

118TH CONGRESS
1ST SESSION

H. R. 4690

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

JULY 17, 2023

Mr. PFLUGER (for himself, Mr. BERA, Mr. ISSA, and Mr. PHILLIPS) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Permanent Select Committee on Intelligence, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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”.

1 (b) TABLE OF CONTENTS.—The table of contents for
2 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.

Sec. 7. Expansion of intelligence community assessment regarding gray zone assets.

3 **SEC. 2. FINDINGS.**

4 Congress finds the following:

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

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

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

1 results in kinetic military conflict. They include such
2 operations and tactics as the following:

3 (A) Information warfare, including con-
4 ducting disinformation campaigns or the
5 spreading of propaganda.

6 (B) Encouraging internal strife within tar-
7 get countries.

8 (C) Subversive economic practices, such as
9 economic coercion, systematic IP theft, blocking
10 international shipping lanes, and overproduction
11 of commercial commodities.

12 (D) Cyber operations, below the threshold
13 of conflict, aimed at coercion, espionage, or oth-
14 erwise undermining a target.

15 (E) Support of domestic or foreign proxy
16 forces.

17 (F) Coercive investment and bribery for
18 political aims.

19 (G) Industrial policy designed to monopo-
20 lize a strategic industry or to destroy such an
21 industry in other nations, especially when co-
22 ordinated with other gray zone operations.

23 (H) Military, paramilitary, or similar
24 provocations and operations short of war.

25 (I) Hostage diplomacy.

1 (J) Gradual changes of internationally rec-
2 ognized borders.

3 (K) Government financing or sponsorship
4 of activities described in subparagraphs (A)
5 through (J).

6 (4) Various gray zone operations are frequently
7 linked together into a coordinated campaign, that
8 may also include tools of routine diplomacy, and that
9 is designed to achieve a state’s political or military
10 objective.

11 (5) Gray zone campaigns are attractive to state
12 actors for several reasons, including reduced costs
13 compared to the deployment of conventional forces,
14 thereby allowing states to pursue their objectives
15 with limited resources.

16 (6) The People’s Republic of China, the Rus-
17 sian Federation, the Islamic Republic of Iran, and
18 other countries actively advance their own strategic
19 objectives and challenge United States interests
20 through the extensive use of gray zone operations.

21 (7) Unwelcome escalation by adversarial pow-
22 ers—especially over the last decade—from routine
23 statecraft into gray zone competition is a defining
24 feature of the recent reemergence of great-power

1 competition and requires an appropriate United
2 States response.

3 (8) The United States has not sufficiently de-
4 terred or responded to gray zone campaigns, thereby
5 risking undermining United States national inter-
6 ests, diminishing United States influence and credi-
7 bility, and encouraging rivals to further employ such
8 tactics.

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

14 **SEC. 3. SENSE OF CONGRESS.**

15 It is the sense of Congress that—

16 (1) gray zone competition is a central and en-
17 during aspect of great-power competition, and the
18 United States should elevate the effective response
19 to adversary gray zone campaigns as a central fea-
20 ture of its approach to great-power competition;

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

24 (3) since gray zone activity takes place below
25 the threshold of kinetic military conflict and since

1 narrative formation is frequently a critical aspect of
2 gray zone campaigns, the Department of State
3 should take a preeminent role in coordinating, within
4 applicable interagency processes, the disparate
5 means of national power as the United States seeks
6 to respond to adversary gray zone campaigns.

7 **SEC. 4. STATEMENT OF POLICY.**

8 It is the policy of the United States to—

9 (1) seek effective responses, particularly at the
10 Department of State, to adversary gray zone cam-
11 paigns and to recognize the paramount importance
12 of such responses to the national interests of the
13 United States;

14 (2) continue upholding the international rule of
15 law and the rules-based international order, which is
16 a core national security interest of the United
17 States; and

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

21 **SEC. 5. EVALUATION OF NATIONAL CAPACITIES FOR CON-**
22 **DUCTING GRAY ZONE OPERATIONS.**

23 (a) REPORT.—Not later than 180 days after the date
24 of the enactment of this Act, the President shall conduct
25 a review and submit to the appropriate congressional com-

1 mitted a report on the processes and capabilities by which
2 the United States responds to gray zone campaigns and
3 recommendations to enhance such processes and capabili-
4 ties.

5 (b) ELEMENTS.—The report required by subsection
6 (a) shall include—

7 (1) an assessment of the capability and capacity
8 of the United States interagency to—

9 (A) identify adversary activity as a gray
10 zone campaign, including the adversary’s intent,
11 capabilities, interactive effects, and impact on
12 United States interests;

13 (B) devise effective theories of deterrence;
14 and

15 (C) coordinate instruments of United
16 States national power to consistently and effec-
17 tively respond to adversarial gray zone cam-
18 paigns against the United States or allies and
19 partners;

20 (2) a description of the process for determining
21 the threshold at which adversary gray zone activities
22 or campaigns targeting the United States, allies, or
23 partners threaten United States interests, including
24 the methods and mechanisms for—

1 (A) determining which such activities or
2 campaigns warrant a United States response;

3 (B) calibrating such response;

4 (C) communicating such thresholds to ad-
5 versaries; and

6 (D) establishing and regularly reviewing
7 protocols with allies and partners to respond to
8 such activities or campaigns; and

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

12 (A) institutional reforms to enhance
13 United States interagency coordination in re-
14 sponse to adversarial gray zone campaigns and,
15 as necessary, additional statutory authorities
16 required to implement those reforms;

17 (B) additional resources, authorities, or in-
18 stitutional capacities necessary for United
19 States agencies to counter gray zone threats;
20 and

21 (C) budget estimates for the implementa-
22 tions of the recommendations made pursuant to
23 this paragraph.

1 (c) FORM.—The report required by subsection (a)
2 shall be submitted in a classified form and shall contain
3 an unclassified summary.

4 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
5 DEFINED.—In this section, the term “appropriate con-
6 gressional committees” means—

7 (1) the Committee on Foreign Affairs, the Per-
8 manent Select Committee on Intelligence, the Com-
9 mittee on Armed Services, the Committee on Finan-
10 cial Services, the Committee on Energy and Com-
11 merce, and the Committee on Homeland Security of
12 the House of Representatives; and

13 (2) the Committee on Foreign Relations, the
14 Select Committee on Intelligence, the Committee on
15 Armed Services, the Committee on Banking, Hous-
16 ing, and Urban Affairs, the Committee on Com-
17 merce, Science, and Transportation, and the Com-
18 mittee on Homeland Security and Governmental Af-
19 fairs of the Senate.

20 **SEC. 6. REPORT ON DEPARTMENT OF STATE CAPACITY TO**
21 **RESPOND TO GRAY ZONE AGGRESSION.**

22 (a) REPORT REQUIRED.—Not later than 180 days
23 after the enactment of this Act, the Secretary of State
24 shall submit to the Committee on Foreign Affairs of the
25 House of Representatives and the Committee on Foreign

1 Relations of the Senate a report discussing the capacity
2 of the Department of State to contribute to coordinated
3 United States responses to adversary gray zone campaigns
4 and the Department's understanding of the gray zone
5 threat environment.

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

8 (1) The capabilities, offices, and entities par-
9 ticularly suited to countering adversary gray zone
10 operations and a description of the roles each can
11 play.

12 (2) An evaluation of the adequacy and utility of
13 established Department of State definitions for un-
14 derstanding adversary gray zone activity.

15 (3) Recommendations, including proposed nec-
16 essary investments and the rationale and expected
17 costs of such investments, for further enhancing the
18 capacity of the Department of State to effectively re-
19 spond to adversary gray zone operations.

20 (4) An identification of 25 priority countries at
21 the front lines of adversary gray zone aggression
22 and a discussion, developed in consultation with rel-
23 evant embassy country teams, of the matters de-
24 scribed in paragraphs (1) through (3) with respect
25 to each such country.

- 1 (i) by inserting “**ANNUAL**” before
2 “**INTELLIGENCE**”; and
3 (ii) by striking “**RUSSIAN**”;
4 (B) in paragraph (1)—
5 (i) in the matter preceding subpara-
6 graph (A)—
7 (I) by inserting “annually” be-
8 fore “produce”; and
9 (II) by inserting “with respect to
10 each country of concern” after “intel-
11 ligence community assessment”; and
12 (ii) by striking “Russia” each place
13 the term appears and inserting “the coun-
14 try of concern”;
15 (C) in paragraph (2)—
16 (i) in the matter preceding subpara-
17 graph (A), by striking “Russia” and in-
18 serting “a country of concern”; and
19 (ii) in subparagraphs (B), (C), and
20 (D), by striking “Russia” each place it ap-
21 pears and inserting “the country of con-
22 cern”; and
23 (D) in paragraph (3)—

1 (i) in the matter preceding subpara-
2 graph (A), by striking “Russia” and in-
3 sserting “each country of concern”; and

4 (ii) in subparagraph (B), by striking
5 “Russia” and inserting “the country of
6 concern”.

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