

117TH CONGRESS
2D SESSION

H. R. 9096

To assess the capacity of the United States to effectively marshal disparate elements of national power to counter adversary political warfare campaigns, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 30, 2022

Mr. CHABOT (for himself and Mr. BERA) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To assess the capacity of the United States to effectively marshal disparate elements of national power to counter adversary political warfare campaigns, 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 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Gray Zone Defense Assessment Act”.

6 (b) **TABLE OF CONTENTS.**—The table of contents for
7 this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Findings.
- Sec. 3. Sense of Congress.

Sec. 4. Statement of policy.

Sec. 5. Evaluation of national capacities for conducting gray zone operations.

Sec. 6. Report on Department of State capacity to respond to gray zone aggression.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) In 1948, George F. Kennan observed that,
4 “In broadest definition, political warfare is the em-
5 ployment of all the means at a nation’s command,
6 short of war, to achieve its national objectives.”.

7 (2) Today, this coercive activity is referred to
8 by many names within the United States Govern-
9 ment and the academic community, most notably
10 “gray zone” operations.

11 (3) Although increasingly employed as a means
12 of political warfare, the full contours of gray zone
13 operations remain ambiguous. However, central fea-
14 tures of gray zone operations include that they are
15 ultimately directed by state actors, consist of efforts
16 not associated with routine statecraft, and are in-
17 tended to advance a country’s objectives at the ex-
18 pense of a rival, without crossing a threshold that
19 results in kinetic military conflict. They include such
20 operations and tactics as the following:

21 (A) Information warfare, including con-
22 ducting disinformation campaigns or the
23 spreading of propaganda.

1 (B) Encouraging internal strife within tar-
2 get countries.

3 (C) Coordinated efforts to unduly influence
4 democratic elections or related political activi-
5 ties.

6 (D) Economic coercion.

7 (E) Cyber operations, below the threshold
8 of conflict, aimed at coercion, espionage, or oth-
9 erwise undermining a target.

10 (F) Support of domestic or foreign proxy
11 forces.

12 (G) Coercive investment and bribery for
13 political aims.

14 (H) Industrial policy designed to monopo-
15 lize a strategic industry or to destroy such an
16 industry in other nations, especially when co-
17 ordinated with other gray zone operations.

18 (I) Military, paramilitary, or similar provo-
19 cations and operations short of war.

20 (J) Government financing or sponsorship
21 of activities described in subparagraphs (A)
22 through (I).

23 (4) Various gray zone operations are frequently
24 linked together into a coordinated campaign, that
25 may also include tools of routine diplomacy, and that

1 is designed to achieve a state’s political or military
2 objective.

3 (5) Gray zone campaigns are attractive to state
4 actors for several reasons, including reduced costs
5 compared to the deployment of conventional forces,
6 thereby allowing states to pursue their objectives
7 with limited resources.

8 (6) The People’s Republic of China, the Rus-
9 sian Federation, the Islamic Republic of Iran, and
10 other countries actively advance their own strategic
11 objectives and challenge United States interests
12 through the extensive use of gray zone operations.

13 (7) Unwelcome escalation by adversarial pow-
14 ers—especially over the last decade—from routine
15 statecraft into gray zone competition is a defining
16 feature of the recent reemergence of great-power
17 competition and requires an appropriate United
18 States response.

19 (8) The United States has not sufficiently de-
20 terred or responded to gray zone campaigns, thereby
21 risking undermining United States national inter-
22 ests, diminishing United States influence and credi-
23 bility, and encouraging rivals to further employ such
24 tactics.

1 (9) Successfully responding to adversary gray
2 zone campaigns relies upon the full integration of in-
3 struments of national power across multiple domains
4 and the ability to deploy such capacities in a coordi-
5 nated, real-time campaign.

6 **SEC. 3. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

8 (1) gray zone competition is a central and en-
9 during aspect of great-power competition, and the
10 United States should elevate the effective response
11 to adversary gray zone campaigns as a central fea-
12 ture of its approach to great-power competition;

13 (2) an effective, whole-of-government approach
14 is essential to meeting the gray zone challenges
15 posed by competitors of the United States; and

16 (3) since gray zone activity takes place below
17 the threshold of kinetic military conflict and since
18 narrative formation is frequently a critical aspect of
19 gray zone campaigns, the Department of State
20 should take a preeminent role in coordinating, within
21 applicable interagency processes, the disparate
22 means of national power as the United States seeks
23 to respond to adversary gray zone campaigns.

24 **SEC. 4. STATEMENT OF POLICY.**

25 It is the policy of the United States to—

1 (1) seek effective responses, particularly at the
2 Department of State, to adversary gray zone cam-
3 paigns and to recognize the paramount importance
4 of such responses to the national interests of the
5 United States;

6 (2) continue upholding the international rule of
7 law and the rules-based international order, which is
8 a core national security interest of the United
9 States; and

10 (3) call on United States allies and partners to
11 employ sufficient national resources to equitably con-
12 tribute to the response to gray zone challenges.

13 **SEC. 5. EVALUATION OF NATIONAL CAPACITIES FOR CON-**
14 **DUCTING GRAY ZONE OPERATIONS.**

15 (a) REPORT.—Not later than 180 days after the date
16 of the enactment of this Act, the President shall conduct
17 a review and submit to the appropriate congressional com-
18 mittees a report on the processes and capabilities by which
19 the United States responds to gray zone campaigns and
20 recommendations to enhance such processes and capabili-
21 ties.

22 (b) ELEMENTS.—The report required by subsection
23 (a) shall include—

24 (1) an assessment of the capability and capacity
25 of the United States interagency to—

1 (A) identify adversary activity as a gray
2 zone campaign, including the adversary's intent,
3 capabilities, interactive effects, and impact on
4 United States interests;

5 (B) devise effective theories of deterrence;
6 and

7 (C) coordinate instruments of United
8 States national power to consistently and effec-
9 tively respond to adversarial gray zone cam-
10 paigns against the United States or allies and
11 partners;

12 (2) a description of the process for determining
13 the threshold at which adversary gray zone activities
14 or campaigns targeting the United States, allies, or
15 partners threaten United States interests, including
16 the methods and mechanisms for—

17 (A) determining which such activities or
18 campaigns warrant a United States response;

19 (B) calibrating such response;

20 (C) communicating such thresholds to ad-
21 versaries; and

22 (D) establishing and regularly reviewing
23 protocols with allies and partners to respond to
24 such activities or campaigns; and

1 (3) recommendations for further enhancing the
2 ability of the United States to deter and respond to
3 adversarial gray zone campaigns, including—

4 (A) institutional reforms to enhance
5 United States interagency coordination in re-
6 sponse to adversarial gray zone campaigns and,
7 as necessary, additional statutory authorities
8 required to implement those reforms;

9 (B) additional resources, authorities, or in-
10 stitutional capacities necessary for United
11 States agencies to counter gray zone threats;
12 and

13 (C) budget estimates for the implementa-
14 tions of the recommendations made pursuant to
15 this paragraph.

16 (c) FORM.—The report required by subsection (a)
17 shall be submitted in a classified form and shall contain
18 an unclassified summary.

19 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
20 DEFINED.—In this section, the term “appropriate con-
21 gressional committees” means—

22 (1) the Committee on Foreign Affairs, the Per-
23 manent Select Committee on Intelligence, the Com-
24 mittee on Armed Services, the Committee on Finan-
25 cial Services, the Committee on Energy and Com-

1 merce, and the Committee on Homeland Security of
2 the House of Representatives; and

3 (2) the Committee on Foreign Relations, the
4 Select Committee on Intelligence, the Committee on
5 Armed Services, the Committee on Banking, Hous-
6 ing, and Urban Affairs, the Committee on Com-
7 merce, Science, and Transportation, and the Com-
8 mittee on Homeland Security and Governmental Af-
9 fairs of the Senate.

10 **SEC. 6. REPORT ON DEPARTMENT OF STATE CAPACITY TO**
11 **RESPOND TO GRAY ZONE AGGRESSION.**

12 (a) REPORT REQUIRED.—Not later than 180 days
13 after the enactment of this Act, the Secretary of State
14 shall submit to the Committee on Foreign Affairs of the
15 House of Representatives and the Committee on Foreign
16 Relations of the Senate a report discussing the capacity
17 of the Department of State to contribute to coordinated
18 United States responses to adversary gray zone campaigns
19 and the Department’s understanding of the gray zone
20 threat environment.

21 (b) ELEMENTS.—The report required by subsection
22 (a) shall also include the following:

23 (1) The capabilities, offices, and entities par-
24 ticularly suited to countering adversary gray zone

1 operations and a description of the roles each can
2 play.

3 (2) An evaluation of the adequacy and utility of
4 established Department of State definitions for un-
5 derstanding adversary gray zone activity.

6 (3) Recommendations, including proposed nec-
7 essary investments and the rationale and expected
8 costs of such investments, for further enhancing the
9 capacity of the Department of State to effectively re-
10 spond to adversary gray zone operations.

11 (4) An identification of 25 priority countries at
12 the front lines of adversary gray zone aggression
13 and a discussion, developed in consultation with rel-
14 evant embassy country teams, of the matters de-
15 scribed in paragraphs (1) through (3) with respect
16 to each such country.

17 (5) A list of activities that are currently being
18 undertaken to respond to adversary gray zone cam-
19 paigns conducted against such priority countries.

20 (c) FORM.—The report required by subsection (a)
21 shall be submitted in a classified form and shall contain
22 an unclassified summary.

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