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H. R. 5181

To counter foreign disinformation and propaganda, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 10, 2016

Mr. KINZINGER of Illinois (for himself, Mr. TED LIEU of California, Mr. FITZPATRICK, Mr. LIPINSKI, Mr. LAMBORN, Mr. TAKAI, Mr. YOUNG of Indiana, Mr. CICILLINE, Ms. STEFANIK, Mr. QUIGLEY, Mr. GUTHRIE, and Mr. BRENDAN F. BOYLE of Pennsylvania) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To counter foreign disinformation and propaganda, 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 “Countering Foreign
5 Propaganda and Disinformation Act of 2016”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

8 (1) foreign governments, including the Govern-
9 ments of the Russian Federation and the People’s

1 Republic of China, use disinformation and other
2 propaganda tools to undermine the national security
3 objectives of the United States and key allies and
4 partners;

5 (2) the Russian Federation, in particular, has
6 conducted sophisticated and large-scale
7 disinformation campaigns that have sought to have
8 a destabilizing effect on United States allies and in-
9 terests;

10 (3) in the last decade disinformation has in-
11 creasingly become a key feature of the Government
12 of the Russian Federation's pursuit of political, eco-
13 nomic, and military objectives in Ukraine, Moldova,
14 Georgia, the Balkans, and throughout Central and
15 Eastern Europe;

16 (4) the challenge of countering disinformation
17 extends beyond effective strategic communications
18 and public diplomacy, requiring a whole-of-govern-
19 ment approach leveraging all elements of national
20 power;

21 (5) the United States Government should de-
22 velop a comprehensive strategy to counter foreign
23 disinformation and propaganda and assert leader-
24 ship in developing a fact-based strategic narrative;
25 and

1 (6) an important element of this strategy
2 should be to protect and promote a free, healthy,
3 and independent press in countries vulnerable to for-
4 eign disinformation.

5 **SEC. 3. CENTER FOR INFORMATION ANALYSIS AND RE-**
6 **SPONSE.**

7 (a) ESTABLISHMENT.—Not later than 180 days after
8 the date of the enactment of this Act, the Secretary of
9 State shall, in coordination with the Secretary of Defense,
10 the Director of National Intelligence, the Broadcasting
11 Board of Governors, and other relevant departments and
12 agencies, establish a Center for Information Analysis and
13 Response (in this section referred to as the “Center”). The
14 purposes of the Center are—

15 (1) to lead and coordinate the collection and
16 analysis of information on foreign government infor-
17 mation warfare efforts, including information pro-
18 vided by recipients of information access fund grants
19 awarded under subsection (e) and other sources;

20 (2) to establish a framework for the integration
21 of critical data and analysis on foreign propaganda
22 and disinformation efforts into the development of
23 national strategy; and

24 (3) to develop, plan, and synchronize, in coordi-
25 nation with the Secretary of Defense, the Director of

1 National Intelligence, the Broadcasting Board of
2 Governors, and other relevant departments and
3 agencies, whole-of-government initiatives to expose
4 and counter foreign information operations directed
5 against United States national security interests and
6 proactively advance fact-based narratives that sup-
7 port United States allies and interests.

8 (b) FUNCTIONS.—The Center shall carry out the fol-
9 lowing functions:

10 (1) Integrating interagency efforts to track and
11 evaluate counterfactual narratives abroad that
12 threaten the national security interests of the United
13 States and United States allies.

14 (2) Collecting, integrating, and analyzing rel-
15 evant information, including intelligence reporting,
16 data, analysis, and analytics from United States
17 Government agencies, allied nations, think-tanks,
18 academic institutions, civil society groups, and other
19 nongovernmental organizations.

20 (3) Developing and disseminating fact-based
21 narratives and analysis to counter propaganda and
22 disinformation directed at United States allies and
23 partners.

24 (4) Identifying current and emerging trends in
25 foreign propaganda and disinformation, including

1 the use of print, broadcast, online and social media,
2 support for third-party outlets such as think tanks,
3 political parties, and nongovernmental organizations,
4 and the use of covert or clandestine special operators
5 and agents to influence targeted populations and
6 governments in order to coordinate and shape the
7 development of tactics, techniques, and procedures
8 to expose and refute foreign misinformation and
9 disinformation and proactively promote fact-based
10 narratives and policies to audiences outside the
11 United States.

12 (5) Facilitating the use of a wide range of tech-
13 nologies and techniques by sharing expertise among
14 agencies, seeking expertise from external sources,
15 and implementing best practices.

16 (6) Identifying gaps in United States capabili-
17 ties in areas relevant to the Center's mission and
18 recommending necessary enhancements or changes.

19 (7) Identifying the countries and populations
20 most susceptible to foreign government propaganda
21 and disinformation.

22 (8) Administering the information access fund
23 established pursuant to subsection (e).

24 (9) Coordinating with allied and partner na-
25 tions, particularly those frequently targeted by for-

1 eign disinformation operations, and international or-
2 ganizations and entities such as the NATO Center
3 of Excellence on Strategic Communications, the Eu-
4 ropean Endowment for Democracy, and the Euro-
5 pean External Action Service Task Force on Stra-
6 tegic Communications, in order to amplify the Cen-
7 ter's efforts and avoid duplication.

8 (c) COMPOSITION.—

9 (1) COORDINATOR.—The Secretary of State
10 shall appoint a full-time Coordinator to lead the
11 Center.

12 (2) STEERING COMMITTEE.—

13 (A) COMPOSITION.—The Secretary of
14 State shall establish a Steering Committee com-
15 posed of senior representatives of agencies rel-
16 evant to the Center's mission to provide advice
17 to the Secretary on the operations and strategic
18 orientation of the Center and to ensure ade-
19 quate support for the Center. The Steering
20 Committee shall include the officials set forth in
21 subparagraph (C), one senior representative
22 designated by the Secretary of Defense, the
23 Chairman of the Joint Chiefs of Staff, the Di-
24 rector of National Intelligence, the Adminis-
25 trator of the United States Agency for Inter-

1 national Development, and the Chairman of the
2 Broadcasting Board of Governors.

3 (B) MEETINGS.—The Steering Committee
4 shall meet not less than every 3 months.

5 (C) CHAIRMAN AND VICE CHAIRMEN.—The
6 Steering Committee shall be chaired by the
7 Under Secretary of State for Political Affairs.
8 A senior, Secretary of State-designated official
9 responsible for digital media programming for
10 foreign audiences and a senior, Secretary of De-
11 fense-designated official responsible for infor-
12 mation operations shall serve as co-Vice Chair-
13 men.

14 (D) EXECUTIVE SECRETARY.—The Coordi-
15 nator of the Center shall serve as Executive
16 Secretary of the Steering Committee.

17 (E) PARTICIPATION AND INDEPEND-
18 ENCE.—The Chairman of the Broadcasting
19 Board of Governors shall not compromise the
20 journalistic freedom or integrity of relevant
21 media organizations. Other Federal agencies
22 may be invited to participate in the Steering
23 Committee at the discretion of the Chairman of
24 the Steering Committee and with the consent of
25 the Secretary of State.

1 (d) STAFF.—

2 (1) IN GENERAL.—The Chairman may, with the
3 consent of the Secretary and without regard to the
4 civil service laws and regulations, appoint and termi-
5 nate a Director and such other additional personnel
6 as may be necessary to enable the Center to carry
7 out its functions. The employment of the Director
8 shall be subject to confirmation by the Steering
9 Committee.

10 (2) COMPENSATION.—The Chairman may fix
11 the compensation of the Director and other per-
12 sonnel without regard to chapter 51 and subchapter
13 III of chapter 53 of title 5, United States Code, re-
14 lating to classification of positions and General
15 Schedule pay rates, except that the rate of pay for
16 the executive director and other personnel may not
17 exceed the rate payable for level V of the Executive
18 Schedule under section 5316 of that title.

19 (3) DETAIL OF GOVERNMENT EMPLOYEES.—
20 Any Federal Government employee may be detailed
21 to the Center without reimbursement, and such de-
22 tail shall be without interruption or loss of civil serv-
23 ice status or privilege.

24 (4) PROCUREMENT OF TEMPORARY AND INTER-
25 MITTENT SERVICES.—The Chairman may procure

1 temporary and intermittent services under section
2 3109(b) of title 5, United States Code, at rates for
3 individuals which do not exceed the daily equivalent
4 of the annual rate of basic pay prescribed for level
5 V of the Executive Schedule under section 5316 of
6 that title.

7 (e) INFORMATION ACCESS FUND.—

8 (1) AUTHORIZATION OF APPROPRIATIONS.—

9 There is authorized to be appropriated to the Sec-
10 retary of State for fiscal years 2017 and 2018
11 \$20,000,000 to support the Center and provide
12 grants or contracts of financial support to civil soci-
13 ety groups, journalists, nongovernmental organiza-
14 tions, federally funded research and development
15 centers, private companies, or academic institutions
16 for the following purposes:

17 (A) To support local independent media
18 who are best placed to refute foreign
19 disinformation and manipulation in their own
20 communities.

21 (B) To collect and store examples in print,
22 online, and social media, disinformation, misin-
23 formation, and propaganda directed at the
24 United States and its allies and partners.

1 (C) To analyze tactics, techniques, and
2 procedures of foreign government information
3 warfare with respect to disinformation, misin-
4 formation, and propaganda.

5 (D) To support efforts by the Center to
6 counter efforts by foreign governments to use
7 disinformation, misinformation, and propa-
8 ganda to influence the policies and social and
9 political stability of the United States and
10 United States allies and partners.

11 (2) FUNDING AVAILABILITY AND LIMITA-
12 TIONS.—All organizations that apply to receive
13 funds under this subsection must undergo a vetting
14 process in accordance with the relevant existing reg-
15 ulations to ensure their bona fides, capability, and
16 experience, and their compatibility with United
17 States interests and objectives.

18 **SEC. 4. INCLUSION IN DEPARTMENT OF STATE EDUCATION**
19 **AND CULTURAL EXCHANGE PROGRAMS OF**
20 **FOREIGN STUDENTS AND COMMUNITY LEAD-**
21 **ERS FROM COUNTRIES AND POPULATIONS**
22 **SUSCEPTIBLE TO FOREIGN MANIPULATION.**

23 When selecting participants for United States edu-
24 cational and cultural exchange programs, the Secretary of
25 State shall give special consideration to students and com-

1 munity leaders from populations and countries the Sec-
2 retary deems vulnerable to foreign propaganda and
3 disinformation campaigns.

4 **SEC. 5. REPORTS.**

5 Not more than one year after the establishment of
6 the Center, the Secretary of State shall submit to Con-
7 gress a report evaluating the success of the Center in ful-
8 filling the purposes for which it was authorized and out-
9 lining steps to improve any areas of deficiency.

10 **SEC. 6. TERMINATION OF CENTER AND STEERING COM-
11 MITTEE.**

12 The Center for Information Analysis and Response
13 and the Steering Committee shall terminate ten years
14 after the date of the enactment of this Act.

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