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,
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4 SECTION 1. SHORT TITLE.
5 This Act may be cited as the “Countering Foreign
6 Propaganda and Disinformation Act of 2016”.
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8 SEC. 2. SENSE OF CONGRESS.
9 It is the sense of Congress that—
10 (1) foreign governments, including the Govern-
11 ments of the Russian Federation and the People’s
Republic of China, use disinformation and other propaganda tools to undermine the national security objectives of the United States and key allies and partners;

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

(3) in the last decade disinformation has increasingly become a key feature of the Government of the Russian Federation’s pursuit of political, economic, and military objectives in Ukraine, Moldova, Georgia, the Balkans, and throughout Central and Eastern Europe;

(4) the challenge of countering disinformation extends beyond effective strategic communications and public diplomacy, requiring a whole-of-government approach leveraging all elements of national power;

(5) the United States Government should develop a comprehensive strategy to counter foreign disinformation and propaganda and assert leadership in developing a fact-based strategic narrative; and
(6) an important element of this strategy should be to protect and promote a free, healthy, and independent press in countries vulnerable to foreign disinformation.

SEC. 3. CENTER FOR INFORMATION ANALYSIS AND RESPONSE.

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

(1) to lead and coordinate the collection and analysis of information on foreign government information warfare efforts, including information provided by recipients of information access fund grants awarded under subsection (e) and other sources;

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

(3) to develop, plan, and synchronize, in coordination with the Secretary of Defense, the Director of
National Intelligence, the Broadcasting Board of Governors, and other relevant departments and agencies, whole-of-government initiatives to expose and counter foreign information operations directed against United States national security interests and proactively advance fact-based narratives that support United States allies and interests.

(b) FUNCTIONS.—The Center shall carry out the following functions:

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

(2) Collecting, integrating, and analyzing relevant information, including intelligence reporting, data, analysis, and analytics from United States Government agencies, allied nations, think-tanks, academic institutions, civil society groups, and other nongovernmental organizations.

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

(4) Identifying current and emerging trends in foreign propaganda and disinformation, including
the use of print, broadcast, online and social media, support for third-party outlets such as think tanks, political parties, and nongovernmental organizations, and the use of covert or clandestine special operators and agents to influence targeted populations and governments in order to coordinate and shape the development of tactics, techniques, and procedures to expose and refute foreign misinformation and disinformation and proactively promote fact-based narratives and policies to audiences outside the United States.

(5) Facilitating the use of a wide range of technologies and techniques by sharing expertise among agencies, seeking expertise from external sources, and implementing best practices.

(6) Identifying gaps in United States capabilities in areas relevant to the Center’s mission and recommending necessary enhancements or changes.

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

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

(9) Coordinating with allied and partner nations, particularly those frequently targeted by for-
eign disinformation operations, and international org-
izations and entities such as the NATO Center of Excellence on Strategic Communications, the Eu-
ropean Endowment for Democracy, and the Euro-
pean External Action Service Task Force on Stra-
tegic Communications, in order to amplify the Cen-
ter’s efforts and avoid duplication.

(c) COMPOSITION.—

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

(2) STEERING COMMITTEE.—

(A) COMPOSITION.—The Secretary of State shall establish a Steering Committee composed of senior representatives of agencies relevant to the Center’s mission to provide advice to the Secretary on the operations and strategic orientation of the Center and to ensure adequate support for the Center. The Steering Committee shall include the officials set forth in subparagraph (C), one senior representative designated by the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, the Di-
rector of National Intelligence, the Adminis-
trator of the United States Agency for Inter-
national Development, and the Chairman of the
Broadcasting Board of Governors.

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

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

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

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

(1) IN GENERAL.—The Chairman may, with the consent of the Secretary and without regard to the civil service laws and regulations, appoint and terminate a Director and such other additional personnel as may be necessary to enable the Center to carry out its functions. The employment of the Director shall be subject to confirmation by the Steering Committee.

(2) COMPENSATION.—The Chairman may fix the compensation of the Director and other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of that title.

(3) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Center without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(4) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairman may procure
temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(e) INFORMATION ACCESS FUND.—

(1) AUTHORIZATION OF APPROPRIATIONS.—

There is authorized to be appropriated to the Secretary of State for fiscal years 2017 and 2018 $20,000,000 to support the Center and provide grants or contracts of financial support to civil society groups, journalists, nongovernmental organizations, federally funded research and development centers, private companies, or academic institutions for the following purposes:

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

(B) To collect and store examples in print, online, and social media, disinformation, misinformation, and propaganda directed at the United States and its allies and partners.
(C) To analyze tactics, techniques, and procedures of foreign government information warfare with respect to disinformation, misinformation, and propaganda.

(D) To support efforts by the Center to counter efforts by foreign governments to use disinformation, misinformation, and propaganda to influence the policies and social and political stability of the United States and United States allies and partners.

(2) Funding Availability and Limitations.—All organizations that apply to receive funds under this subsection must undergo a vetting process in accordance with the relevant existing regulations to ensure their bona fides, capability, and experience, and their compatibility with United States interests and objectives.

SEC. 4. INCLUSION IN DEPARTMENT OF STATE EDUCATION AND CULTURAL EXCHANGE PROGRAMS OF FOREIGN STUDENTS AND COMMUNITY LEADERS FROM COUNTRIES AND POPULATIONS SUSCEPTIBLE TO FOREIGN MANIPULATION.

When selecting participants for United States educational and cultural exchange programs, the Secretary of State shall give special consideration to students and com-
munity leaders from populations and countries the Secretary deems vulnerable to foreign propaganda and disinformation campaigns.

SEC. 5. REPORTS.

Not more than one year after the establishment of the Center, the Secretary of State shall submit to Congress a report evaluating the success of the Center in fulfilling the purposes for which it was authorized and outlining steps to improve any areas of deficiency.

SEC. 6. TERMINATION OF CENTER AND STEERING COMMITTEE.

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