

Updated September 3, 2024

The Intelligence Community's Foreign Malign Influence Center

FMIC Background

General concern over the potential for foreign efforts to manipulate U.S. public opinion and interfere in U.S. elections has grown with the recognition that foreign malign actors are able to employ sophisticated tools such as artificial intelligence (AI) to conduct disinformation campaigns. To address this concern, Congress amended the National Security Act of 1947 (P.L. 80-253) by establishing within the Office of the Director of National Intelligence (ODNI) the Foreign Malign Influence Center (FMIC), under Section 5322 of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (P.L. 116-92, codified in 50 U.S.C. §3059). FMIC's establishment follows the intelligence community's (IC) collective assessment of Russian efforts to influence the 2016 U.S. presidential election and "undermine public faith in the U.S. democratic process." (ICA-2017-01D, 6 January 2017, p. ii).

In establishing the center, Congress stated that the IC needed to be invested in,

institutionalizing ongoing, robust, independent, and vigorous analysis of data related to foreign threat networks ... [to] help counter ongoing information warfare operations against the United States, its allies, and its partners. (H.Rept. 116-333, emphasis added)

Foreign Malign Influence Center (FMIC)

- Congress establishes FMIC, Dec. 20, 2019, as one of five ODNI mission centers.
- DNI activates FMIC, Sept. 23, 2022.
- FMIC's mission is to provide indications, warning, and strategic assessments of the threat of malign influence campaigns by Russia, Iran, North Korea, China, or other.
- Reports to Congress annually.
- FMIC is to sunset Dec. 31, 2028, at discretion of the DNI.
- If the FMIC were to be terminated, the IC would retain responsibility for exercising the functions of the center.

Foreign Malign Influence

Congress defines foreign malign influence in 50 U.S.C. §3059(f)(1)-(2) as a "hostile effort undertaken by, at the direction of, or on behalf of, or with the substantial support of" Russia, Iran, North Korea, China, or "any other foreign country that the Director of the Center determines appropriate," with the objective of influencing U.S. public opinion or "political, military, economic, or other policies or activities" of federal, state, or local governments. This includes efforts by such foreign governments to influence "any election within the United States."

FMIC Mission

FMIC's mission is to mitigate threats to democracy and U.S. national interests from foreign malign influence by managing the IC's collection resources, building partnerships, and advancing strategic analysis, while protecting the privacy and civil liberties of the American people. FMIC serves as the primary U.S. Government organization for integrating intelligence pertaining to FMI, including on election security.

FMIC Functions

In statute, the center's functions are to (1) "serve as the primary organization in the United States Government for analyzing and integrating all intelligence ... pertaining to foreign malign influence;" and (2) provide Members of Congress and policymakers in the federal government "comprehensive assessments, and indications and warnings, of foreign malign influence." To carry out these functions, the center is to be properly staffed with analysts from across the IC with access to all the intelligence necessary to provide comprehensive assessments and warnings of the threat of foreign malign influence campaigns.

FMIC Organization

The FMIC is one of five mission centers within the Office of the Director of National Intelligence (ODNI). The purpose of a mission center is to integrate and coordinate the foreign intelligence collection and analysis related to a subject area requiring special emphasis, such as counterterrorism, biosecurity, or—for the FMIC—efforts by foreign malign actors to subvert the U.S. democratic process. The FMIC is headed by a director, and subdivided into Mission Management, Analytic Integration, and Partner Engagement units.

FMIC Director

The Director of the center is appointed by the Director of National Intelligence (DNI). This individual is responsible for the overall effort to coordinate foreign intelligence collection and analysis on foreign malign influence campaigns, and, at the direction of the President and DNI, to provide recommendations on how to respond.

Mission Management

The Mission Management unit is responsible for the IC's collection and analytic resources—including identifying gaps in coverage—and integrating what is collected "across intelligence functions, disciplines, and activities to achieve unity of effort and effect." (ICD 900, 6 May 2013) The center fuses intelligence from multiple sources as the basis for making threat assessments. The Mission Management group also works closely with the National Intelligence Management Council (NIM-C), the ODNI entity

responsible for advising the DNI on regional and functional issues of importance to U.S. national security.

Analytic Integration

FMIC’s Analytic Integration unit is responsible for drawing upon expertise and information from all elements of the IC to provide Indications and Warning (I&W) reports and assessments on foreign adversaries’ capabilities, intentions, and operations for policymakers and Congress. It also works closely with the National Intelligence Council, which is the IC lead for strategic and estimative analysis.

Partner Engagement and Notification

FMIC’s Partner Engagement unit is responsible for building partnerships, with government, civil society, and the private sector, in addition to working with U.S. Government agencies such as the Department of Homeland Security and Federal Bureau of Investigation (FBI). The FMIC also leads a “notification framework,” an apolitical process designed to ensure U.S. government officials and the general public are informed of, and able to mitigate efforts by, foreign adversaries to manipulate U.S. public opinion and trust in democratic institutions. The FMIC-led process supplements other notification processes of the FBI and DHS involving, among other things, foreign adversaries targeting of critical infrastructure.

Upon obtaining indications of foreign interference, FMIC convenes a panel of representatives of intelligence agencies—called a Credibility Assessment Group, or CAG—to evaluate the intelligence. On occasion, the CAG will provide its assessment to a group of senior representatives of the Departments of Defense, Justice, Treasury, and Homeland Security—called an Experts Group—to consider whether or not to recommend notification of the public. If so, the DNI would then convene a meeting of the Secretaries of State, Defense, Homeland Security, and Treasury, the Attorney General, and Directors of the FBI, CIA, NSA, and Cybersecurity and Infrastructure Security Agency (CISA)—called a Leaders Group—to make a final decision on notification. Notification of the public may depend on such considerations as the sensitivity of the sources of the intelligence, and whether the notification would be expected to mitigate the threat.

Annual Report

Each year, the FMIC Director is required to submit a report to the congressional intelligence and foreign affairs/foreign relations committees (50 U.S.C. 5039 (d)). This report must summarize significant foreign malign influence events and provide recommendations to improve FMIC performance. The report should also include any recommendations for navigating the challenges of the IC’s collecting and reporting on foreign efforts to interfere in U.S. elections and the need to protect the privacy and civil liberties of Americans who could be the targets of such campaigns.

Sunset Provision

Under 50 U.S.C. §3058(f) and §5039(e), the DNI may terminate the center on December 31, 2028 upon notifying the House and Senate intelligence committees and Subcommittees on Defense of the Committees on

Appropriations that the IC has both the capacity and intent for other elements to assume the functions of the center. This notification would need to include a timeline of the actions necessary for an orderly transition.

Issues Facing Congress

In its oversight responsibility, Congress may consider FMIC’s effectiveness, funding, and management of the IC’s collection and analysis of foreign malign influence campaigns. Some questions that may be considered include:

- To what degree, if any, has the center improved the capacity of the IC to manage collection, analysis and reporting related to foreign malign influence?
- Absent the center, what is the capacity of the IC to synthesize and report on foreign malign influence?
- Does the center have adequate resources to carry out its functions in the event that advances in cyber technology, such as AI, contribute to an expanded threat of foreign malign influence campaigns?
- In carrying out the FMIC mandate to collect and report on foreign malign influence campaigns, which, by their nature, may intersect with broad sectors of the U.S. population, how effective has the IC been in protecting the civil liberties of U.S. persons?
- How effective has the IC-led notification process been in enabling effective responses to foreign malign influence campaigns? Are there any metrics for assessing effectiveness?

Relevant Statute Title 50 U.S. Code §§3058-3059
CRS Product CRS In Focus IF12061, <i>Critical Infrastructure Security and Resilience: Countering Russian and Other Nation-State Cyber Threats</i> , by Brian E. Humphreys
Other Resources IC Directive 107, <i>Civil Liberties, Privacy, and Transparency</i> , February 28, 2018. IC Directive 900, <i>Integrated Mission Management</i> , May 6, 2013. Office of the Director of National Intelligence, <i>100 Days Until Election 2024: Election Security Update as of Late-July 2024</i> . Office of the Director of National Intelligence, <i>Overview of the Process for the Executive Branch to Notify the Public and Others Regarding Foreign Malign Influence and Interference Operations Targeting U.S. Elections</i> <i>Annual Threat Assessment of the U.S. Intelligence Community</i> , February 5, 2024.

Michael E. DeVine, Analyst in Intelligence and National Security

Disclaimer

This document was prepared by the Congressional Research Service (CRS). CRS serves as nonpartisan shared staff to congressional committees and Members of Congress. It operates solely at the behest of and under the direction of Congress. Information in a CRS Report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to Members of Congress in connection with CRS's institutional role. CRS Reports, as a work of the United States Government, are not subject to copyright protection in the United States. Any CRS Report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS Report may include copyrighted images or material from a third party, you may need to obtain the permission of the copyright holder if you wish to copy or otherwise use copyrighted material.