118TH CONGRESS  
1ST Session  

S. ______  

To identify social media entities under the influence of certain foreign entities and to take measures to protect the United States from such entities, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

Mr. COTTON introduced the following bill; which was read twice and referred to the Committee on ____________  

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A BILL  

To identify social media entities under the influence of certain foreign entities and to take measures to protect the United States from such entities, 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.  
4 This Act may be cited as the “Stopping Attempts by
5 Foreign Entities to Target Youths on Social Media Act
6 Act of 2023” or the “SAFETY on Social Media Act of
7 2023”.


SEC. 2. DEFINITIONS.

In this Act:

(1) App.—The term “app” means a software application or electronic service that may be run or directed by a user on a computer, a mobile device, or any other general purpose computing device.

(2) App store.—The term “app store” means a publicly available website, software application, or other electronic service that distributes apps from third-party developers to users of a computer, a mobile device, or any other general purpose computing device.

(3) Covered nation.—The term “covered nation” has the meaning given that term in section 4872 of title 10, United States Code.

(4) Foreign entity of concern.—The term “foreign entity of concern” means—

(A) the government, armed forces, or ruling party of a covered nation;

(B) any entity that is owned or controlled, directly or indirectly, by the government, armed forces, or ruling party of a covered nation;

(C) any entity that is organized under the laws of, or otherwise subject to the jurisdiction of, the government of a covered nation; or
(D) any entity acting on behalf of an entity described in subparagraph (A), (B), or (C).

(5) FOREIGN PERSON.—The term “foreign person” means any individual or entity that is not a United States person.

(6) SOCIAL MEDIA ENTITY.—The term “social media entity” means any entity that—

(A) owns or operates, directly or indirectly, an app or website, the primary or sole purpose of which is not—

(i) to conduct commercial transactions;

(ii) to make video games available for play by users;

(iii) to report news; or

(iv) to provide other kinds of information concerning businesses, products, or travel information; and

(B) allows users of the app or website to publish and distribute to the public or to other users text, images, videos, and other forms of media content.

(7) UNITED STATES PERSON.—The term “United States person” means—
(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

SEC. 3. LIST OF UNTRUSTWORTHY APPLICATIONS AND SOCIAL MEDIA ENTITIES.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the President shall publish and submit to Congress a list of untrustworthy applications and social media entities (in this Act referred to as the “List”), which shall include all entities that meet the criteria described in subsection (b).

(b) CRITERIA FOR LIST.—The President shall include on the List any social media entity that—

(1) is a foreign person;

(2) owns or controls, is directly or indirectly owned or controlled by, or is under common ownership or control with a foreign entity of concern;

(3)(A) as a result of the influence of a foreign entity of concern—
(i) has altered the content of an app or website owned or operated by the social media entity to comply with the request of, or to advance the interests of, a foreign entity of concern; or

(ii) has shared the data of United States persons with a foreign entity of concern; or

(B) may be compelled by a foreign entity of concern—

(i) to alter the content of an app or website owned or operated by the social media entity; or

(ii) to share the data of United States persons with a foreign entity of concern; and

(4) had, in at least one month in the 12-month period preceding submission of the report, more than—

(A) 1,000,000 active monthly users; or

(B) 1,000,000 downloads.

SEC. 4. BLOCKING OF PROPERTY OF LISTED ENTITIES.

(a) IN GENERAL.—Not later than 30 days after each publication of the List under section 3, the President shall exercise all of the powers granted to the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and
prohibit all transactions in property and interests in property of each entity on the List if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(b) **Inapplicability of Certain IEEPA Provisions.**—For purposes of subsection (a), the following provisions of the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) shall not apply:

(1) The requirement under section 202(b) (50 U.S.C. 1701(b)) to declare a national emergency.

(2) The exceptions under section 203(b) of that Act (50 U.S.C. 1702(b)).

(c) **Implementation; Penalties.**—

(1) **Implementation.**—The President may exercise the authorities provided to the President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to the extent necessary to carry out this section.

(2) **Penalties.**—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (a) or any regulation, license, or order issued to carry out that subsection shall be subject to the penalties set forth in subsections (b)
and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

SEC. 5. HALTING OPERATIONS OF LISTED ENTITIES.

(a) Removal From App Stores.—After the first publication of the List under section 3 and not later than 1 year after the date of the enactment of this Act, the Federal Communications Commission (referred to in this section as the “Commission”) shall prescribe a rule prohibiting any entity that owns, controls, or operates an app store in the United States from carrying or supporting in the app store in the United States an app or website owned or operated by a social media entity that is on the List.

(b) Internet Service Providers.—

(1) In General.—After the first publication of the List under section 3 and not later than 1 year after the date of the enactment of this Act, the Commission shall prescribe a rule requiring each internet service provider to ensure that the internet service of the provider cannot be used to access the website of any social media entity on the List.

(2) Liability Protection.—An internet service provider shall not be liable under the rule pre-
scribed under paragraph (1) for access to the
website of a social media entity on the List that is
obtained through the use of a virtual private net-
work.

(c) ENFORCEMENT.—The Commission may impose a
forfeiture penalty under section 503 of the Communica-
tions Act of 1934 (47 U.S.C. 503) on any person who vio-
lates a rule prescribed under this section.

(d) RULE OF CONSTRUCTION.—Nothing in this sec-
tion may be construed to give the Commission the author-
ity to carry out any action under subsection (a) or (b)
with respect to any entity that is not on the List.

SEC. 6. COUNTERMEASURES AGAINST EMPLOYEES OF LIST-
ED ENTITIES.

(a) VISA INELIGIBILITY.—Beginning on the date that
is 30 days after an entity is first included on the List—

(1) any foreign person employed by such entity
on or after such date of first inclusion who is a na-
tional of a covered nation—

(A) shall be permanently ineligible to be
issued or to retain a nonimmigrant visa under
section 101(a)(15)(H)(i)(b) of the Immigration
and Nationality Act (8 U.S.C.
1101(a)(15)(H)(i)(b)); and
(B) shall be ineligible to be issued or to retain any other visa authorizing entry into the United States until the date that is 3 years after the date on which—

(i) such foreign person terminates his or her employment with such entity; or

(ii) such entity is removed from the List; and

(2) any foreign person employed by such entity on or after such date of first inclusion who is not a national of a covered nation shall be ineligible to be issued or to retain any visa authorizing entry into the United States until the date that is 3 years after the date on which—

(A) such foreign person terminates his or her employment with such entity; or

(B) such entity is removed from the List.

(b) FOREIGN AGENT REGISTRATION REQUIRED.—

(1) Registration.—Section 1(b) of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611(b)) is amended—

(A) in paragraph (2), by striking “; and” and inserting a semicolon;

(B) in paragraph (3), by striking the period at the end and inserting “; and”; and
(C) by adding at the end the following:

“(4) an entity on the list of untrustworthy applications and social media entities under section 3 of the Stopping Attempts by Foreign Entities to Target Youths on Social Media Act Act of 2023.”.

(2) CESSATION OF EMPLOYMENT.—Section 2 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 612) is amended by adding at the end the following:

“(e) AGENTS OF ENTITIES LISTED IN THE UNTRUSTWORTHY APPLICATIONS AND SOCIAL MEDIA ENTITIES LIST.—Any individual who ceases employment as an agent of a foreign principal that is an entity on the list of untrustworthy applications and social media entities under section 3 of the Stopping Attempts by Foreign Entities to Target Youths on Social Media Act Act of 2023 shall, during the 2-year period beginning on the date on which the individual ceases such employment with the foreign principal—

“(1) continue to register as an agent of a foreign principal; and

“(2) be subject to the penalties under section 8 of this Act.”.