

114TH CONGRESS
2D SESSION

S. 2692

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

IN THE SENATE OF THE UNITED STATES

MARCH 16, 2016

Mr. PORTMAN (for himself and Mr. MURPHY) introduced the following bill;
which was read twice and referred to the Committee on Foreign Relations

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 Informa-
5 tion Warfare 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
10 Republic of China, use disinformation and other
11 propaganda tools to undermine the national security

1 objectives of the United States and key allies and
2 partners;

3 (2) the Russian Federation, in particular, has
4 conducted sophisticated and large-scale disinforma-
5 tion campaigns that have sought to have a desta-
6 bilizing effect on United States allies and interests;

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

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

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

23 (6) an important element of this strategy
24 should be to protect and promote a free, healthy,

1 and independent press in countries vulnerable to for-
2 eign disinformation.

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

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

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

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

22 (3) to develop, plan, and synchronize, in coordi-
23 nation with the Secretary of Defense, the Director of
24 National Intelligence, the Broadcasting Board of
25 Governors, and other relevant departments and

1 agencies, whole-of-government initiatives to expose
2 and counter foreign information operations directed
3 against United States national security interests and
4 proactively advance fact-based narratives that sup-
5 port United States allies and interests.

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

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

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

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

22 (4) Identifying current and emerging trends in
23 foreign propaganda and disinformation, including
24 the use of print, broadcast, online and social media,
25 support for third-party outlets such as think tanks,

1 political parties, and nongovernmental organizations,
2 and the use of covert or clandestine special operators
3 and agents to influence targeted populations and
4 governments in order to coordinate and shape the
5 development of tactics, techniques, and procedures
6 to expose and refute foreign misinformation and
7 disinformation and proactively promote fact-based
8 narratives and policies to audiences outside the
9 United States.

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

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

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

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

22 (9) Coordinating with allied and partner na-
23 tions, particularly those frequently targeted by for-
24 eign disinformation operations, and international or-
25 ganizations and entities such as the NATO Center

1 of Excellence on Strategic Communications, the Eu-
2 ropean Endowment for Democracy, and the Euro-
3 pean External Action Service Task Force on Stra-
4 tegic Communications, in order to amplify the Cen-
5 ter's efforts and avoid duplication.

6 (c) COMPOSITION.—

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

10 (2) STEERING COMMITTEE.—

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

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

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

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

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

24 (d) STAFF.—

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

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

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

23 (4) PROCUREMENT OF TEMPORARY AND INTER-
24 MITTENT SERVICES.—The Chairman may procure
25 temporary and intermittent services under section

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

6 (e) INFORMATION ACCESS FUND.—

7 (1) AUTHORIZATION OF APPROPRIATIONS.—

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

16 (A) To support local independent media
17 who are best placed to refute foreign disinforma-
18 tion and manipulation in their own commu-
19 nities.

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

24 (C) To analyze tactics, techniques, and
25 procedures of foreign government information

1 warfare with respect to disinformation, misin-
 2 formation, and propaganda.

3 (D) To support efforts by the Center to
 4 counter efforts by foreign governments to use
 5 disinformation, misinformation, and propagan-
 6 da to influence the policies and social and polit-
 7 ical stability of the United States and United
 8 States allies and partners.

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

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

21 When selecting participants for United States edu-
 22 cational and cultural exchange programs, the Secretary of
 23 State shall give special consideration to students and com-
 24 munity leaders from populations and countries the Sec-

1 retary deems vulnerable to foreign propaganda and disin-
2 formation campaigns.

3 **SEC. 5. REPORTS.**

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

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

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

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