

117TH CONGRESS
2D SESSION

H. R. 8409

To make certain modifications relating to the Social Media Data and Threat Analysis Center for the purpose of improving cooperative actions to detect and counter foreign influence operations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 18, 2022

Mr. SEAN PATRICK MALONEY of New York introduced the following bill;
which was referred to the Permanent Select Committee on Intelligence

A BILL

To make certain modifications relating to the Social Media Data and Threat Analysis Center for the purpose of improving cooperative actions to detect and counter foreign influence operations, 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 Malign Influence Act of 2022”.

1 **SEC. 2. MODIFICATIONS TO SOCIAL MEDIA DATA AND**
2 **THREAT ANALYSIS CENTER.**

3 (a) FFRDC.—Paragraph (1) of subsection (c) of sec-
4 tion 5323 of the Damon Paul Nelson and Matthew Young
5 Pollard Intelligence Authorization Act for Fiscal Years
6 2018, 2019, and 2020 (division E of Public Law 116–
7 92; 50 U.S.C. 3369) is amended by inserting before the
8 period at the end the following: “or a federally funded re-
9 search and development center”.

10 (b) FUNCTIONS.—Paragraph (2) of such subsection
11 is amended to read as follows:

12 “(2) FUNCTIONS.—The functions described in
13 this paragraph are the following:

14 “(A) Acting as a convening and sponsoring
15 authority for social media companies, other
16 internet companies, third-party experts, non-
17 governmental organizations, data journalists,
18 federally funded research and development cen-
19 ters, academic researchers, traditional media,
20 and international counterparts, as appropriate,
21 to collectively, cooperatively, and proactively
22 identify, analyze, and counter the threats posed
23 by internet-based foreign malign influence ac-
24 tivities on social media platforms and other af-
25 fected internet-based platforms.

1 “(B) Facilitating tactical and strategic
2 analysis of internet-based foreign malign influ-
3 ence activities, within and across the individual
4 social media platforms or other affected public-
5 facing online platforms, including with respect
6 to—

7 “(i) hacking and leaking campaigns;

8 “(ii) coordinated inauthentic behavior;

9 “(iii) manipulation of social media al-
10 gorithms or search engine results;

11 “(iv) machine-manipulated media;

12 “(v) cut-out or proxy internet plat-
13 forms, blogs, or similar properties;

14 “(vi) fake, deceptive, or inauthentic
15 online profiles, including accounts that
16 consist mainly of automated actions (com-
17 monly referred to as ‘bots’);

18 “(vii) disinformation campaigns; and

19 “(viii) any other tactics assessed as
20 supporting foreign malign influence
21 through internet-based covert or
22 undeclared means, and unlawful activities
23 that fund or subsidize such operations.

24 “(C) Developing processes and best prac-
25 tices for sharing relevant information, indica-

1 tors, and findings about internet-based foreign
2 malign influence activities among elements of
3 the United States Government and the indi-
4 vidual social media platforms and other public-
5 facing internet-based platforms to inform threat
6 analysis and provide timely warning of such for-
7 eign malign influence activities, working with
8 the Office of the Director of National Intel-
9 ligence as appropriate.

10 “(D) Developing and making public cri-
11 teria for identifying which stakeholders qualify
12 for inclusion in the activities of the Center, and
13 inviting entities that fit the criteria to join or
14 otherwise participate.

15 “(E) Determining jointly with social media
16 companies and other public-facing internet-
17 based platforms what categories of data and
18 metadata related to indicators of internet-based
19 foreign malign influence activities from their
20 platforms and business operations will be made
21 available for access and analysis by participants
22 of the Center.

23 “(F) Developing and making public the
24 criteria and standards for data handling, data
25 security, and data privacy that must be met for

1 participants of the Center to access and analyze
2 data relating to internet-based foreign malign
3 influence activities within and across social
4 media or other public-facing internet-based
5 platforms, and to publish or otherwise use the
6 results.

7 “(G) Developing and making public the
8 ethical standards for—

9 “(i) investigation of internet-based
10 foreign malign influence activities;

11 “(ii) the use of indicators, findings, or
12 analyses relating to such activities;

13 “(iii) the protection of the privacy,
14 civil liberties, and constitutionally pro-
15 tected activities of the customers and users
16 of the social media platforms and public-
17 facing internet-based platforms; and

18 “(iv) the protection the proprietary in-
19 formation of the social media companies
20 and other affected internet-based plat-
21 forms.

22 “(H) Developing technical, contractual,
23 and procedural controls to prevent misuse of
24 data, including any necessary auditing proce-

1 dures, compliance checks, and review mecha-
2 nisms.

3 “(I) Developing and making public criteria
4 and conditions under which social media plat-
5 forms and other affected public-facing internet-
6 based platforms shall proactively share with the
7 appropriate elements of the United States Gov-
8 ernment data, metadata, or indicators per-
9 taining to assessed internet-based foreign ma-
10 lign influence activities, including such criteria
11 and conditions that address—

12 “(i) the timeliness and consistency
13 with which social media platforms or other
14 affected public-facing internet-based plat-
15 forms shall share such data, metadata, or
16 indicators (including with respect to real-
17 time sharing);

18 “(ii) the categories of data, metadata,
19 and indicators to be shared, including with
20 respect to the activities specified in sub-
21 paragraph (B); and

22 “(iii) the protection of the privacy,
23 civil liberties, and constitutionally pro-
24 tected activities of users and customers of

1 social media platforms and other public-
2 facing internet-based platforms.

3 “(J) Hosting a searchable archive aggre-
4 gating information related to foreign influence
5 and disinformation operations to—

6 “(i) build a collective understanding of
7 internet-based foreign malign influence ac-
8 tivities; and

9 “(ii) facilitate future examination con-
10 sistent with privacy and civil liberties pro-
11 tections for users and customers of social
12 media platforms and other public-facing
13 internet-based platforms.

14 “(K) Developing data standards and proto-
15 cols to harmonize and facilitate the timely shar-
16 ing of information pursuant to this para-
17 graph.”.

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