open the Internet and circumvent their “Great Firewall” as a diplomatic bargaining tool. Clearly, as a human rights organization, we believe that access to the Internet is a modern human right that should not be bargained away, so we sought a “safer” home for the funding and felt the BBG had enough independence to play a leading role in opening the Internet across the globe.

In the early years of this adjustment in the way our government funded anti-censorship tools, Internet freedom initiatives were not perfect, but our government was funding a number of technologies to provide open access and we were moving in the right direction. Today, it pains me to have to sit before you and express my deep disappointment and frustration with the actual results and current commitment of our country’s Internet freedom policy. I’ve heard it said that if China herself had been in charge of America’s Internet freedom policy, it could hardly have been

more favorable to China's interests. That is an extraordinarily harsh assessment, perhaps harsher than I myself would subscribe to, but let me tell you why I think it is not far off the mark.

Perhaps the single most stunning example of the lengths to which China will go to create an information prison is the "Great Firewall", a massive government censorship apparatus that has been estimated to cost billions of dollars annually and to employ some two million people to police the Internet use of its citizens (Foreign Policy Magazine July 2017). For this reason, many of us have long believed that firewall circumvention technologies must be a key component of any effective Internet freedom strategy. Since 2011 the Lantos Foundation, as part of a broad Internet freedom coalition, has urged Congress to direct the State Department through DRL and the BBG to provide robust funding to field tested, scalable circumvention technologies.

Recognizing that these technologies have the potential to provide safe and uncensored access to the Internet for literally hundreds of millions of people in China and in other closed societies around the world, Congress has responded. In every recent appropriation bill, Congress has included language directing that not less than \$50 million be spent to fund Internet freedom programs including specifically, firewall circumvention technology. This simply has not happened. Call it willful ignorance, call it bureaucratic intransigence and obfuscation, call it what you will, but in my view, both the State Department and the BBG have failed to faithfully implement the clearly expressed intent of Congress, that significant resources be dedicated to these large scale firewall circumvention technologies that China most fears. They have funded freedom festivals and trainings and small scale technologies that are more directed to driving traffic to their own platforms (in the case of the BBG) than giving free, unfettered access to the vast world of the Internet for the hundreds of millions of people trapped behind the digital curtain. They fund privacy and security apps that are very important for safety while on the Internet, but they forget that many cannot even access the Internet. Meanwhile, some of the most effective, proven technologies, the ones China fears the most, technologies that provide unfettered access to all, have received only modest funding and have had curious barriers placed in their paths, making it difficult, if not impossible to qualify for the different grant proposals.

The cost to US interests of these failures at BBG and DRL were on vivid display during January of this year when protests broke out in Iran. Hundreds of thousands of Iranians took to the streets to protest economic hardship and the oppressive rule of the theocratic dictators. Among other repressive responses to this popular uprising, the Iranian government acted to block access to the Internet. Sadly, because the BBG had earlier cut off all funding to some of the most effective circumvention technologies, our ability to help provide access to the outside world for those brave Iranians was greatly limited. Only a single US government funded large scale circumvention technology was available at this moment of crisis. I consider this an inexcusable dereliction of duty.

I confess - I am baffled by the failure of both the State Department and the BBG to faithfully execute the directives that Congress has given them. When I have met with representatives at both agencies, they reassure me of their deep commitment to the goal of broadening access to Internet freedom and of the intensity of their efforts to do so. The rhetoric is pleasant enough, but their words are not matched by their deeds. When our coalition has attempted to drill down and

get real facts about where they are directing their resources and why they are not funding proven technologies, we are most often met with obfuscation, opacity, and unfulfilled promises. During the midst of the Iranian protests, I met with the top leadership at the BBG and they personally pledged to me that within three to four weeks at the most, funding would be granted for technologies that could make access available to vastly increased numbers of users around the world. More than three months have passed since those meetings, and not only has no funding been approved, but the latest indications are that no additional funding will be granted for the foreseeable future. To say that our Internet freedom coalition is frustrated by this pattern would be an understatement.

I have reluctantly come to the conclusion that the bureaucrats at DRL and the BBG are relying on what they think is Congress' inadequate attention span and limited expertise to get away with this pattern of ignoring Congress' clearly expressed intent when it comes to funding robust firewall circumvention technologies. What arrogance! I am hoping and praying that you will prove them wrong.

This issue, Internet firewall circumvention, desperately needs champions in the Congress. We need leaders who will be vigilant and vigorous in demanding accountability from the agencies responsible for executing our government's Internet freedom policies; leaders who will not be beguiled by soothing words and rather than accept heartfelt protestations of good intentions, will demand results. Above all, we need leaders who know that we must not pacify the oppressors, but instead fortify and strengthen the brave dissidents and ordinary Chinese citizens who are risking everything in their pursuit of freedom. In other words, we need leaders who are not moral pygmies, but rather moral giants. I know that both of you are the kind of leaders we need. The Lantos Foundation, along with our Internet freedom coalition partners, stand ready to assist you in any way possible.

Thank you.