



# Congress of the United States

March 12, 2023

The Honorable Antony Blinken  
Secretary of State  
2201 C Street, NW  
Washington, D.C. 20520

Dear Secretary Blinken,

In September 2022, several of us shared our concerns over the substantial national security threats posed by foreign commercial spyware. Since then, there have been numerous reports of our democratic allies using and abusing commercial surveillance tools. We are gravely alarmed at these reports and the threat this misuse poses to our shared democratic values. These reports underscore the urgent need for the Administration act to form an international coalition to control the proliferation of this technology and its misuse to abuse human rights and undermine democratic values. We ask you to make this a priority at the second Summit for Democracy.

We expect authoritarian regimes and our adversaries to misuse spyware and similar technologies. It is more disconcerting to read about abuses by democratic governments, including several allies who allegedly used spyware in a way that is contrary to our liberal democratic principles. These include NATO, countries with whom we coordinate our defense strategy, and recipients of defense and foreign assistance. Specifically, a recent [report](#) published by the European Parliament provides evidence that multiple European governments are engaging in “illegitimate use of spyware.” The European Union investigators found that these countries are using advanced surveillance tools for “political purposes” – including to surveil journalists and political opposition – “and to cover up corruption and criminal activity.” The panel further warned “The spyware scandal is not a series of isolated national cases of abuse, but a full-blown European affair.”

Unchecked, this trend will further erode confidence in the rule of law and democratic ideals that set the United States and our allies apart from the oppressive authoritarian worldview espoused by Russia and China. In order to counter these adversaries, we need to do everything possible to shore-up our democracies and institutions.


We welcome the Administration’s robust commitment in its National Security Strategy to combatting the spread of foreign spyware. The additional authorities that Congress granted to the Director of National Intelligence in the Fiscal Year 2023 Intelligence Authorization Act will further strengthen U.S. efforts to stop the use of this pernicious weapon against Americans. One area that our bipartisan legislation emphasized was the need for the United States to devise a

“common approach with allied countries.” The reports of spyware abuse by our allies and partners make this all the more necessary.

President Biden will co-host the second Summit for Democracy on March 29-30 with other leaders. We applaud the voluntary code of conduct that the United States and other governments are developing to guide the application of human rights criteria to export licensing policy and look forward to its release at the Summit. We believe that the Summit offers an opportunity for you and other senior Administration officials to also assemble representatives from fellow democracies – including Members of Congress and Parliament, civil society, industry, victims of spyware and other stakeholders – to launch the process of reaching an understanding to prevent the further spread and misuse of this technology.

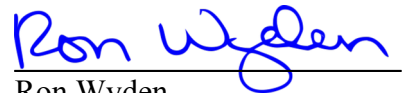
We appreciate your attention to this critical issue and look forward to working together to ensure this opportunity is not missed.

Sincerely,




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James A. Himes  
Member of Congress




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Ron Wyden  
United States Senator




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Joaquin Castro  
Member of Congress



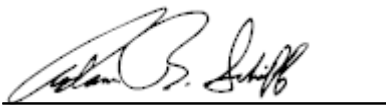
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Chris Stewart  
Member of Congress




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Raja Krishnamoorthi  
Member of Congress




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Adam B. Schiff  
Member of Congress



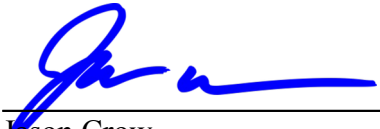
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James P. McGovern  
Member of Congress



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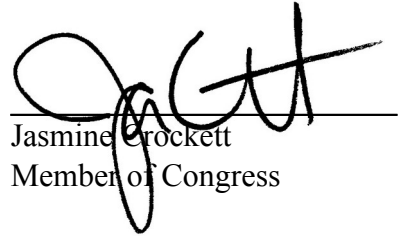
André Carson  
Member of Congress



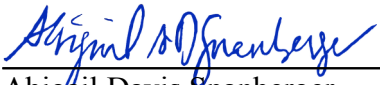
Jason Crow  
Member of Congress



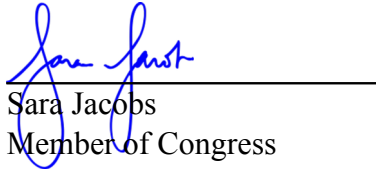
Shontel M. Brown  
Member of Congress



Jasmine Crockett  
Member of Congress



Abigail Davis Spanberger  
Member of Congress



Sara Jacobs  
Member of Congress



Anna G. Eshoo  
Member of Congress



Jake Auchincloss  
Member of Congress

CC:

The Honorable Jacob J. Sullivan, Assistant to the President for National Security Affairs

The Honorable Avril D. Haines, Director of National Intelligence.

The Honorable Linda Thomas-Greenfield, U.S. Ambassador to the United Nations