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(Original Signature of Member)

115TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To direct the President to develop a strategy for the offensive use of cyber capabilities, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

M. \_\_\_\_\_ introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To direct the President to develop a strategy for the offensive use of cyber capabilities, 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 “Enhance Partner  
5 Cyber Capabilities Act”.

6 **SEC. 2. FINDINGS.**

7 (1) The North Atlantic Treaty Organization  
8 (commonly known as “NATO”) remains a critical  
9 alliance for the United States and a cost-effective,

1 flexible means of providing security to the most im-  
2 portant allies of the United States.

3 (2) The regime of Russian President Vladimir  
4 Putin is actively working to erode democratic sys-  
5 tems of NATO member states, including the United  
6 States.

7 (3) According to the report of the Office of the  
8 Director of National Intelligence dated January 6,  
9 2017, on the Russian Federation's hack of the  
10 United States presidential election: "Russian efforts  
11 to influence the 2016 presidential election represent  
12 the most recent expression of Moscow's longstanding  
13 desire to undermine the US-led liberal democratic  
14 order."

15 (4) As recently as May 4, 2017, the press re-  
16 ported a massive cyber hack of French President  
17 Emmanuel Macron's campaign, likely attributable to  
18 Russian actors.

19 (5) It is in the core interests of the United  
20 States to enhance the offensive and defensive cyber  
21 capabilities of NATO member states to deter and  
22 defend against Russian cyber and influence oper-  
23 ations.

24 (6) Enhanced offensive cyber capabilities would  
25 enable the United States to demonstrate strength

1 and deter the Russian Federation from threatening  
2 NATO, while reassuring allies, without a provocative  
3 buildup of conventional military forces.

4 **SEC. 3. SENSE OF CONGRESS ON CYBER STRATEGY OF THE**  
5 **DEPARTMENT OF DEFENSE.**

6 It is the sense of Congress that —

7 (1) the Secretary of Defense should update the  
8 cyber strategy of the Department of Defense (as  
9 that strategy is described in the Department of De-  
10 fense document titled “The Department of Defense  
11 Cyber Strategy” dated April 15, 2015);

12 (2) in updating the cyber strategy of the De-  
13 partment, the Secretary should—

14 (A) specifically develop an offensive cyber  
15 strategy that includes plans for the offensive  
16 use of cyber capabilities, including computer  
17 network exploitation and computer network at-  
18 tacks, to thwart air, land, or sea attacks by the  
19 regime of Russian President Vladimir Putin  
20 and other adversaries;

21 (B) provide guidance on integrating offen-  
22 sive tools into the cyber arsenal of the Depart-  
23 ment; and

24 (C) assist NATO partners, through the  
25 NATO Cooperative Cyber Center of Excellence

1           and other entities, in developing offensive cyber  
2           capabilities.

3 **SEC. 4. STRATEGY FOR OFFENSIVE USE OF CYBER CAPA-**  
4                                   **BILITIES.**

5           (a) STRATEGY REQUIRED.—The President shall de-  
6 velop a written strategy for the offensive use of cyber  
7 capabilities by departments and agencies of the Federal  
8 Government.

9           (b) ELEMENTS.—The strategy developed under sub-  
10 section (a) shall include, at minimum—

11           (1) a description of enhancements that are  
12           needed to improve the offensive cyber capabilities of  
13           the United States and partner nations, including  
14           NATO member states; and

15           (2) a statement of principles concerning the ap-  
16           propriate deployment of offensive cyber capabilities.

17           (c) SUBMISSION TO CONGRESS.—

18           (1) IN GENERAL.—Not later than 180 days  
19           after the date of the enactment of this Act, the  
20           President shall submit to the congressional defense  
21           committees (as that term is defined in section  
22           101(a)(16) of title 10, United States Code) the  
23           strategy developed under subsection (a).

1           (2) FORM OF SUBMISSION.—The strategy sub-  
2           mitted under paragraph (1) may be submitted in  
3           classified form.

4 **SEC. 5. INTERNATIONAL COOPERATION.**

5           (a) AUTHORITY TO PROVIDE TECHNICAL ASSIST-  
6           ANCE.—The President, acting through the Secretary of  
7           Defense and with the concurrence of the Secretary of  
8           State, is authorized to provide technical assistance to  
9           NATO member states to assist such states in developing  
10          and enhancing offensive cyber capabilities.

11          (b) TECHNICAL EXPERTS.—In providing technical  
12          assistance under subsection (a), the President, acting  
13          through the NATO Cooperative Cyber Center of Excel-  
14          lence, may detail technical experts in the field of cyber  
15          operations to NATO member states.

16          (c) RULE OF CONSTRUCTION.—Nothing in this sec-  
17          tion shall be construed to preclude or limit the authorities  
18          of the President or the Secretary of Defense to provide  
19          cyber-related assistance to foreign countries, including the  
20          authority of the Secretary to provide such assistance  
21          under section 333 of title 10, United States Code.