

116TH CONGRESS
1ST SESSION

H. R. 4209

To enhance the national interest and security of the United States and its European allies and partners by countering malign Russian influence, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 27, 2019

Mr. ENGEL introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To enhance the national interest and security of the United States and its European allies and partners by countering malign Russian influence, 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 Russian
5 Influence Through Interagency Coordination And Leader-
6 ship Act” or the “CRITICAL Act”.

7 **SEC. 2. FINDINGS.**

8 (a) FINDINGS.—Congress finds the following:

1 (1) Foreign adversaries of the United States
2 are currently using malign influence to disrupt,
3 alter, and undermine United States foreign and do-
4 mestic policy and democratic processes at low cost
5 and low risk to themselves.

6 (2) In exporting malign influence, foreign ad-
7 versaries use ambiguity to their advantage, employ-
8 ing proxies, hackers, private sector companies,
9 “independent” research agencies, and other actors
10 with varying degrees of separation from their gov-
11 ernments in an effort to obscure foreign government
12 involvement and maintain deniability.

13 (3) Since the Cold War, the Soviet Union and
14 now the Russian Federation (in this Act referred to
15 as “Russia”) has attempted to use these types of
16 tools of statecraft to influence the foreign and do-
17 mestic policies and actions of the United States gov-
18 ernment, as well as the beliefs and political decisions
19 of America and its citizens.

20 (4) The United States intelligence community
21 has credibly concluded that Russia interfered in the
22 2016 election for President of the United States,
23 and European allies and partners have credibly con-
24 cluded that Russia attempted to influence several
25 key European votes in 2016 and 2017, including the

1 Brexit referendum in the United Kingdom and elec-
2 tions in the Netherlands, France, and Germany.

3 (5) Russia has attempted to deter or derail as-
4 piring NATO members from achieving accession, as
5 evidenced by their aggression against Ukraine and
6 Georgia and the attempted violent coup in Monte-
7 negro in 2016 with the assistance of local Serbian
8 nationalists.

9 (6) Russia has leveraged its gas monopoly over
10 Europe to influence politics and political decisions of
11 our NATO allies and European Union partners, as
12 it has done repeatedly in Ukraine and across East-
13 ern Europe.

14 (7) Russia has attempted to finance fringe po-
15 litical movements in countries throughout Europe,
16 using a network of oligarchs and organized criminal
17 enterprises in an effort to obscure Kremlin involve-
18 ment.

19 (8) Russia operates Russia Today (RT), Sput-
20 nik, and other state-sponsored media outlets in doz-
21 ens of languages across Europe and the United
22 States to spread disinformation and undermine gov-
23 ernment and electoral systems. It also assaults
24 American institutions and those of our European al-

1 lies using cyber proxies, troll farms, and other tools
2 in the information space.

3 (9) The United States national security appa-
4 ratus has credibly concluded that Russia continues
5 to utilize malign influence to undermine our democ-
6 racies and will continue to do so for the foreseeable
7 future.

8 (10) Parts of the United States Government
9 interagency response, such as the Global Engage-
10 ment Center (GEC), were empowered to address
11 specific elements of Russian malign influence, par-
12 ticularly disinformation.

13 (11) The mission of the GEC is “to direct, lead,
14 synchronize, integrate, and coordinate efforts of the
15 Federal Government to recognize, understand, ex-
16 pose, and counter foreign state and foreign non-state
17 propaganda and disinformation efforts aimed at un-
18 dermining or influencing the policies, security, or
19 stability of the United States and its allies and part-
20 ner nations”.

21 (12) The GEC plays an important role in coun-
22 tering the disinformation tactics used by foreign ad-
23 versaries and coordinating these responses across
24 the United States Government.

1 (13) Russia’s use of a broad range of tools of
2 malign influence, including disinformation, neces-
3 sitates a robust, dynamic, and coordinated United
4 States Government interagency response.

5 **SEC. 3. SENSE OF CONGRESS.**

6 It is the sense of Congress that United States Gov-
7 ernment efforts to counter Russian malign influence
8 should be led by the Department of State in close coordi-
9 nation with the Department of Defense, the intelligence
10 community, and other relevant Federal departments and
11 agencies and relevant private sector and civil society enti-
12 ties.

13 **SEC. 4. STATEMENT OF POLICY.**

14 It shall be the policy of the United States to—

15 (1) continually seek to strengthen the United
16 States defenses, and the defenses of its European al-
17 lies and partners, against malign Russian influence
18 by closing off vulnerabilities that Russia can exploit,
19 including by strengthening civil society, media lit-
20 eracy, and cyber defenses;

21 (2) clearly state the costs that should be im-
22 posed on Russia for its attempts to utilize tools of
23 malign influence against the United States and its
24 European allies and partners;

1 (3) proactively mitigate Russian attempts to in-
2 fluence or interfere with the United States and its
3 European allies and partners through deterrence, de-
4 nial, and resilience measures such that the damage
5 inflicted upon the United States and its allies and
6 partners when attacks do occur is reduced; and

7 (4) promote stronger ties with democratic coun-
8 tries around the world, understanding that the best
9 defense against malign Russian influence is a strong
10 democracy and respect for individual liberty and the
11 rule of law.

12 **SEC. 5. RUSSIA INFLUENCE GROUP.**

13 (a) **ESTABLISHMENT.**—There is established a Russia
14 Influence Group (in this Act referred to as the “RIG”).

15 (b) **FUNCTIONS.**—The RIG shall—

16 (1) hold not fewer than two senior-level meet-
17 ings annually, at which all members are present, to
18 coordinate and provide guidance on the interagency
19 efforts to counter malign Russian influence in Eu-
20 rope and the United States;

21 (2) hold not fewer than four working-level meet-
22 ings annually, at which the RIG shall—

23 (A) conduct interim assessments and for-
24 mulate proposed improvements to the RIG’s ef-
25 forts to counter malign Russian influence in

1 Europe and the United States, which shall be
2 presented at the senior-level meetings;

3 (B) review monitoring and evaluation as-
4 sessments by the individual agencies, depart-
5 ments, and third-party evaluators for programs
6 and efforts designed to counter malign Russian
7 influence, with particular emphasis on programs
8 designed to counter such influence in Europe
9 and the United States; and

10 (C) develop methods and plans for apply-
11 ing the results of such assessments to modify
12 activities on an iterative basis across relevant
13 Federal departments and agencies;

14 (3) hold additional subgroup meetings on a reg-
15 ular basis with relevant Federal departments or
16 agencies to address different tools of malign Russian
17 influence individually, including election interference,
18 disinformation, illicit finance, political influence and
19 corruption, energy influence, and economic influence;

20 (4) collaborate with United States embassies in
21 each relevant country, and work with domestic and
22 international actors, as appropriate, such as partner
23 governments, intergovernmental organizations, non-
24 governmental organizations, academic institutions,
25 private sector entities, and research institutions, to

1 counter malign Russian influence in a more effective
2 and collective manner; and

3 (5) provide recommendations and best practices
4 that could be applied to countering malign Russian
5 influence in other regions.

6 (c) CHAIR AND MEMBERSHIP.—The RIG—

7 (1) shall be chaired by the Assistant Secretary
8 of State for European and Eurasian Affairs;

9 (2) shall include representatives of—

10 (A) the Department of State, including the
11 Bureau of European and Eurasian Affairs, the
12 Global Engagement Center (GEC), and the Bu-
13 reau of Energy Resources;

14 (B) the Department of Defense, including
15 United States European Command;

16 (C) the Department of Homeland Security;

17 (D) the Department of Energy;

18 (E) the Department of Justice;

19 (F) the Department of the Treasury;

20 (G) the United States Agency for Inter-
21 national Development;

22 (H) the staff of the National Security
23 Council; and

24 (I) the Office of the Director of National
25 Intelligence; and

1 (3) may include representatives from such other
2 entities as the Chair determines appropriate.

3 (d) RESPONSIBILITIES OF THE CHAIR.—The Chair
4 of the RIG shall—

5 (1) coordinate and promote interagency and
6 multilateral efforts to protect the United States, its
7 citizens, and its European allies and partners from
8 malign Russian influence;

9 (2) establish mechanisms and seek to resolve
10 interagency differences in responding to malign Rus-
11 sian influence;

12 (3) convene not fewer than two annual senior-
13 level meetings as described in subsection (b)(1);

14 (4) engage chiefs of mission at relevant United
15 States embassies and senior officials of partner gov-
16 ernments, intergovernmental organizations, and non-
17 governmental organizations to ensure high-level sup-
18 port for efforts to counter malign Russian influence;

19 (5) lead the development and biennial updates
20 of the interagency strategy required by section 6;
21 and

22 (6) submit to the appropriate congressional
23 committees the annual report required by section 7.

1 **SEC. 6. STRATEGY TO COUNTER MALIGN RUSSIAN INFLU-**
2 **ENCE.**

3 Not later than nine months after the date of the en-
4 actment of this Act and every two years thereafter, the
5 Chair of the RIG, in consultation with all members of the
6 RIG, shall submit to the Committee on Foreign Affairs
7 of the House of Representatives and the Committee on
8 Foreign Relations of the Senate an interagency strategy
9 for countering malign Russian influence, including the fol-
10 lowing:

11 (1) Objectives for the RIG over one year, five
12 year, and ten year time periods.

13 (2) Roles and responsibilities for each Federal
14 department, agency, or entity with membership on
15 the RIG.

16 (3) Methods of malign influence used by Rus-
17 sia, including the following:

18 (A) The use of a variety of tools to inter-
19 fere in democratic processes in the United
20 States and Europe, including using illicit fi-
21 nancing, dark money, and corruption of polit-
22 ical candidates and parties.

23 (B) The use of disinformation and misin-
24 formation to create instability.

25 (C) The use of energy as a tool of coercion
26 and political leverage.

1 (D) The use of cyber tools to hack, leak,
2 disable, threaten, or otherwise coerce in order
3 to achieve its political or security objectives.

4 (E) The manipulation of cultural, religious,
5 and other identities to leverage European coun-
6 tries toward its sphere of influence.

7 (F) The use of proxy forces or misidenti-
8 fied Russian forces for the sake of deniability in
9 kinetic aggression against its neighbors.

10 (4) A prioritized list of gaps or areas in which
11 the coordination and activities of such Federal de-
12 partments, agencies, and entities should be en-
13 hanced.

14 (5) An updated and prioritized list of European
15 “Watch Countries” with respect to which malign
16 Russian influence is likely to pose a significant
17 threat to the interests or security of the United
18 States or Europe and on which to focus RIG efforts.

19 (6) A description of the costs and risks of the
20 current United States approach to countering ma-
21 lign Russian influence.

22 (7) The resources necessary to achieve the goals
23 established in the strategy.

1 **SEC. 7. REPORT ON ACTIVITIES TO COUNTER MALIGN RUS-**
2 **SIAN INFLUENCE.**

3 The Chair of the RIG, acting through the RIG and
4 in consultation with the heads of the Federal agencies and
5 departments with membership on the RIG, shall annually
6 submit to the Committee on Foreign Affairs of the House
7 of Representatives and the Committee on Foreign Rela-
8 tions of the Senate a report that includes the following:

9 (1) Descriptions of what activities the RIG and
10 each entity participating in the RIG undertook to
11 counter malign Russian influence in Europe and the
12 United States.

13 (2) An identification of the activities, programs,
14 or actions that are planned for the upcoming year.

15 (3) Assessments of whether the activities con-
16 ducted over the previous year achieved the intended
17 outcomes.

18 (4) Descriptions of the methodology and results
19 of monitoring and evaluation, including lessons
20 learned and best practices.

21 (5) Descriptions of how such results and lessons
22 learned will be used on an iterative basis to modify
23 activities.

24 (6) An updated assessment of progress made
25 towards the objectives for the RIG established in the

1 strategy required under section 6 for five-year and
2 ten-year time periods, including the following:

3 (A) The methodology used for such assess-
4 ments.

5 (B) The lessons learned and best practices
6 from such assessments.

7 (C) Any changes to be made to future ac-
8 tivities, programs, or actions in response to
9 such lessons learned.

10 **SEC. 8. COMMISSION ON COUNTERING GLOBAL MALIGN IN-**
11 **FLUENCE.**

12 (a) **ESTABLISHMENT.**—There is established an inde-
13 pendent commission to be known as the “Commission on
14 Countering Global Malign Influence” (in this section re-
15 ferred to as the “Commission”). The Commission shall ex-
16 amine global malign influence from authoritarian state
17 competitors and non-state actors, including Russia, China,
18 Iran, and North Korea, seeking to undermine the United
19 States, its national interests, and its allies, and make rec-
20 ommendations with respect to United States and allied ef-
21 forts to counter such influence and such state and non-
22 state competitors and actors.

23 (b) **COMPOSITION.**—

24 (1) **MEMBERSHIP.**—The Commission shall be
25 composed of 12 members appointed as follows:

1 (A) Three members appointed by the chair
2 of the Committee on Foreign Affairs of the
3 House of Representatives.

4 (B) Three members appointed by the rank-
5 ing member of the Committee on Foreign Af-
6 fairs of the House of Representatives.

7 (C) Three members appointed by the chair
8 of the Committee on Foreign Relations of the
9 Senate.

10 (D) Three members appointed by the rank-
11 ing member of the Committee on Foreign Rela-
12 tions of the Senate.

13 (2) CO-CHAIRS.—

14 (A) The chair and ranking member of the
15 Committee on Foreign Affairs of the House of
16 Representatives shall designate one member of
17 the Commission to serve as a co-chair of the
18 Commission.

19 (B) The chair and ranking member of the
20 Committee on Foreign Relations of the Senate
21 shall designate one member of the Commission
22 to serve as a co-chair of the Commission.

23 (3) PERIOD OF APPOINTMENT; VACANCIES.—

24 Members shall be appointed for the life of the Com-
25 mission. Any vacancy in the Commission shall be

1 filled in the same manner as the original appoint-
2 ment.

3 (c) PROHIBITION.—

4 (1) IN GENERAL.—The Commission may not in-
5 clude—

6 (A) Members of Congress or any other per-
7 son serving in an elected office of the Federal
8 government; or

9 (B) any person serving in an elected office
10 of a State or local government.

11 (2) MEMBER OF CONGRESS.—In this sub-
12 section, the term “Member of Congress” includes a
13 Delegate or Resident Commissioner to the Congress.

14 (d) DUTIES.—

15 (1) THREAT ASSESSMENT.—The Commission
16 shall conduct a comprehensive assessment of the ef-
17 forts of authoritarian state competitors and non-
18 state actors to undermine the United States, its na-
19 tional interests, and its allies through tools of malign
20 influence, including election interference, disinforma-
21 tion, illicit finance, political influence and corruption,
22 energy influence, economic influence, and the use of
23 proxy and state-backed forces in coercive ways,
24 below the threshold of conventional warfare.

1 (2) REVIEW.—The Commission shall review the
2 current tools of the United States Government that
3 are used or could be used to counter malign influ-
4 ence from authoritarian state competitors and non-
5 state actors, including Russia, China, Iran, and
6 North Korea.

7 (3) ANALYSIS AND RECOMMENDATIONS.—The
8 Commission shall—

9 (A) conduct an analysis of the current pre-
10 paredness of the United States to counter ma-
11 lign influence described in this subsection, tak-
12 ing into account both the assessment of threat
13 and the ability of the United States Govern-
14 ment to respond to such influence; and

15 (B) provide to the individuals and entities
16 specified in subsection (f)(1) recommendations
17 on how to improve such preparedness and abil-
18 ity.

19 (4) COMPLIANCE.—The provisions of the Fed-
20 eral Advisory Committee Act and the provisions of
21 any rule, order, or regulation promulgated under
22 such Act shall apply with respect to the Commission.

23 (e) COOPERATION FROM GOVERNMENT.—

24 (1) COOPERATION.—In carrying out its duties,
25 the Commission shall receive the full and timely co-

1 operation of the Secretaries of State, Defense,
2 Treasury, Energy, and Homeland Security, the Ad-
3 ministrator of the United States Agency for Inter-
4 national Development, the Attorney General, the Na-
5 tional Security Advisor, the Director of National In-
6 telligence, and other relevant officials of the United
7 States Government in providing the Commission
8 with respect to analyses, briefings, or other informa-
9 tion necessary for the fulfillment of its responsibil-
10 ities.

11 (2) LIAISON.—The officials specified in para-
12 graph (1) shall designate at least one officer or em-
13 ployee of their respective agencies to serve as a liai-
14 son officer between such agencies and the Commis-
15 sion.

16 (3) FACILITATION.—The Secretary of State
17 shall take appropriate actions to facilitate the Com-
18 mission in the discharge of the duties of the Com-
19 mission under this section.

20 (f) REPORT.—

21 (1) FINAL REPORT.—Not later than one year
22 after the date of the enactment of this Act, the
23 Commission shall submit to the President, the Sec-
24 retaries of State, Defense, Treasury, Energy, and
25 Homeland Security, the Administrator of the United

1 States Agency for International Development, the
2 Attorney General, the National Security Advisor, the
3 Director of National Intelligence, the Committee on
4 Foreign Affairs of the House of Representatives,
5 and the Committee on Foreign Relations of the Sen-
6 ate a report on the Commission's findings, conclu-
7 sions, and recommendations. The report shall ad-
8 dress the following:

9 (A) Tools of malign influence, including
10 election interference, disinformation, illicit fi-
11 nance, political influence and corruption, energy
12 influence, economic influence, and proxy and
13 state-backed forces being used against the
14 United States, its national interests, and its al-
15 lies.

16 (B) How malign influence actors may be
17 using these tools in combination with other
18 tools.

19 (C) How malign influence actors may be
20 learning from each other's adaptations.

21 (D) The types of malign influence against
22 which the United States Government should
23 prioritize defenses and proactive measures.

1 (E) Prioritized recommendations for ac-
2 tions the United States should take to counter
3 malign influence.

4 (F) The current roles and responsibilities
5 designated to each relevant Federal department
6 and agency to counter malign influence, and
7 any recommended changes to such roles and re-
8 sponsibilities.

9 (G) The estimated resources necessary for
10 each relevant Federal department and agency
11 to fulfill such roles and responsibilities.

12 (H) The current mechanisms for coordi-
13 nating among relevant Federal departments
14 and agencies to counter malign influence, and
15 any recommendations for improving such co-
16 ordination.

17 (I) The current short- and long-term meth-
18 odology and metrics used to monitor and evalu-
19 ate the effectiveness of efforts to counter ma-
20 lign influence, the lessons learned from such
21 monitoring and evaluation, and any rec-
22 ommendations for improving such monitoring
23 and evaluation.

24 (J) The risks associated with the rec-
25 ommended approach to countering malign influ-

1 ence, including the relationships and tradeoffs
2 among priorities, roles, and resources.

3 (K) Any other matters the Commission de-
4 termines relevant.

5 (2) INTERIM BRIEFING.—Not later than 120
6 days after the date of the enactment of this Act, the
7 Commission shall provide to the Committee on For-
8 eign Affairs of the House of Representatives and the
9 Committee on Foreign Relations of the Senate a
10 briefing on the status of its assessment and review
11 under this section, including a discussion of any in-
12 terim recommendations.

13 (3) FORM.—The report required under para-
14 graph (1) shall be submitted in unclassified form,
15 but may include a classified annex.

16 (g) FUNDING.—There is authorized to be appro-
17 priated to the Commission \$6,000,000 for fiscal year 2020
18 to carry out this section. Amounts made available to carry
19 out this section shall be managed by the Department of
20 State and utilized for—

21 (1) compensation for the appointed members of
22 the Commission;

23 (2) expenses for the basic operations of the
24 Commission; and

1 (3) additional expenses that may arise over the
2 life of the Commission.

3 (h) TERMINATION.—The Commission shall terminate
4 on the date that is six months after the date of the submis-
5 sion of the report required under subsection (f)(1).

○