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The United States' and United Kingdom's Responses to 2016 Russian Election Interference: Through the Lens of Bureaucratic Politics

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Abbreviations

ABMs—anti-ballistic missiles

CAATSA—Countering America's Adversaries Through Sanctions Act

CIA—Central Intelligence Agency

DCCC—Democratic Congressional Campaign Committee

DDoS—distributed denial of service

DHS—Department of Homeland Security

DNC—Democratic National Committee

DNI— Director of National Intelligence

DoD—Department of Defense

DoJ—Department of Justice

FARA—Foreign Agents Registration Act

FBI—Federal Bureau of Investigation

FITF—Foreign Interference Task Force

FSB—Russian security service

GCHQ— U.K.'s Government Communications Headquarters

GRU—Russian Main Directorate intelligence agency

ICA— Intelligence Community Assessment

IRA—Russia's Internet Research Agency

ISC—U.K.'s Intelligence and Security Committee

JAR— Joint Analytical Report

MI5— U.K.'s Military Intelligence, Section 5

MI6— U.K.’s Secret Intelligence Service

NATO—North Atlantic Treaty Organization

NCA—U.K.’s National Crime Agency

NDAA—National Defense Authorization Act

NSA—National Security Agency

NSC—National Security Council

ODNI—Office of the Director of National Intelligence

RT—formerly Russia Today

SALT 1—1979 Strategic Arms Limitation Treaty

Abstract

Russia's 2016 disinformation campaign during the U.S. elections represented the first large-scale campaign against the United States and was intended to cause American citizens to question the fundamental security and resilience of U.S. democracy. A similar campaign during the 2016 U.K. Brexit referendum supported the campaign to leave the European Union. This paper assesses the policy formation process in the United States and United Kingdom in response to 2016 Russian disinformation using a bureaucratic politics framework. Focusing on the role of sub-state organizations in policy formation, the paper identifies challenges to establishing an effective policy response to foreign disinformation, particularly in the emergence of leadership and bargaining, and the impact of centralization of power in the U.K. Discussion of the shift in foreign policy context since the end of the Cold War, which provided a greater level of foreign policy consensus, as well as specific challenges presented by the cyber deterrence context, supplements insights from bureaucratic politics. Despite different governmental structures, both countries struggled to achieve collaborative and systematic policy processes; analysis reveals the lack of leadership and coordination in the United States and both the lack of compromise and effective fulfillment of responsibilities in the United Kingdom. Particular challenges of democracies responding to exercises of sharp power by authoritarian governments point to the need for a wholistic response from public and private entities and better definition of intelligence agencies' responsibility to election security in the U.K.

Introduction

In May 2016, Russian actors organized both sides of a political protest and counter-protest in Texas as part of their campaign to exacerbate divisions during the U.S. Presidential election. The demonstrations were tied to anti-Muslim sentiment in the United States, with one side opposing the "Islamization of Texas" and the counterprotest supporting Muslims.[1] Threatening posts discussing the protests were reported to the Federal Bureau of Investigation (FBI), and the Houston City Council met to address the protests.[2] The Texas protests represented just one of a variety of approaches the Russian government used to interfere in the 2016 U.S. election. Russia's other efforts included running networks of social media accounts, some of them through the Internet Research Agency (IRA), a Russian company involved in the campaign, publishing inflammatory or false stories through Russian state-run media, and hacking and leaking information to the media more broadly. Russia's campaign generally attempted to exacerbate existing polarization of the U.S. population and was intended to increase partisanship.[3] While Russia had previously engaged in disinformation campaigns, its 2016 effort represented the first large-scale campaign directed against the United States. In targeting a high-profile event like the U.S. Presidential election, Russia's goal was to cause American citizens to question the fundamental security and resilience of U.S. democracy.

Russia conducted a similar influence campaign during the 2016 U.K. Brexit ballot referendum to support the campaign to leave the European Union by using biased Russian state media coverage and social media disinformation, though likely to a lesser extent than in the 2016

[1] Donie O'Sullivan, "Russian Trolls Created Facebook Events Seen by More than 300,000 Users," CNNMoney, January 26, 2018, https://money.cnn.com/2018/01/26/media/russia-trolls-facebook-events/index.html.
[2] Ibid.
[3] Alina Polyakova, "What the Mueller Report Tells Us about Russian Influence Operations," Brookings (blog), April 18, 2019, https://www.brookings.edu/blog/order-from-chaos/2019/04/18/what-the-mueller-report-tells-us-about-russian-influence-operations/; O'Sullivan, "Russian Trolls Created Facebook Events Seen by More than 300,000 Users."

U.S. elections.[4] Accounts connected to the IRA posted pro-Brexit messages on Twitter.[5] In addition, Russian state news sites such as Sputnik and RT (formerly Russia Today) posted a high volume of stories during the referendum campaign, which were predominantly pro-Leave.[6] The U.K. referendum not only provided Russia with an opportunity to influence the United Kingdom, but also to sow division and separatism within the European Union.

I will analyze the policy formation process in the United States and United Kingdom in response to Russian interference in their democratic processes in 2016 through the lens of the bureaucratic politics model, which conceptualizes governments as organizations comprised of multiple actors who are constrained by their roles and engage in bargaining to form policy. Historically, bureaucratic politics has been used to analyze the Cuban Missile Crisis and predict antiballistic missile (ABM) deployment, aiding in examination of the process through which states develop foreign policy.[7] In the 2016 U.S. and U.K. cases, one might expect that the two governments would respond to the disinformation campaigns with policies designed to punish Russia and deter similar actions in the future. In fact, both governments engaged in at least some degree of policy formation in response to Russian interference, although their policies were viewed by some experts as slow or uncoordinated.[8] In the United States, a common assumption

[4] Naja Bentzen, "Online Disinformation and the EU's Response," European Parliament, February 2019, 2.
[5] Bob Corker et al., "Putin's Asymmetric Assault On Democracy in Russia and Europe: Implications for U.S. National Security" (Senate Committee on Foreign Relations Minority, January 10, 2018), https://www.foreign.senate.gov/imo/media/doc/FinalRR.pdf.
[6] "Putin's Brexit? The Influence of Kremlin Media & Bots during the 2016 UK EU Referendum" (89up, February 10, 2018), https://www.89up.org/russia-report.
[7] Graham T. Allison, *Essence of Decision: Explaining the Cuban Missile Crisis* (New York, NY: HarperCollins, 1995); Jerel A. Rosati, "Developing a Systematic Decision-Making Framework: Bureaucratic Politics in Perspective," World Politics 33, no. 2 (1981): 234–52, https://doi.org/10.2307/2010371.1; Interestingly, the SALT case involved Morton Halperin, at the time a Deputy Assistant Secretary
[8] Franklin Foer, "Putin Is Well on His Way to Stealing the Next Election," The Atlantic, June 2020, https://www.theatlantic.com/magazine/archive/2020/06/putin-american-democracy/610570/; Greg Miller, Ellen Nakashima, and Adam Entous, "Obama's Secret Struggle to Punish Russia for Putin's Election Assault," Washington Post, June 23, 2017, https://www.washingtonpost.com/graphics/2017/world/national-security/obama-putin-election-hacking; James Stavridis, "The Mueller Report Made It Clear: America's Response to Russia Has Been Far Too Weak," Time, May 3, 2019, https://time.com/5582867/mueller-report-trump-russia-sanctions/.

is that inaction was caused by President Donald Trump's unwillingness to call the legitimacy of his election into question. However, this view is complicated by similar inaction in the United Kingdom, suggesting that either the challenges of responding to a fast-evolving digital threat or more broadly applicable structural incentives to play down election interference to protect democratic legitimacy might be relevant.

Many media outlets and some policy analysts characterized the U.S. response to Russian disinformation as "grossly inadequate," and President Donald Trump, the most prominent figure in the U.S. response, was criticized for having "shown no leadership, as evidenced again by Trump picking a fight over 'collusion' with the FBI after the indictments issued," and had his response characterized as "petulant tweets."[9] Though these assessments were promoted by political pundits, inaction or disorganization are the dominant public narrative around the U.S. response to Russian interference.

Due to the challenges of incomplete data, my goal is not to evaluate whether or not the U.S. policy response was effective. Instead, my analysis of the U.S. response through the lens of bureaucratic politics theory complicates the conventional wisdom that the U.S. policy process was defined and stymied by partisan infighting and President Trump. My analysis relies on publicly available information about the government response; as a result, the data available are somewhat limited. Although official statements, hearings, and reports offer a window into the policy process, some aspects of the policy process and outcomes were likely covert. The November 2020 Senate report investigating the U.S. government response to 2016 election

[9] Robert D Blackwill and Philip H Gordon, "Containing Russia: How to Respond to Moscow's Intervention in U.S. Democracy and Growing Geopolitical Challenge," Council on Foreign Relations, Council Special Report, no. 80 (January 2018): 54; Emily Stewart, "Russian Election Interference Is Far from over. I Asked 9 Experts How to Stop It.," Vox, February 19, 2018, https://www.vox.com/policy-and-politics/2018/2/19/17023240/election-2018-russia-interference-stop-prevent; Matthew Lee, "Trump's Two Russias Confound Coherent US Policy," AP News, July 1, 2020, https://apnews.com/article/donald-trump-russia-ap-top-news-national-security-vladimir-putin-a579c6d03c82ebb67bfd46c8c4ab4360.

interference redacts several complete sections in the list of government actions, concealing outcomes, as well as several paragraphs of options that were considered.[10] This confirms that a portion of both the outcomes and process are hidden from the public. Although existence of classified data limits the ability to provide a full assessment of the success or failure of the response, the process of forming overt government responses can be examined. As a result, my analysis focuses on the process by which national government actors responded to 2016 election interference, as opposed to the outcome.

I will apply bureaucratic politics theory to the policy process in the U.S. and U.K. contexts, assessing how government actors interacted to form foreign policy. While both the United States and United Kingdom are seen as having struggled to respond to Russian interference, interestingly the characterization of the weakness of their policymaking processes also seems to have differed, with the United States seen as uncoordinated and the United Kingdom as inactive, potentially indicating different challenges or factors at play in the bureaucratic politics model. Though the visible U.S. and U.K. responses seem surprisingly limited, my analysis reveals that the responses were not actually that unprecedented or unexpected given the tools available to policymakers in each case and the difficulties of responding to disinformation, and in light of the challenges of open societies and social media in the digital age. Although bureaucratic politics emphasizes how actors' roles and standard operating procedure shape their policies, it fails in part to account for geopolitical context. In addition, bureaucratic politics anticipates that bargaining and a point person will contribute to the policy process, yet neither represents a significant factor in my case studies. The U.K. case study,

[10] "US Government Response to Russian Activities," Russian Active Measures Campaigns and Interference in the 2016 Election (Senate Select Committee on Intelligence, February 6, 2020), https://www.intelligence.senate.gov/sites/default/files/documents/Report_Volume3.pdf.

though smaller due to the more limited nature of both the Russian campaign and the associated U.K. response, reveals the limitations of bureaucratic politics applications to systems of government other than that of the United States for which it was tailored. The significance of bargaining among independent actors seems greater under U.S. separation of powers, while having less influence in a combined executive system as in the United Kingdom where power is more centralized.

Chapter 1

In this chapter, I provide an overview of other recent disinformation campaigns and election interference by Russia as context for the U.S. and U.K. cases. Then, I review the bureaucratic politics literature. Finally, I discuss deterrence literature and why, although it is not directly applicable to my analysis, it is more broadly relevant. The second chapter contains background information on the U.S. and U.K. case studies, as well as an overview of the U.S. and U.K. policy processes, while the final chapter contains my comparison and analysis of the two cases.

Russian Foreign Influence

During the 21st century, disinformation has increasingly become an important, resource-efficient way for Russia to exert influence both in the near abroad (a term used to refer to former Soviet republics) and against rivals including Western Europe and the United States. Russia's use of disinformation represents part of a larger, often coordinated strategy involving cyberattacks, biased state-media coverage, economic influence, and inflammation of ethnic

Russian populations in the near abroad.[11] While not all of these tactics have been used in every country, in combination they reflect a broader pattern of Russian use of sharp power. Sharp power is neither soft power, the power to attract, or hard power, military might, but rather aggressive diplomacy and manipulation typically employed against democracies by authoritarian governments.[12] Sharp power expands a country's influence through strategies that include election interference, such as disinformation and leaking sensitive documents, as well as influence campaigns taken outside of an election. Disinformation is defined as "information that is false and deliberately created to harm a person, social group, organization or country."[13] The problem has grown substantial enough that both the European Union (EU) and North Atlantic Treaty Organization (NATO) have established organizations dedicated to countering disinformation, particularly from Russia.[14]

A review of Russia's disinformation efforts in the former Soviet space provides context for the two cases examined in this study because the differences and similarities across Russian uses of sharp power in the near abroad and in the United States and United Kingdom help illustrate Russian motivations and the relative effectiveness of various tactics in different contexts. Past cases point to challenges to deterrence of these attacks, including attribution, the role of state media, the determination of appropriate retaliation, and the exploitation of innate societal divisions.

[11] Stephen Flanagan et al., Deterring Russian Aggression in the Baltic States Through Resilience and Resistance (RAND Corporation, 2019).
[12] Christopher Walker and Jessica Ludwig, "The Meaning of Sharp Power," January 4, 2018, https://www.foreignaffairs.com/articles/china/2017-11-16/meaning-sharp-power.
[13] Claire Wardle and Hossein Derakhshan, "Information Disorder: Toward an Interdisciplinary Framework for Research and Policy Making" (Council of Europe, September 27, 2017), https://rm.coe.int/information-disorder-toward-an-interdisciplinary-framework-for-researc/168076277c.
[14] "About Us | StratCom," NATO Stratcom Centre of Excellence, https://www.stratcomcoe.org/about-us.; "EU vs Disinformation," EUvsDISINFO, https://euvsdisinfo.eu/.

Russian intervention in the proposed relocation of an Estonian war memorial in 2007 represented the first of Russia's recent forays into the use of sharp power. The Estonian case in certain ways appeared to be a test by Russia of what it could accomplish, as the relocation of a war memorial was an inflammatory opportunity but not as impactful as an election or military invasion.[15] Estonia's large ethnic Russian minority, around 25% of the population, felt the relocation of the statue commemorating the liberation of Estonia from the Nazis by the Soviet Union marginalized them and protested.[16] In addition to riots by ethnic Russians, distributed denial of service (DDoS) attacks targeted a number of Estonian websites, including banking and government sites.[17]

In general, sharp power, including cyberattacks and election interference, constitutes a way for Russia to intervene in other countries with little to no risk of military retaliation. The 2007 Estonian cyberattacks illustrate the difficulty of clearly attributing cyberattacks to a state actor. Challenges tracing the DDoS attacks, as well as ambiguity around whether the attacks were carried out independently by hackers or with the help and coordination of the Russian state, mean that these attacks have never been traced to Russia with certainty.[18] However, a cyberattack would be a logical means of Russian intervention in Estonia, whose membership in NATO almost certainly precludes Russian military intervention. Cyberattacks offered a forceful alternative for Russia to express its displeasure with the monument's relocation as well as demonstrate its influence over the ethnic Russian minority to Estonia. Some cybersecurity experts argue that the attack was likely beyond the skill of non-state hackers or groups and

[15] Flanagan et al., Deterring Russian Aggression in the Baltic States Through Resilience and Resistance, 5.
[16] Stephen Herzog, "Revisiting the Estonian Cyber Attacks: Digital Threats and Multinational Responses," *Journal of Strategic Security* 4, no. 2 (June 2011): 49–60, https://doi.org/10.5038/1944-0472.4.2.3.
[17] Herzog, "Revisiting the Estonian Cyber Attacks."
[18] Ibid.

therefore was perpetrated by a state actor.[19] However, the majority position among cybersecurity experts is that skilled hacktivists in Russia carried out the attack with the encouragement of Russian media and political rhetoric opposed to moving the statue.[20] Regardless of whether Russian state actors carried out the attacks, the inflammatory rhetoric and stoking of ethnic tensions through state media share characteristics, such as aggravating existing divisions and ambiguity about the perpetrator, with Russian efforts to increase partisanship during the 2016 U.S. election.

One common characteristic of subsequent Russian disinformation campaigns in the near abroad has been heavy reliance on state media. During the 2008 Russo-Georgian War, Russia used state-owned media to spread disinformation and support its narrative.[21] Restricted access to disputed areas for Western journalists during the war allowed Russian reporting on events to retain more legitimacy.[22] Because Russian journalists were the only journalists allowed relatively free access to conflict areas, others writing about the conflict zones were largely forced to rely on Russian reports and were unable to contradict inaccuracies. Russia used this opportunity to change the narrative of the war by inflating the death count, accusing the Georgians of genocide and concealing damage done by Russians and separatists to Georgian villages.[23] Even if Russian allegations were not entirely convincing, the confusion and inability to debunk Russia's claims in

[19] Ibid., 53.
[20] Ibid., 54.
[21] Tom Parfitt, "Russia Exaggerating South Ossetian Death Toll to Provoke Revenge against Georgians, Says Human Rights Group," The Guardian, August 13, 2008, sec. World news, https://www.theguardian.com/world/2008/aug/13/georgia.
[22] Sabrina Tavernise and Matt Siegel, "In Areas Under Russian Control, Limits for Western Media (Published 2008)," The New York Times, August 18, 2008, sec. World, https://www.nytimes.com/2008/08/18/world/europe/18tblisi.html.
[23] Tavernise and Siegel, "In Areas Under Russian Control, Limits for Western Media (Published 2008)." Parfitt, "Russia Exaggerating South Ossetian Death Toll to Provoke Revenge against Georgians, Says Human Rights Group."

combination with the short duration of the war helped Russia's image and likely also hindered any international response to the invasion.

The most substantial example of Russian disinformation in the near abroad occurred during the 2014 invasion of Ukraine. Russia attempted to annex Crimea, which was followed by the invasion of Donetsk and Luhansk, border regions to Russia, with Russian military assistance. As of March 2021, the conflict was under a tenuous ceasefire with a recent buildup of Russian troops near the Ukrainian border.[24] Russian state media coverage of the war in Ukraine one-sidedly focused on casualties and damage caused by Ukrainian attacks.[25] They also published provocative false stories, including reporting that a three-year-old had been crucified and allegedly using one actress to play multiple characters for interviews.[26] Russian cyberattacks targeted government sites as well as power plants, and the Russian FSB, or security service, seized VKontakte servers for access to personal data and locations of millions of Ukrainians.[27] While hacking and social media are sometimes used by Russia as part of influence operations, the contemporaneous attacks on power plants and seizure of locations of Ukrainian soldiers were more a reflection of the hard power war than the propaganda campaign.[28]

Russia also used state media in several cases to spread divisive disinformation throughout Western Europe, though to a lesser extent than in the near-abroad. Disinformation campaigns outside of the near-abroad present greater challenges for Russia due to the smaller ethnic-

[24] "Ukraine Profile - Timeline," BBC News, March 5, 2020, sec. Europe, https://www.bbc.com/news/world-europe-18010123; Michael R. Gordon and Georgi Kantchev, "Satellite Images Show Russia's Expanding Ukraine Buildup," Wall Street Journal, April 20, 2021, sec. World, https://www.wsj.com/articles/satellite-images-show-russias-expanding-ukraine-buildup-11618917238.
[25] Naja Bentzen and Martin Russell, "Russia's Disinformation on Ukraine and the EU's Response" (European Parliamentary Research Service, November 2015), https://www.europarl.europa.eu/RegData/etudes/BRIE/2015/571339/EPRS_BRI(2015)571339_EN.pdf.
[26] Bentzen and Russell, "Russia's Disinformation on Ukraine and the EU's Response."
[27] Julia Summers, "Countering Disinformation: Russia's Infowar in Ukraine," The Henry M. Jackson School of International Studies (blog), October 25, 2017, https://jsis.washington.edu/news/russia-disinformation-ukraine/.
[28] Ibid.

Russian populations and weaker penetration of Russian-language media, as well as less close diplomatic ties. Recently, Russia has engaged in disinformation campaigns in numerous countries outside the near abroad including Germany and France. In 2016 in Germany, a young girl who was part of the ethnic Russian diaspora claimed to have been raped by men who looked like migrants, triggering protests in the Russian-German community.[29] In addition to reporting heavily on the unverified and inflammatory story, Russian state media and officials created a narrative that her allegations were not being investigated due to political correctness, attempting to inflame anti-immigrant and anti-liberal sentiment.[30] This use of Russian state media sources primarily targeting an ethnic Russian audience in Western Europe is consistent with the approach Russia has used in the near abroad.

Russian actions in Europe fit with the broader pattern in its use of sharp power of mixing leaked information and outright disinformation to interfere with democracies' domestic politics. During the 2017 French presidential election, emails from then presidential-candidate Emmanuel Macron's campaign were hacked by Russian actors and leaked online by Russian state media.[31] Russian state media also spread disinformation about Macron, including that he was an American spy and was supported by Saudi Arabia, and published reports consistently biased against him.[32] While Russia employs some state media efforts when interfering in Western countries or targeting populations other than ethnic Russians, campaigns outside the near abroad

[29] Ben Knight, "Teenage Girl Admits Making up Migrant Rape Claim That Outraged Germany," The Guardian, January 31, 2016, sec. World news, https://www.theguardian.com/world/2016/jan/31/teenage-girl-made-up-migrant-claim-that-caused-uproar-in-germany; Eliot L Engel et al., "Russian Disinformation Attacks on Elections: Lessons from Europe," Committee on Foreign Affairs, July 16, 2019, 78.
[30] Knight, "Teenage Girl Admits Making up Migrant Rape Claim That Outraged Germany."
[31] Andy Greenberg, "The NSA Confirms It: Russia Hacked French Election 'Infrastructure' | WIRED," Wired, May 9, 2017, https://www.wired.com/2017/05/nsa-director-confirms-russia-hacked-french-election-infrastructure/.
[32] Reuters Staff, "French Election Contender Macron Is Russian 'fake News' Target: Party Chief," Reuters, February 14, 2017, https://www.reuters.com/article/us-france-election-cyber-idU.S.KBN15S192; "Tackling Disinformation à La Française," EU vs Disinformation, April 2, 2019, https://euvsdisinfo.eu/tackling-disinformation-a-la-francaise/.

seem to rely less heavily on state media and include more hacked information and covert social media disinformation. The shift to hacks and leaks probably results from perceptions in further afield countries and outside of ethnic Russian enclaves that Russian state-owned media is outside the mainstream or less trustworthy. Thus, Russian state-owned media could be a highly effective means to communicate a narrative to ethnic-minority Russians in Estonia or even Germany, but less so for most of the U.S. or U.K. audience. As a result, Russia has relied more heavily on tactics such as leaking hacked information through WikiLeaks, an entity perhaps perceived as more state neutral, as its disinformation campaigns have shifted to the West.

Russia has engaged in a large number of other recent disinformation campaigns throughout Europe. Between 2014 and 2018, pro-Kremlin influence was alleged in the 2014 Scottish independence referendum, 2014 Ukrainian elections, 2015 Bulgarian elections, 2015 Dutch EU-Ukraine relationship referendum, 2016 Austrian elections, 2016 Italian constitutional referendum, 2017 German elections, 2017 Catalan referendum, 2018 Czech elections, 2018 Italian elections, and 2018 Macedonian name referendum.[33] Russian influence campaigns have continued in 2019 and onwards.[34] Because of the persistent and growing Russian strategy of using sharp power to influence other countries, particularly through disinformation, cyberattacks, and biased Russian state-owned media, it is essential for states to develop comprehensive policies to counter Russian influence.

[33] Eliot L Engel et al., "Russian Disinformation Attacks on Elections: Lessons from Europe," Committee on Foreign Affairs, July 16, 2019, 78; https://www.brookings.edu/research/malevolent-soft-power-ai-and-the-threat-to-democracy/

[34] For example, interference in the recent 2020 U.S. elections: "Foreign Threats to the 2020 U.S. Federal Elections," Intelligence Community Assessment, March 10, 2021, https://www.dni.gov/files/ODNI/documents/assessments/ICA-declass-16MAR21.pdf.

Literature Review

Bureaucratic politics explores one of the most significant assumptions in international relations: that states are the primary international actors. Although the state is often assumed to be a unitary actor with coherent and consistent preferences, states can be disaggregated to reveal multiple actors, ranging from elected officials to agencies, each of which may have different interests or approaches to foreign policy challenges. Bureaucratic politics focuses on how multiple sub-state actors interact to create policy, focusing on the rules that govern actors and the personal or organizational motives driving individuals, as well as how conflicts among actors lead to compromise.

Bureaucratic Politics

Graham Allison's *Essence of Decision* discusses three approaches to states' decision making and uses them to analyze the Cuban Missile Crisis. Allison describes three categories within existing theories of foreign policy action: the rational actor model, the organizational behavior model, and the governmental politics model.[35] The latter two categories fall under the bureaucratic politics model, which I use to analyze my case studies.[36] Allison asserts that the rational actor model represents the default that has long been used to analyze international relations and policy, while the other two models surfaced later to supplement shortcomings of the rational actor model. Allison applies all three models to analyze the Cuban Missile Crisis, examining their analytical power and weaknesses.

[35] Graham T. Allison, *Essence of Decision: Explaining the Cuban Missile Crisis* (New York, NY: HarperCollins, 1995), 4.
[36] Jerel A. Rosati, "Developing a Systematic Decision-Making Framework: Bureaucratic Politics in Perspective," *World Politics* 33, no. 2 (1981): 234–52, https://doi.org/10.2307/2010371.

The rational actor model assumes that the entity creating foreign policy decisions is unitary, rational, and is located at the national level.[37] The rational actor chooses a strategy in response to the international situation, balancing costs and benefits of different policies in order to find the net best option.[38] The primary weakness of the rational actor model is that it ignores all actions and decisions at the sub-state level, such as those of sub-state organizations and individual bureaucrats and policymakers, despite the fact that their actions together combine to create state-level policy that may or may not effect a grand strategy intended at the state level. Another flaw is that when examining policies in retrospect, one can find a rational explanation for almost any policy, making it difficult to conclude retrospectively that policies were a uniquely rational choice, or inversely that they were irrational.[39] The rational actor model is limited by the fact that it flattens a decision-making process that includes varied organizations and individuals interacting behind the scenes. Allison's category of the rational actor model includes realism, structural realism, institutionalism, and liberalism because, notwithstanding their differences, all of those theories view states as unitary actors that make logical decisions. Allison also discusses how Thomas Schelling's theory of deterrence, which is discussed in more depth below in the section on deterrence, assumes a rational actor model.

The organizational behavior model focuses on the sub-state level and the organizations involved in foreign policy formation, such as the State Department and Department of Defense (DoD), and implementation, and explains actions through bureaucratic patterns and organizational procedures.[40] Organizations are the medium through which policy can be created, but they also have specific jurisdictions and are predisposed towards the status quo. The main

[37] Allison, *Essence of Decision*, 24.
[38] Ibid., 25.
[39] Ibid., 26.
[40] Ibid., 6.

characteristics of the organizational behavior model are the distribution of responsibility among multiple organizations and the importance of organizations' missions and scope limitations.

The third model of state decision making is governmental politics, a lens that delves even further into the details of decision making by examining individuals. These individuals, who make up organizations and in turn the state, can be motivated by state, organizational, or personal incentives.[41] In this model, individual actors are able to bargain for their interests based on the amount of power they have. Presidents are able to influence policy by persuading and negotiating with other actors, such as Congress and executive agencies, for example.[42]

To test their explanatory power, Allison used the three different models to analyze the Cuban Missile Crisis case study. By analyzing the explanations offered by the organizational behavior and governmental politics models, Allison argues that, while the rational actor model can explain the end result, the two bureaucratic politics models reveal that the rational actor model failed to predict other potential outcomes. The two sub-state models can explain potential failures of states to make rational choices, and in Allison's analysis reveal the risk of accidental nuclear war, a scenario not anticipated by rational-actor-based Mutually Assured Destruction models.[43]

In addition to Allison, the bureaucratic politics model has been used by several other scholars. Morton Halperin applied the bureaucratic politics model to the deployment of ABMs by President Lyndon Johnson in 1967, examining how the President, federal agencies, and Congress were able to exert influence on the decision process. Halperin concluded that the President made the decision to deploy the missiles as a compromise in response to bureaucratic,

[41] Ibid., 255.
[42] Ibid., 259.
[43] Ibid., 397.

public, and Congressional pressure, and emphasized the importance of acknowledging the multi-party nature of government decision making.[44] Jerel Rosati used the bureaucratic policy model to analyze the bargaining process that resulted in the 1979 Strategic Arms Limitation Treaty (SALT 1), which pitted opposing bureaucratic predispositions against each other.[45]

I will analyze how the United States and United Kingdom formulated policy in response to Russian interference in their democratic processes in 2016 through the lens of the bureaucratic politics model. I focus on assessing the influence of several key aspects of the model: standard operating procedure, bargaining, and leadership. Bureaucratic politics developed during the bipolar, Mutually Assured Destruction international context of the Cold War, which has since ended, and Halperin and Allison focused on analyzing the U.S. political system. As the bureaucratic politics model was developed in the United States in response to conventional threats from the Soviet Union, it has limitations that may need to be supplemented in order to apply to modern foreign policy analysis.

Institutional Structure and Foreign Policy Formation

The United States and United Kingdom both experienced Russian disinformation campaigns during major 2016 elections, but their responses differ in a major way potentially correlated with their distinct governmental structures. The U.S. policy formation response was implemented by a federal system with separation of powers among the executive, legislative and judicial branches, while the U.K. response was implemented by a parliamentary system that

[44] Morton H. Halperin, Priscilla Clapp, and Arnold Kanter, *Bureaucratic Politics and Foreign Policy*, 2nd ed (Washington, D.C: Brookings Institution Press, 2006).
[45] Jerel A. Rosati, "Developing a Systematic Decision-Making Framework: Bureaucratic Politics in Perspective," *World Politics* 33, no. 2 (1981): 234–52, https://doi.org/10.2307/2010371.1; Interestingly, the SALT case involved Morton Halperin, at the time a Deputy Assistant Secretary

lacks a separate executive and has more centralized power. Analysis of the policy-making process in presidential and parliamentary systems generally finds differences in how players interact and policy develops. For example, existence of more veto opportunities, as occurs in centralized governments, can create a choke point in which there are no independent lawmaking bodies or less agency ability to take independent action.[46]

Kenneth Walz discusses the difference between the U.S. Presidential system and the U.K. parliamentary system in *Theory of International Politics*, contrasting the limitations on the U.K. Prime Minister's power due to reliance on party support to remain in office with those of the U.S. President, who does not rely on Congress to remain in office but whose scope of action is limited without Congressional support.[47] While U.K. Prime Ministers need support from their parties, and coalition members if in a coalition, U.S. Presidents have a greater ability to stay in office given their established terms but rely more on a power to persuade other decision makers to take action, particularly when their party does not have a strong majority. Waltz argues that by using comparative case studies, the effect of government structure on policymaking can be separated from other factors. He also asserts that structure affects the speed of policymaking.[48] For example, in systems where legislation needs to be reworked and bargained over, such as between the U.S. House of Representatives and Senate, policymaking slows down.

In *Veto Players: How Political Institutions Work*, George Tsebelis simplifies the government distinctions that affect policy making by categorizing systems based on how many actors can veto policy and how they interact, rather than using parliamentary, semi-presidential,

[46] Sari Graben and Eric Biber, "Presidents, Parliaments, and Legal Change: Quantifying the Effect of Political Systems in Comparative Environmental Law," *Virginia Environmental Law Journal* 35, no. 3 (2017): 357–419.; Ellen M. Immergut, "Institutions, Veto Points, and Policy Results: A Comparative Analysis of Health Care," *Journal of Public Policy* 10, no. 4 (1990): 391–416.
[47] Kenneth Neal Waltz, *Theory of International Politics*, Reissued (Long Grove, Ill: Waveland Press, 2010), 85.
[48] Waltz, *Theory of International Politics*, 86.

and presidential categories.[49] His emphasis on veto players permits the incorporation of details beyond the structure of a government, allowing partisan divides in government such as a split Congress to be taken into account.[50] Tsebelis criticizes the idea that politicians make rational choices as well as the idea that governments can be neatly sorted into different categories such as presidential and parliamentary for analysis, making the point that considerable diversity exists even within the category of parliamentary democracies. In my analysis, I will be mindful of how these institutional differences interact within a bureaucratic politics framework.

Deterrence

Deterrence, in particular cyber deterrence, might be expected to be an important goal of policy responding to disinformation campaigns and provides interesting context for the case studies. However, the rational actor model cannot be effectively applied to analyze these case studies due to its reliance on having a comprehensive account of all government policies that could create a deterrent, presenting an insurmountable challenge to research relying on the public domain where some policy making is covert. Deterrence theory is categorized by Allison as a subset of rational actor theory as it seeks to explain state actions by assuming that states make logical decisions. The theory of deterrence, or the use of threats to prevent an actor from doing something, has existed since at least the time of Thucydides in 5th Century BC Greece and in the modern tradition has been used in conventional force analysis. Unitary rational actors are important to deterrence because deterrence assumes that states make accurate cost-benefit calculations or at least have a self-preservation instinct.[51] Deterrence falls under a larger category

[49] George Tsebelis, *Veto Players: How Political Institutions Work* (Princeton, N.J: Princeton University Press, 2002).
[50] Tsebelis, *Veto Players*, 284.
[51] Thomas C. Schelling, *Arms and Influence* (New Haven, CT: Yale University Press, 2008).

of theories that Thomas Schelling discusses in his book *Arms and Influence*, the indirect use of force. Deterrence theory has been used by Waltz to make the case for a nuclear Iran and by Frank Zagare to analyze U.S. deterrence of Israel in 1967.[52]

Deterrence is an alternative to force that states can use to achieve foreign policy goals and requires clear signaling to the enemy state. Traditionally, states use military force directly to capture an objective or physically prevent an enemy from taking an objective.[53] However, states can also in many cases use indirect force to achieve their goals. Schelling discusses the indirect use of force in which the ability to harm an opponent is used to bargain so that another state will either refrain from doing an undesired action, which constitutes deterrence, or do a desired action, which constitutes compellence.[54] Both deterrence and compellence fall under the category of coercion and generally require the same conditions, though compellance is more challenging because it attempts to change established behavior. In order for a hypothetical state A to successfully coerce state B, state A needs to communicate clearly what it wants from state B and what it will do if state B does not comply. In addition, state A must threaten something that state B cares about, so that state B would experience a worse outcome if it did not comply. State A must also make state B believe that it has the capability of carrying out its threat, for example that it possesses missiles capable of reaching state B, and that it is willing to do so and would follow through if state B ignored the threat.[55] Schelling applies deterrence theory to a hypothetical Soviet invasion of the United States, arguing that if the United States allowed the Soviet Union to invade California, the Soviet Union would also attempt to invade Texas on the

[52] Kenneth N. Waltz, "Why Iran Should Get the Bomb," January 17, 2016, https://www.foreignaffairs.com/articles/iran/2012-06-15/why-iran-should-get-bomb; Richard Ned Lebow and Janice Gross Stein, "Rational Deterrence Theory: I Think, Therefore I Deter," *World Politics* 41, no. 2 (1989): 208–24, https://doi.org/10.2307/2010408.
53 Schelling, Arms and Influence, 2.
[54] Schelling, *Arms and Influence*, Preface.
[55] Ibid., 36.

basis that the United States was not committed to defending Western states. He uses this example to illustrate how signaling and willingness are an important component of deterrence.[56]

Cyber Deterrence

Cyber deterrence introduces some challenges relevant to the bigger picture of countering foreign disinformation campaigns. Schelling lays out the basic components needed for deterrence. However, because he wrote about conventional and nuclear war in the 1960s, Schelling's approach to deterrence theory does not fully address certain difficulties with deterrence that arise when attempting to deter aggression in cyberspace, including cyberattacks and disinformation campaigns. In recent years deterrence has been extended for applications to unconventional conflict such as in cyberspace. Cyber deterrence is deterring cyberspace attacks by other countries; however, it does not necessarily limit deterrent options to cyberspace. For example, a country might threaten sanctions in retaliation for a cyberattack. Deterrence in the context of election interference, including cyber deterrence, presents several complications.

Scholars have raised concerns about the viability of deterrence in cyberspace including evaluating the seriousness of attacks, escalation, and attribution. In 2017, Joseph Nye questioned whether deterrence was possible in cyberspace.[57] One of the main challenges is the sheer quantity and variety of cyberattacks.[58] Compared with a military invasion, it is less clear when cyberattacks cross a threshold and merit retaliation.[59] In addition, attributing cyberattacks can be difficult, and if an attack cannot confidently be attributed, the victim may not retaliate, making it

[56] Schelling, *Arms and Influence*, 55.
[57] Joseph S. Nye, "Deterrence and Dissuasion in Cyberspace," International Security 41, no. 3 (January 2017): 44–71, https://doi.org/10.1162/ISEC_a_00266.
[58] Nye, "Deterrence and Dissuasion in Cyberspace," 48.
[59] Ibid., 49.

easier for perpetrators to avoid consequences and harder to deter attacks.[60] In *Cyberdeterrence and Cyberwar*, Martin Libicki explores the differences between conventional and cyber deterrence. In addition to the issue of attribution, he discusses the risk of escalation. In conventional or nuclear war, deterrence is less complicated because by the time an actor retaliates, it is typically because another actor has done something extreme, like begun an invasion or launched a nuclear attack. In cases of physical conflict, the level of damage and appropriate corresponding retaliation is fairly easy to judge. However, in cyber deterrence, there is a risk that retaliation will be an overreaction to the original attack and cause an escalation of the conflict.[61] A physical retaliation to an instigating cyberattack could lead the perpetrator of the cyberattack to retaliate in kind with another physical attack, leading to a cycle of escalatory retaliation. As many cyberattacks are low stakes compared with uses of hard power, it is less likely that states will be willing to risk escalation to retaliate.

While recent literature exploring how deterrence can apply in cyberspace refers to cyberattacks, not disinformation campaigns, and little has been written about deterrence of disinformation, the same complications of deterrence also apply to disinformation. It is difficult to determine where a disinformation campaign falls on the spectrum from small annoyance to major damage and therefore when it merits retaliation, especially because measuring the magnitude and determining causation of effects of state-sponsored disinformation is challenging. It can also be difficult to attribute disinformation to a state with confidence, as was the case with the 2007 Estonian attacks. Thus, even when it appears clear that a state has conducted a disinformation campaign, challenges both of confirming affiliation of certain actions and of demonstrating linkage of damage with the state campaign leave the size and damage of the

[60] Nye, "Deterrence and Dissuasion in Cyberspace," 50.
[61] Martin C. Libicki, *Cyberdeterrence and Cyberwar* (Santa Monica, CA: RAND, 2009), 69.

campaign unclear, making retaliation less likely. States are also less likely to respond aggressively if they worry about escalating the conflict. These structural pressures that dissuade states from retaliating against cyberattacks and disinformation campaigns interfere with deterrence because aggressor states also understand the incentives against retaliation and therefore can feel more confident that they face minimal penalties, if any, for cyberattacks and disinformation campaigns.

Although deterrence sheds interesting light on how Cold-War-era theories can shift in light of modern challenges, I opt not to use the deterrence literature in my analytical framework for several reasons. Bureaucratic politics analyses the policy process, while deterrence focuses on assessing policy outcomes and whether or not they are consistent with successful deterrence. Because of evidence limitations, assessing outcomes in policy countering foreign disinformation based on information in the public domain presents significant if not insurmountable challenges. Deterrence focuses on the end result of the policy process, which either creates a successful deterrence relying on communication and legitimacy or fails to do so. Even in the absence of an effective overt deterrent policy, the United States and United Kingdom may have covertly issued threats or taken action against Russia. Therefore, evaluating the communication and legitimacy of known U.S. and U.K. actions would not give an accurate assessment of whether the United States or United Kingdom created effective deterrence. In addition, while deterrence theory creates specific criteria against which to assess policies, it excludes non-deterrence policy options, including defense, as well as policies that rely on international norms and institutions to exert pressure to stop interference.[62] While lack of access to a complete picture of the policy

[62] In addition to deterrence literature, I also researched but did not include literature on information warfare, as it primarily focuses on the strategies and cases of information warfare campaigns from the perpetrator's side, whereas I am focusing on how policy actors respond to it. Examples include Maria Snegovaya, "Putin's Information Warfare

response prevents my from applying deterrence literature in my analysis, deterrence theory informs my conclusion, as well as the bigger picture of how the democracies can respond to disinformation. Deterrence not only offers an appealing policy option, but the literature also discusses important challenges, such as escalation, attribution, and rapidly advancing technology, to state responses to disinformation campaigns.

Bureaucratic Decision Making: Challenges in Responding to Election Interference

Disinformation presents a complex problem for democracies, and the involvement of multiple sub-state actors in government responses makes bureaucratic politics a useful framework for analyzing governments' responses. Disinformation spread to influence or disrupt an election threatens free and fair voting, a core aspect of democracies. This fundamental entanglement in domestic politics complicates responses to election interference. Perceptions that election interference is biased in support of one candidate or party have the potential to undermine election integrity further because acknowledging election interference, necessary for the clear signaling for deterrence, could damage the democratic legitimacy of individual politicians or parties in power. Specific election interference could incentivize some politicians to downplay interference to avoid undermining their legitimacy, making them less likely to promote and support an aggressive response. The position of foreign election interference at the intersection of domestic and international considerations increases the challenges to an effective response as foreign policy organizations in the government are logically oriented towards

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in Ukraine: Soviet Origins of Russia's Hybrid Warfare," Putin's Information Warfare in Ukraine (*Institute for the Study of War*, 2015), https://www.jstor.org/stable/resrep07921.1; Roger C. Molander, Andrew S. Riddile, and Peter A. Wilson, "Defining Features of Strategic Information Warfare," in *Strategic Information Warfare*, 1st ed., A New Face of War (RAND Corporation, 1996), 15–34, http://www.jstor.org/stable/10.7249/mr661osd.11. Media Ajir and Bethany Vailliant, "Russian Information Warfare," *Strategic Studies Quarterly* 12, no. 3 (2018): 70–89. Tad A. Schnaufer, "Redefining Hybrid Warfare," *Journal of Strategic Security* 10, no. 1 (2017): 17–31.

international issues and may not be well equipped to deal with issues that are as much domestic as they are foreign.

Bureaucratic politics is particularly salient to applications to foreign disinformation policy because it considers the multiple foreign policy decision makers within the government, as well as both individual and organizational influences. Bureaucratic politics directs attention to factors that affect the decision-making process including institutional standard operating procedure, bargaining, and leadership. When faced with the challenge of their status as democracies responding to interference in an election, both the United States and United Kingdom were viewed as responding in an uncoordinated manner or inadequately by the media and external experts. However, paradoxically, their responses seem to have differed significantly, with the United Kingdom offering a much less robust policy response, at least publicly, suggesting that their uncoordinated responses originated in different organizational challenges.

Chapter 2: U.S. and U.K. Encounters with Russian Disinformation

Chapter 2 provides an introduction to important factors and assumptions of the bureaucratic politics model and introduces the case studies that are used in the analysis in Chapter 3. In Chapter 2, I begin by briefly discussing the factors that bureaucratic politics uses to analyze how governments form foreign policy. Next, I provide background for the U.S. case study, presenting what happened in the 2016 election to instigate the U.S. response, followed by an overview of the U.S. response. Then, I provide background and an overview of the U.K. case study. In doing so, I highlight the similar tactics of Russian disinformation, in contrast with the divergent responses of the United States and United Kingdom.

Predicted Policy Process

The bureaucratic politics model provides a framework for predicting how U.S. and U.K. policy actors would be expected to respond to an event like the Russian disinformation campaigns in 2016. While the model does not necessarily predict specific outcomes, bureaucratic politics proposes factors that contribute to how policy is formed. I focus on testing three factors relevant to the U.S. and U.K. cases: standard operating procedure, leadership, and bargaining.

In the U.S. government, beyond the constitutional separation of powers among the executive, legislative, and judiciary branches, authority is divided up among departments and offices by purpose, with the State Department focused on diplomacy, for example, while the DoD is in charge of military action. Actors' options, or standard operating procedure options, are limited and guided by their responsibilities in the government. In addition, bureaucratic politics predicts that in a policy formation process, one actor will coordinate the response, establishing

leadership, determined by whose area of responsibility or mission the decision falls under.[63] For example, the State Department could have primary power over diplomatic negotiations with North Korea, consulting other agencies such as the Department of Homeland Security (DHS), Cyber Command (the U.S. military command covering cyberspace) and Congress, in order to create a policy. However, while one actor leads the response and is responsible for coordinating and implementing the policy as the point person, the actual policy comes about as a result of bargaining and communication among stakeholders reflecting their different interests.

Governmental actors have specific responsibilities, as well as past experience in responding to challenges.[64] Typically, actors work within their defined area of responsibility in the government. When changes are necessitated by disasters or significant disruptions, organizations rely on past experience to adjust to the new situation.[65] While Russian information warfare is seen as somewhat novel, especially against the United States and United Kingdom, there is historical precedent for interference in other countries' domestic politics. Therefore, it would make sense that relevant actors, such as the State Department, FBI, and Central Intelligence Agency (CIA), might turn to precedent to guide action. The President and Congress might also rely on precedent somewhat for guidance; however, these actors generally do not have the same institutional memory because of turnover and partisan shifts. Instead, partisan actors have particularly strong individual motivations, such as the desire to be reelected or gain influence. Bureaucratic politics also predicts that the President would rely on persuading or negotiating with agencies, such as DHS, FBI, and DoD, to gain their compliance with the chief

[63] Allison, Essence of Decision, 167; Halperin, Clapp, and Kanter, *Bureaucratic Politics and Foreign Policy*, chap. 6.
[64] Halperin, Clapp, and Kanter, *Bureaucratic Politics and Foreign Policy*, chap. 6.
[65] Allison, *Essence of Decision*, 167.

executive's preferred policy.[66] While Presidents have strong influence, they are not always successful, and it is particularly challenging for Presidents to prevent policy actions by other organizations.

Russian Interference in the 2016 U.S. Presidential Election

Russian election interference leading up to the 2016 U.S. Presidential election represented the first high profile, coordinated domestic or foreign attempt to influence and mislead U.S. voters during an election, bringing disinformation and election interference to new prominence.[67] The effects of and specific motivations behind Russia's actions have been widely debated; indeed, the very existence of Russian interference has been questioned, particularly by former President Trump and his surrogates. However, investigative reports have established more details over time, and experts now widely agree that the Russian government engaged in an organized campaign to interfere with the 2016 U.S. election, with remaining uncertainty primarily centering around the campaign's goals and effectiveness.[68] Resulting fears about the security and independence of the U.S. electoral process, as well as the potential for future election interference, prompted U.S. federal government investigations and actions. Russian actions in the 2016 election were sufficiently threatening to U.S. democracy and damaging to public perception that the U.S. government would be expected to have responded strongly to preclude and deter future Russian and foreign electoral interference. This policy overview describes publicly disclosed U.S. responses to Russian interference in late 2016 through the 2018 midterms. Most broadly, it demonstrates that the policy response was neither as coordinated nor

[66] Ibid., 259
[67] Robert D. Blackwill and Philip H. Gordon, "The Russian Intervention," Containing Russia (Council on Foreign Relations, 2018), https://www.jstor.org/stable/resrep21423.7, 9.
[68] Blackwill and Gordon, "The Russian Intervention."

robust as a bureaucratic politics approach might anticipate. This section provides a summary of broadly accepted events in Russia's interference in the 2016 election, reviewing the role of actors including the Democratic National Committee (DNC), Russian Main Directorate intelligence agency (GRU), and IRA.

Russian Disinformation and Hacking

The high profile and contentious nature of the 2016 Presidential election and the extensive news coverage the campaign generated provided an ideal opportunity for interference and dissemination of disinformation. Private and government investigations have established that Russia began preparing to interfere in the U.S. election as early as 2014, and its hacking, leaking, and social media campaign peaked in mid to late 2016.[69] Russian election interference included coordinated social media campaigns, sophisticated hacking operations against political groups and election infrastructure, and leaking information with the help of groups such as Wikileaks. In addition, American news media and individuals on social media amplified Russian interference by further spreading controversial or engaging information.

Beginning in March 2016, the GRU attempted to compromise emails and private computer systems related to Hillary Clinton's Presidential campaign and the Democratic Party.[70] The hackers used phishing emails to install malware on computers connected to the Democratic Congressional Campaign Committee (DCCC) and then DNC networks. The malware allowed the GRU to track keystrokes and take screenshots, providing access to emails, campaign research,

[69] "Assessing Russian Activities and Intentions in Recent U.S. Elections," Intelligence Community Assessment (Office of the Director of National Intelligence, January 6, 2017), https://www.dni.gov/files/documents/ICA_2017_01.pdf, 3.
[70] "Assessing Russian Activities and Intentions in Recent U.S. Elections."

and staffer bank account information.[71] The leaked information included disparaging comments made internally about Democratic Presidential primary competitor Senator Bernie Sanders.[72] After acquiring sensitive, controversial information from the DNC, the information was leaked online through a variety of channels not directly associated with Russia, including WikiLeaks, DCLeaks, and Guccifer 2.0, that were designed to obscure the source of the information.[73] Among the leaked DNC emails was one discussing President Barack Obama's reticence to help fundraise, exclaiming "He really won't go up 20 minutes for $350k? THAT'S f---ing stupid," and an email suggesting attacking candidate Bernie Sanders for alleged atheism.[74] Overall, the Russian government attempted to create division within the Democratic party, as well as stoke animus against Hillary Clinton.

In addition, throughout the 2016 election campaign, Russian actors such as the IRA used networks of accounts on global social media platforms to engage U.S. voters and spread disinformation. Employees of the IRA used bots and networks of accounts to spread false and divisive content by posting from accounts impersonating Americans, sharing each other's posts to spread the content further. IRA employees posed as both conservative and liberal personas, often presenting themselves as U.S. organizations affiliated with politics or grassroots organizations such as Black Lives Matter or the Tea Party, allowing them to feed off those groups' popularity.[75] In addition, the IRA purchased political advertisements on social media

[71] Alvin Chang, "How Russian Hackers Stole Information from Democrats, in 3 Simple Diagrams," Vox, July 16, 2018, https://www.vox.com/policy-and-politics/2018/7/16/17575940/russian-election-hack-democrats-trump-putin-diagram.
[72] Blackwill and Gordon, "The Russian Intervention."
[73] "Assessing Russian Activities and Intentions in Recent U.S. Elections."
[74] Aaron Blake, "Here Are the Latest, Most Damaging Things in the DNC's Leaked Emails," Washington Post, July 25, 2016, https://www.washingtonpost.com/news/the-fix/wp/2016/07/24/here-are-the-latest-most-damaging-things-in-the-dncs-leaked-emails/.
[75] Robert Mueller, "Report on the Investigation into Russian Interference in the 2016 Presidential Election" (Washington, D.C.: U.S. Department of Justice, March 2019), https://www.justice.gov/storage/report.pdf, 22.

sites, including an advertisement recruiting young people for a pro-Trump group labelled #KIDSFORTRUMP, and directly messaged genuine U.S. political groups such as regional Tea Party groups in an attempt to cooperate in planning events.[76] The IRA additionally made use of bot networks, large numbers of automated accounts, to amplify their posts.[77] By relying on these strategies to increase their chance of going viral, IRA posts reached at least 29 million Americans on Facebook alone during the election campaign.[78]

The impact of Russian disinformation was not limited to cyberspace. The IRA organized real-world events remotely from Russia by creating and using paid Facebook advertising to promote events. As noted in the Introduction, IRA-created Facebook pages called The Heart of Texas and United Muslims of America organized a simultaneous protest and counter-protest in Houston in May 2016.[79] According to photos of the event, the event drew at least several dozen protestors on each side.[80] In addition, in another case, an IRA-backed Facebook page called BlackMattersUS organized a march from Union Square to Trump Tower in New York City attended by between five and ten thousand people.[81]

According to U.S. intelligence committee assessments, information published on Russian news sites was consistent with Russia's approval of Trump and disapproval of Clinton, and helped spread hacked emails from the Clinton campaign and DNC.[82] During the 2016 election,

[76] Mueller, "Report on the Investigation into Russian Interference in the 2016 Presidential Election," 25.
[77] Ibid., 27.
[78] Ibid., 26.
[79] Natasha Bertrand, "Russia Organized 2 Sides of a Texas Protest and Encouraged 'Both Sides to Battle in the Streets,'" Business Insider, November 1, 2017, https://www.businessinsider.com/russia-trolls-senate-intelligence-committee-hearing-2017-11.
[80] Bertrand, "Russia Organized 2 Sides of a Texas Protest and Encouraged 'Both Sides to Battle in the Streets.'"
[81] Ali Breland, "Thousands Attended Protest Organized by Russians on Facebook," The Hill, October 31, 2017, https://thehill.com/policy/technology/358025-thousands-attended-protest-organized-by-russians-on-facebook.
[82] Ken Dilanian, "Report: Putin, Russia Tried to Help Trump by 'discrediting' Clinton," NBC News, January 6, 2017, https://www.nbcnews.com/news/us-news/report-putin-russia-tried-help-trump-discrediting-clinton-n703981; "Assessing Russian Activities and Intentions in Recent U.S. Elections."

Russian state-owned English-language media, including RT, supported Donald Trump through English-language articles and videos and argued that he was unfairly targeted by traditional, establishment U.S. media sites, including in a video featuring WikiLeaks founder Julian Assange titled "Trump Will Not Be Permitted To Win."[83] Russian state-owned media portrayed Hillary Clinton as corrupt and extensively covered the hacked DNC emails.[84] Coverage of Clinton included videos titled "Julian Assange Special: Do WikiLeaks Have the E-mail That'll Put Clinton in Prison?" and "Clinton and ISIS Funded by the Same Money."[85]

In addition to disinformation-related election interference, a U.S. Senate Intelligence investigation concluded that Russia engaged in cyberattacks against U.S. election infrastructure, including voting websites, machines, and companies that provide voting services and machines.[86] This effort was less high profile, and despite successfully gaining access to some state election systems, Russia is not known to have exploited its success.[87] However, Russia could have potentially used its access to disrupt U.S. voting systems, for example by changing voter registration information or even result tallies, which would have caused confusion and mistrust.[88] The U.S. Senate Select Committee on Intelligence found there was no evidence that vote tallies or voter rolls were changed, and Russia's efforts are viewed by U.S. intelligence agencies as probable reconnaissance in anticipation of future efforts or an attempt to disrupt confidence in electoral systems. [89]

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[83] "Assessing Russian Activities and Intentions in Recent U.S. Elections."
[84] Ibid.
[85] Ibid., 4.
[86] "Russian Efforts Against Election Infrastructure with Additional Views," Russian Active Measures Campaigns and Interference in the 2016 Election (Senate Select Committee on Intelligence, July 2019), https://www.intelligence.senate.gov/sites/default/files/documents/Report_Volume1.pdf.
[87] "Russian Efforts Against Election Infrastructure with Additional Views," 38.
[88] Ibid.
[89] Ibid., 4-5.

U.S. Perceptions of Russian Motivations

U.S. perceptions of Russia's goals in its election interference campaign have could affected how threatened the United States felt, and therefore the strength of U.S. response. Factors affecting the U.S. response will be discussed in more detail in Chapter 3. Possible Russian goals include changing the election outcome, undermining confidence in U.S. democracy, and increasing polarization in U.S. politics, though these objectives are not mutually exclusive. Though there are a number of potential Russian motives for the campaign, the most prominent interpretation, including by U.S. intelligence agencies, is that "Russia's goals were to undermine public faith in the U.S. democratic process, denigrate Secretary Clinton, and harm her electability and potential presidency" as well as "help President-elect Trump's election chances."[90] Other proposed separate or additional motivations for Russia include revenge against alleged previous U.S. interference in Russian democracy, the desire to weaken the U.S. Presidency, and general "ambivalence towards the West."[91] Given that the Russian government has not openly admitted to electoral interference or discussed its motivations, assertions about motive are based on either non-public, classified information or strategic and historic analysis of Russia's actions. However, for the purposes of this project, it is not necessary to know the Russian government's precise motive in order to analyze the U.S. government's response.

[90] Fiona Hill, "3 Reasons Russia's Vladimir Putin Might Want to Interfere in the U.S. Presidential Elections," Brookings (blog), August 3, 2016, https://www.brookings.edu/blog/order-from-chaos/2016/08/03/3-reasons-russias-vladimir-putin-might-want-to-interfere-in-the-u-s-presidential-elections/; "Assessing Russian Activities and Intentions in Recent U.S. Elections."; Mary Jalonick and Eric Tucker, "Senate Panel Backs Assessment That Russia Interfered in 2016," AP News, April 21, 2020, https://apnews.com/article/d094918c0421b872eac7dc4b16e613c7.
[91] Scott Shane and Mark Mazzetti, "The Plot to Subvert an Election: Unraveling the Russia Story So Far," The New York Times, September 20, 2018, sec. U.S., https://www.nytimes.com/interactive/2018/09/20/us/politics/russia-interference-election-trump-clinton.html; Hill, "3 Reasons Russia's Vladimir Putin Might Want to Interfere in the U.S. Presidential Elections."

Effects of Election Interference in the United States

Conclusions about the effectiveness of Russian election interference vary because the assessment depends significantly on what Russia's goals are believed to have been, which as noted cannot be conclusively determined. In addition, while the complexity and multiple inputs involved make it impossible to reach definitive conclusions about Russia's success in, for example, changing the election result, there is a correlation between Russia's actions and an increase in U.S. political polarization. Without being able to establish causation, in 2016 U.S. partisanship hit a new high, with over 50% of voters viewing the other party very unfavorably, while confidence in U.S. elections seemed unaffected both during and after the election.[92]

Although investigations found no evidence that Russia exploited its access to election infrastructure to change vote tallies or voter rolls, given the large number of impressions, or views and interactions, that the IRA alone achieved on social media, IRA propaganda may have had some effect on voters' choices.[93] It is impossible to know how many voters, if any, the IRA and other sources of Russian disinformation may have swayed, and because of Donald Trump's small margin of victory in crucial states in the 2016 election, multiple factors could have tipped the election.

According to the 2017 Intelligence Community Assessment and Senate Intelligence Committee Reports, it is more likely that Russia's primary objective was to further polarize American voters and reduce confidence in U.S. democracy, with any ability to swing the election

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[92] "Partisanship and Political Animosity in 2016," Pew Research Center - U.S. Politics & Policy (blog), June 22, 2016, https://www.pewresearch.org/politics/2016/06/22/partisanship-and-political-animosity-in-2016/; Justin McCarthy, "Most Americans Confident in Accuracy of Upcoming Elections," Gallup.com, November 5, 2018, https://news.gallup.com/poll/244373/americans-confident-accuracy-upcoming-elections.aspx.

[93] David Catanese, "The 10 Closest States in the 2016 Election," U.S. News & World Report, November 14, 2016, https://www.usnews.com/news/the-run-2016/articles/2016-11-14/the-10-closest-states-in-the-2016-election; Philip N Howard et al., "The IRA, Social Media and Political Polarization in the United States, 2012-2018," Computational Propoganda Research Project, October 2019, 6-7.

in favor of a friendlier candidate being tangential and perhaps unexpected.[94] Like influence on voter decisions, polarization and mistrust are subjective, and a direct cause-and-effect linkage is difficult to establish.

U.S. Response to Russian Election Interference

The U.S. government adopted a number of policies in response to Russian interference with the 2016 U.S. election. My analysis includes official federal government actions in response to 2016 Russian disinformation, including reports, hearings, legislation, executive orders, and actions taken under existing law. I examined the congressional records for relevant bills, in addition to relevant committee websites for hearings and press releases. In addition, I looked for all Whitehouse.gov press releases and executive orders on Russian disinformation. In order to find less-publicized actions such as Cyber Command operations, as well as assemble a complete picture of U.S. actions, I consulted think tank reports on U.S. policy actions. I exclude lower investment and impact activities such as public remarks by the President, legislators, and agency spokespeople and the Presidential signing of previously passed bills. However, relevant public remarks will be included in my analysis of U.S. policy formation and actors. I include federal government policies implemented prior to the 2018 U.S. midterm elections, including a few policies that were put in place before the end of the 2016 election as preliminary responses once the United States realized that Russia was interfering in the election. Policies established after the 2018 election are excluded for several reasons. First, policies implemented after 2018 were

[94] "Russia's Use of Social Media with Additional Views," Russian Active Measures Campaigns and Interference in the 2016 Election (Senate Select Committee on Intelligence, October 2019), https://www.intelligence.senate.gov/sites/default/files/documents/Report_Volume2.pdf; "Russian Efforts Against Election Infrastructure with Additional Views"; "Assessing Russian Activities and Intentions in Recent U.S. Elections."

delayed enough to not be in place to protect the next major U.S. election after 2016 and thus were too late to deter Russia from further interference past 2016. Second, whether anti-disinformation policies put in place after the 2018 election represent responses to Russian election interference in 2016 or new responses to interference in 2018 is ambiguous. In addition, other than the Mueller report, which primarily focused on the Trump campaign, there were no major public actions in process before 2018 that had yet to be completed or published in an interim report so post-2018 legislation or prosecutions would either have been non-public or started after and potentially in response to the 2018 midterms.

U.S. Actors

The three types of U.S. actors involved in federal disinformation policies are the President, the legislative branch or Congress, and executive branch agencies. Actions taken by each group vary because of their different legal authority. For example, legislative policies mostly consist of reports and laws passed by Congress. In addition, the elected, more partisan character of the executive and legislative branches contrast with that of the executive agencies, which include a multitude of career bureaucrats and are seen as comparatively objective and nonpartisan.

The executive branch, despite its traditionally central role in foreign policy, has done relatively little with regards to disinformation in the 2016-18 period, with the bulk of Presidential actions consisting of supporting other actors such as Congress and the Director of National Intelligence (DNI), as well as intermittent public statements. In part this is probably because the ability to negotiate treaties, an essential part of executive power over foreign policy, has not been used in disinformation policy thus far. As a result, beyond a small number of executive orders,

most Presidential involvement in anti-disinformation policy has been limited to signing or implementing legislative policy through executive agencies and making public statements about the threat of Russian interference or lack thereof.[95] Executive disinformation policies consist of two distinct periods: the Obama era, covering a few months before and immediately after the election, and the Trump era, covering the majority of the U.S. response through 2018. Presidential executive orders on disinformation together compose one sequence, in which President Trump extended a prior executive order issued by President Obama that created sanctions against top Russian intelligence actors and companies involved in the campaign for election interference.[96]

The legislative branch has used three main methods to respond to Russian interference: legislation, hearings, and committee reports on Russian disinformation. Between 2016 and 2018, Congress introduced several bills in response to disinformation and passed several pieces of legislation as part of larger bills. Congress also held five open hearings on Russian disinformation in the 2016 election, and several committees published reports investigating Russian interference.[97]

U.S. executive agencies represent the third group of actors involved in the policy response to Russian election interference. Federal agencies, including the Intelligence Community, the umbrella organization for all U.S. intelligence agencies organized by the DNI,

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[95] "Executive Order 13849: Authorizing the Implementation of Certain Sanctions Set Forth in the Countering America's Adversaries Through Sanctions Act," September 21, 2018, https://www.federalregister.gov/documents/2018/09/21/2018-20816/authorizing-the-implementation-of-certain-sanctions-set-forth-in-the-countering-americas-adversaries; Karoun Demirjian, "Republicans, Democrats Partner on Russia Sanctions Bill, New Cyber Measures," Washington Post, August 2, 2018, https://www.washingtonpost.com/powerpost/republicans-democrats-partner-on-russia-sanctions-bill-new-cyber-measures/2018/08/02/05613dd4-9666-11e8-a679-b09212fb69c2_story.html.

[96] David E. Sanger, "Obama Strikes Back at Russia for Election Hacking," The New York Times, December 29, 2016, sec. U.S., https://www.nytimes.com/2016/12/29/us/politics/russia-election-hacking-sanctions.html.

[97] "Open Hearings | Intelligence Committee," U.S. Senate Select Committee on Intelligence, accessed February 1, 2021, https://www.intelligence.senate.gov/hearings/open.

as well as individual agencies such as the National Security Agency (NSA), DHS, and FBI, as well as DoJ, are the most varied policy actor group, differing in size, powers, and history. Due to their significant number of career bureaucrats with varying personal party affiliations, they are generally considered nonpartisan relative to elected offices such as the Presidency and Congress and often work together to counter disinformation, engaging in overlapping categories of actions such as investigation and issuance of reports. Overall, executive agencies have taken the largest quantity of actions; however, this stems in part from the large number of agencies involved in responding to Russian election interference, as well as the iterative nature of some reports and investigations. Collectively, executive agencies were primarily involved in investigating and reporting on Russian disinformation, while some agencies such as the NSA and DoJ took action based on their delegated powers.

U.S. Response Timeline

Between 2016 and 2018, federal actions evolved from preliminary reports and hearings to sanctions and prosecutions, as well as organizational changes to help improve future federal coordination and response. The U.S. response to Russian election interference appears to have been uncoordinated, primarily consisting of investigations, hearings, and reports, as well as indictments and sanctions that will not realistically affect the targeted individuals. While the U.S. took some punitive actions, those prosecutions and sanctions impact a small number of low-level players on the Russian side, as opposed to broad, aggressive sanctions or ones targeted against key decision makers. Overall, the United States lacked a coordinated, whole-of-government approach in the response to Russian disinformation.

2016

The initial U.S. response to Russian interference was slowed by President Obama's concerns about appearing to interfere in the ongoing democratic election or undermining public confidence in voting systems.[98] The first federal response to the 2016 Russian election interference was not until October 7, 2016 when a statement was issued by the Intelligence Community attributing the email hackings against Democrats and the Clinton campaign during the election to Russia, arguing that the hackings were believed to be ordered by senior-most Russian officials and stating that state election systems had been scanned though those actions could not yet be attributed to Russia.[99]

In December 2016, shortly after the election, Congress passed the National Defense Authorization Act (NDAA) for Fiscal Year 2017, which established the Department of State Global Engagement Center.[100] The Global Engagement Center was established to lead U.S. government efforts to understand and counter foreign disinformation undermining U.S. national security.[101]

On December 29, 2016, the DHS, Office of the Director of National Intelligence (ODNI), and the FBI issued a Joint Analytical Report (JAR) building on the brief October statement.[102]

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[98] Eric Lipton, David Sanger, and Scott Shane, "The Perfect Weapon: How Russian Cyberpower Invaded the U.S. - The New York Times," The New York Times, December 13, 2016, https://www.nytimes.com/2016/12/13/us/politics/russia-hack-election-dnc.html. "Senate Report Faults Obama Administration's Paralysis on Russian Election Interference," POLITICO, February 6, 2020, https://www.politico.com/news/2020/02/06/obama-russia-senate-intel-committee-report-111388.

[99] DHS Press Office, "Joint Statement from the Department Of Homeland Security and Office of the Director of National Intelligence on Election Security," Department of Homeland Security, October 7, 2016, https://www.dhs.gov/news/2016/10/07/joint-statement-department-homeland-security-and-office-director-national.

[100] John McCain, "National Defense Authorization Act for Fiscal Year 2017," § 1287 (2016), https://www.congress.gov/114/plaws/publ328/PLAW-114publ328.pdf.

[101] John McCain, *National Defense Authorization Act for Fiscal Year 2017*.

[102] "Joint DHS, ODNI, FBI Statement on Russian Malicious Cyber Activity," FBI National Press Office, December 29, 2016, https://www.fbi.gov/news/pressrel/press-releases/joint-dhs-odni-fbi-statement-on-russian-malicious-cyber-activity; Federal Bureau of Investigation and Department of Homeland Security, "Grizzly Steppe – Russian Malicious Cyber Activity," Joint Analysis Report, December 29, 2016, https://us-cert.cisa.gov/sites/default/files/publications/JAR_16-20296A_GRIZZLY%20STEPPE-2016-1229.pdf.

The JAR primarily provided technical details on the attacks and was meant to provide private sector companies with the ability to identify and report attacks.[103]

In addition in December 2016, in the first attempt at retaliation, President Obama issued an executive order sanctioning Russian intelligence agencies, officers, and companies involved in the election interference and authorizing Treasury to impose sanctions for disinformation or cyberattacks.[104] However, President Obama did not directly retaliate against Russian President Vladimir Putin, and the targeted individuals likely had no U.S. assets that would be impacted.[105] President Obama also announced the closing of two Russian compounds in the U.S. used for intelligence purposes and expelled 35 Russian diplomats.[106] While the diplomatic actions were taken through the authority of the State Department, they were part of President Obama's coordinated response to Russian election interference and announced as part of his administration's policy response.[107]

2017

On January 6, 2017, the ODNI issued the first substantive investigation of election interference, an Intelligence Community Assessment (ICA) that concluded that Russia interfered in the U.S. election in favor of President Trump and additionally that the interference was

[103] "Joint DHS, ODNI, FBI Statement on Russian Malicious Cyber Activity"; Sam Thielman, "FBI and Homeland Security Detail Russian Hacking Campaign in New Report," The Guardian, December 29, 2016, http://www.theguardian.com/technology/2016/dec/29/fbi-dhs-russian-hacking-report.
[104] "Executive Order 13694: Taking Additional Steps to Address the National Emergency with Respect to Significant Malicious Cyber-Enabled Activities," whitehouse.gov, December 29, 2016, https://obamawhitehouse.archives.gov/the-press-office/2016/12/29/executive-order-taking-additional-steps-address-national-emergency.
[105] Zeeshan Aleem, "President Obama Just Took Unprecedented Steps to Punish Russia for Its Cyberattacks," Vox, December 29, 2016, https://www.vox.com/policy-and-politics/2016/12/29/14117236/obama-russia-sanctions-cyber-attacks.
[106] Office of the Press Secretary, "Statement by the President on Actions in Response to Russian Malicious Cyber Activity and Harassment," whitehouse.gov, December 29, 2016, https://obamawhitehouse.archives.gov/the-press-office/2016/12/29/statement-president-actions-response-russian-malicious-cyber-activity.
[107] Robert D Blackwill and Philip H Gordon, "Containing Russia: How to Respond to Moscow's Intervention in U.S. Democracy and Growing Geopolitical Challenge," Council on Foreign Relations, Council Special Report, no. 80 (January 2018): 54.

ordered by President Putin.[108] In addition, the intelligence agencies concluded that Russia posed a threat to future elections.[109] This report was the basis for the January 10 Senate Select Committee on Intelligence hearing, and also created controversy in Congress and U.S. news media over whether Russian interference was in favor of Trump.[110]

During the first half of 2017, various Congressional committees held hearings on Russian disinformation. On January 10, 2017, the Senate Select Committee on Intelligence held the first of several open hearings, and included the DNI and the Directors of the CIA, NSA, and FBI.[111] The hearing discussed the ICA from January 6, 2017 that concluded that Russian interference in the 2016 U.S. election was ordered by Putin and that Russia wanted to help President-Elect Trump.[112] After Donald Trump's January 20 inauguration, in March 2017, the Committee held two back-to-back hearings called "A Primer in Russian Active Measures and Influence Campaigns," providing an overview of past Russian disinformation, including that related to the 2016 election.[113] In June 2017, the Committee held a hearing covering what happened in the 2016 election and looking ahead to elections in 2018 and 2020.[114] The hearing included two panels, the first comprised of FBI and DHS officials and focused on the events of 2016 and the federal

[108] "Assessing Russian Activities and Intentions in Recent U.S. Elections," ii.
[109] Ibid., iii.
[110] "Report on Russian Active Measures" (House Permanent Select Committee on Intelligence, March 22, 2018), https://republicans-intelligence.house.gov/uploadedfiles/final_russia_investigation_report.pdf.
[111] "ODNI Statement on Declassified Intelligence Community Assessment of Russian Activities and Intentions in Recent U.S. Elections," § U.S. Senate Select Committee on Intelligence (2017), https://www.intelligence.senate.gov/hearings/open-hearing-intelligence-communitys-assessment-russian-activities-and-intentions-2016-us.
[112] ODNI Statement on Declassified Intelligence Community Assessment of Russian Activities and Intentions in Recent U.S. Elections; "Assessing Russian Activities and Intentions in Recent U.S. Elections," 11.
[113] "Disinformation: A Primer in Russian Active Measures and Influence Campaigns," § U.S. Senate Select Committee on Intelligence (2017), https://www.intelligence.senate.gov/hearings/open-hearing-disinformation-primer-russian-active-measures-and-influence-campaigns-panel-i.
114 "Russian Interference in the 2016 U.S. Elections," § U.S. Senate Select Committee on Intelligence (2017), https://www.intelligence.senate.gov/hearings/open-hearing-russian-interference-2016-us-elections#.

response.[115] The second panel included state election officials and was meant to explore how the federal government could assist states to secure election infrastructure.[116]

In August 2017, Congress passed the Countering America's Adversaries Through Sanctions Act (CAATSA) of 2017, which codified into law sanctions imposed by President Obama's December 2016 executive order, preventing President Trump from lifting them through executive order.[117] In addition, it mandated new sanctions for election interference and expanded existing sanctions.[118] In both 2017 and 2018, President Trump issued Presidential memoranda implementing the 2017 and 2018 CAATSA.[119] However, President Trump expressed disapproval of CAATSA, particularly sanctions against Russia, and the policy was driven by Congress not the President.[120]

In Fall 2017, FBI Director Christopher Wray created the Foreign Interference Task Force (FITF).[121] The FBI has primary responsibility for investigating foreign influence, and the FITF is involved in investigating as well as communicating threats by foreign entities to other government and private entities.[122] In addition, in November 2017, the DoJ mandated that RT and

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[115] Russian Interference in the 2016 U.S. Elections.
[116] Ibid.
[117] Blackwill and Gordon, "Containing Russia: How to Respond to Moscow's Intervention in U.S. Democracy and Growing Geopolitical Challenge," 13.
[118] Ibid.
[119] "Presidential Memorandum for the Secretary of State, the Secretary of the Treasury, and the Director of National Intelligence – The White House," trumpwhitehouse.archives.gov, September 29, 2017, https://trumpwhitehouse.archives.gov/presidential-actions/presidential-memorandum-secretary-state-secretary-treasury-director-national-intelligence/; "Executive Order Authorizing the Implementation of Certain Sanctions Set Forth in the Countering America's Adversaries Through Sanctions Act – The White House," trumpwhitehouse.archives.gov, September 20, 2018, https://trumpwhitehouse.archives.gov/presidential-actions/executive-order-authorizing-implementation-certain-sanctions-set-forth-countering-americas-adversaries-sanctions-act/.
[120] "Statement on Signing the Countering America's Adversaries Through Sanctions Act," The American Presidency Project, August 2, 2017, https://www.presidency.ucsb.edu/documents/statement-signing-the-countering-americas-adversaries-through-sanctions-act.
[121] "Combating Foreign Influence," Federal Bureau of Investigation, accessed February 1, 2021, https://www.fbi.gov/investigate/counterintelligence/foreign-influence.
[122] "Combating Foreign Influence."

its global distribution agent register under the Foreign Agents Registration Act (FARA).[123] FARA requires foreign agents to register as well as label their broadcasts for transparency.[124] This decision was partially based on the 2017 ICA, which included discussion of RT's involvement in 2016 election interference.[125] In December 2017, Congress passed the Fiscal Year 2018 NDAA. The legislation included a section building on a bill that had been previously been introduced in the Senate, called the Countering Foreign Propaganda and Disinformation Act.[126] The 2018 NDAA required cooperation between the DoD and the State Department on foreign disinformation and strengthened the Global Engagement Center.[127]

2018

In February 2018, the DOJ charged 13 Russian individuals and three companies for their interference in the U.S. political system, including the 2016 Presidential election, as part of the special counsel investigation into the 2016 election.[128] Twelve of the individuals were employees of the IRA, while the last one was Yevgeniy Prigozhin, the oligarch who funded IRA

[123] "Production Company Registers Under the Foreign Agent Registration Act as Agent for the Russian Government Entity Responsible for Broadcasting RT," Department of Justice, November 13, 2017, https://www.justice.gov/opa/pr/production-company-registers-under-foreign-agent-registration-act-agent-russian-government.
[124] "Production Company Registers Under the Foreign Agent Registration Act as Agent for the Russian Government Entity Responsible for Broadcasting RT."
[125] Heather Hunt, "Obligation of RTTV America, Inc. to Register Under the Foreign Agents Registration Act," August 17, 2017, https://www.politico.com/f/?id=00000160-79a9-d762-a374-7dfbebe30001; "Assessing Russian Activities and Intentions in Recent U.S. Elections," 6.
[126] "Murphy, Portman Announce Final Passage of Measure to Counter Foreign Propaganda in NDAA Conference Report | U.S. Senator Chris Murphy of Connecticut," Chris Murphy Senate, November 16, 2017, https://www.murphy.senate.gov/newsroom/press-releases/murphy-portman-announce-final-passage-of-measure-to-counter-foreign-propaganda-in-ndaa-conference-report.
[127] Mac Thornberry, "National Defense Authorization Act for Fiscal Year 2018," § 1239A (2017), https://www.congress.gov/115/plaws/publ91/PLAW-115publ91.pdf.
[128] Office of Public Affairs, "Grand Jury Indicts Thirteen Russian Individuals and Three Russian Companies for Scheme to Interfere in the United States Political System," Department of Justice, February 16, 2018, https://www.justice.gov/opa/pr/grand-jury-indicts-thirteen-russian-individuals-and-three-russian-companies-scheme-interfere.

activities.[129] The charges related to the activities of the IRA.[130] In March 2018, President Trump signed an executive order extending the emergency declaration from Obama's December 2016 executive order by one year.[131] This extended the specific sanctions in the individual order, as well as the authority of the Department of Treasury to sanction individuals under it. The House Permanent Select Committee on Intelligence issued a report in March 2018 on its investigation of Russia's interference in the 2016 election agreeing with most of the Intelligence Community's prior assessments, except for the allegation that President Putin preferred Trump to Clinton.[132] In June 2018, the Committee had a hearing on the U.S. policy response to Russian election interference that involved both looking back at 2016 as well as recommendations for future policies to combat election interference.[133]

While the Senate Select Committee on Intelligence did not publish a final report on Russian election interference before the 2018 midterms, in July 2018 the Committee published its findings to date.[134] The preliminary report supported the January 2017 ICA's findings, both through examination of the evidence as well as intelligence agencies' analytical processes, and agreed with the assessment that Russia favored President Trump in the 2016 election.[135] In addition, in July 2018, the DoJ brought charges against eleven additional Russian individuals,

[129] Office of Public Affairs, "Grand Jury Indicts Thirteen Russian Individuals and Three Russian Companies for Scheme to Interfere in the United States Political System."
[130] Ibid.
[131] "Notice Regarding the Continuation of the National Emergency with Respect to Significant Malicious Cyber-Enabled Activities – The White House," trumpwhitehouse.archives.gov, 2018, https://trumpwhitehouse.archives.gov/presidential-actions/notice-regarding-continuation-national-emergency-respect-significant-malicious-cyber-enabled-activities/.
[132] "Report on Russian Active Measures."
[133] "Policy Response to the Russian Interference in the 2016 U.S. Elections," § U.S. Senate Select Committee on Intelligence (2018), https://www.intelligence.senate.gov/hearings/open-hearing-policy-response-russian-interference-2016-u-s-elections#.
[134] "The Intelligence Community Assessment: Assessing Russian Activities and Intentions in Recent U.S. Elections," Summary of Initial Findings (Senate Select Committee on Intelligence, July 3, 2018), https://www.burr.senate.gov/imo/media/doc/SSCI%20ICA%20ASSESSMENT_FINALJULY3.pdf.
[135] "The Intelligence Community Assessment: Assessing Russian Activities and Intentions in Recent U.S. Elections," 4-5.

primarily for hacking into organizations involved in Hillary Clinton's presidential campaign and leaking hacked documents.[136] The charges were brought against the individual Russian intelligence officers who carried out the scheme, not higher-level policymakers who might have ordered the attack.[137]

During 2018, the federal government also prepared for potential Russian interference in the upcoming midterm elections. Following the July indictment, U.S. Cyber Command and the NSA engaged in cyber operations preparing preemptively for the 2018 midterm elections and reportedly both outed Russian operatives and passed information to the DHS and the FBI.[138] In July 2018, the DOJ Cyber Digital Task Force issued its first report on how the DOJ was dealing with cyber threats.[139] The report described DOJ preparations for the 2018 midterms, including investigating and prosecuting violations of FARA, sharing threat information, and working with private companies.[140]

The 2019 NDAA was passed in August 2018, before the midterm elections. The 2019 NDAA modified the Global Engagement Center's description to add greater emphasis on protecting U.S. and allies' national security interests.[141] In addition, it directed the President to designate a National Security Council (NSC) employee to coordinate executive agencies' anti-disinformation efforts.[142]

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[136] "United States of America vs Viktor Borisovich Netyksho, Boris Alekseyevich Antonov, et al.," Department of Justice, July 13, 2018, https://www.justice.gov/file/1080281/download; "Special Counsel's Office," Department of Justice, October 16, 2017, https://www.justice.gov/sco.
[137] "United States of America vs Viktor Borisovich Netyksho, Boris Alekseyevich Antonov, et al."
[138] Alina Polyakova and Daniel Fried, "Democratic Defense Against Disinformation" (Atlantic Council Eurasia Center, June 2019), https://www.atlanticcouncil.org/wp-content/uploads/2019/06/Democratic_Defense_Against_Disinformation_2.0.pdf, 9.
[139] Rod Rosenstein, "Report of the Attorney General's Cyber Digital Task Force" (U.S. Department of Justice, July 2, 2018), https://www.justice.gov/archives/ag/page/file/1076696/download.
[140] Rod Rosenstein, "Report of the Attorney General's Cyber Digital Task Force."
[141] Mac Thornberry, "John McCain National Defense Authorization Act for Fiscal Year 2019," § 1284 and 1043 (2018), https://www.congress.gov/115/plaws/publ232/PLAW-115publ232.pdf; Alina Polyakova and Daniel Fried, "Democratic Defense Against Disinformation," 10.
[142] Mac Thornberry, *John McCain National Defense Authorization Act for Fiscal Year 2019*.

In September 2018, shortly before the U.S. midterm elections, President Trump issued an executive order requiring post-election assessments of foreign interference in U.S. elections coordinated by the DNI and sanctions in response to election interference.[143] The September 2018 executive order built upon the previous emergency declarations in March 2018 and December 2016, and was intended to establish sanctions for interference in the November 2018 midterms and a consistent post-incident analysis process.

Overall, the public U.S. government response to Russian election interference seems surprisingly limited, particularly in light of the high profile and high stakes nature of the Russian campaign. Russia attempted to disrupt the U.S. Presidential election, and the U.S. response primarily consisted of holding investigative hearings and issuing reports. Despite a few prosecutions and sanctions, there appear not to have been deterrent or retaliatory measures against high-level officials in positions to control Russian election interference policy, such as President Putin. Without retaliatory actions against decision makers, U.S. actions cannot serve as effective deterrence against future Russian interference in U.S. elections. While actions such as FARA designation for RT potentially help the U.S. achieve some deterrence through denial, making it more difficult for Russia to influence U.S. voters, they do not meaningfully increase the cost to decision makers and motivate them not to interfere.

Russian Interference in the 2016 U.K. Brexit Referendum

At the same time as the U.S. presidential campaign was ramping up and Russian actors were hacking the DNC and spreading disinformation, a shorter, more limited election

[143] "Executive Order on Imposing Certain Sanctions in the Event of Foreign Interference in a United States Election – The White House," trumpwhitehouse.archives.gov, September 12, 2018, Retrieved January 15, 2020 from https://trumpwhitehouse.archives.gov/presidential-actions/executive-order-imposing-certain-sanctions-event-foreign-interference-united-states-election/.

interference campaign took place in the United Kingdom. In 2016, the United Kingdom had a referendum on whether to leave the EU.[144] The Brexit referendum campaign was contentious, involving emotive rhetoric about sovereignty, healthcare funding, and loss of economic prosperity.[145] On June 23, 2016, a slim majority of the United Kingdom voted to leave the EU, triggering Prime Minister David Cameron's resignation and a separation process that has only recently been concluded in January 2021.[146]

In late 2015, as the EU referendum campaign was beginning in the United Kingdom, Arron Banks, one of the co-founders of the Leave.EU campaign and the largest individual political donor in the United Kingdom, met with the Russian ambassador to the United Kingdom, allegedly discussing the upcoming EU referendum and opportunities to invest in gold.[147] The source and extent of Banks' wealth is unclear, and given his numerous overseas business connections and offers, some have charged that the money for his donations came indirectly from outside the United Kingdom, funneling Russian money into U.K. politics.[148]

In contrast to the 2016 U.S. Presidential election, Russian interference in the Brexit campaign came to light slowly and its extent remains more contested. A U.K. government report published more than three years after the referendum concluded that Russian interference in the

[144] "Brexit: What You Need to Know about the UK Leaving the EU," BBC News, December 30, 2020, sec. UK Politics, https://www.bbc.com/news/uk-politics-32810887.
[145] Jen Kirby, "A Short History of the Long Road to Brexit," Vox, January 31, 2020, https://www.vox.com/2020/1/31/21083573/brexit-news-boris-johnson-timeline-eu-uk.
[146] Kirby, "A Short History of the Long Road to Brexit."
[147] David D. Kirkpatrick and Matthew Rosenberg, "Russians Offered Business Deals to Brexit's Biggest Backer," The New York Times, June 29, 2018, sec. World, https://www.nytimes.com/2018/06/29/world/europe/russia-britain-brexit-arron-banks.html; "Disinformation and 'Fake News': Interim Report - Digital, Culture, Media and Sport Committee - House of Commons," parliament.uk, July 2018, https://publications.parliament.uk/pa/cm201719/cmselect/cmcumeds/363/36308.htm#footnote-094-backlink.
[148] "Disinformation and 'Fake News': Interim Report - Digital, Culture, Media and Sport Committee - House of Commons."

referendum was "unquantifiable."[149] However, the report also acknowledged that the U.K. government did not investigate whether Russia interfered in the referendum.[150] Although that lack of investigation means the extent and specifics of interference are less clear than in the United States, Luke Harding, a Guardian journalist with experience in Russia, argued that the U.K. government is "in denial" about interference.[151] Additionally, studies by UC Berkeley and the University of Edinburgh found that social media accounts tied to Russian interference were active in posting about the Brexit referendum.[152] However, retrospective academic research has been hindered by the deletion of data, such as when Twitter accounts involved in spreading disinformation during the referendum were deleted for spreading disinformation.[153] Because of this paucity of research, there is considerably less debate and speculation about topics like Russia's motives and impact on the Brexit referendum than in the U.S. case.

While no comprehensive database of accounts and tweets from Russian actors in the Brexit referendum exists, examination of a list of 2752 IRA-linked accounts that spread disinformation and divisive content in the U.S. election allowed researchers from the University of Edinburgh to identify 419 accounts that also posted several thousand times about Brexit or Brexit-related topics such as the European Union and migration.[154] While interference in the U.S. election took place through months of campaigning, Brexit interference through social media

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[149] Adam Payne, "The Report That Boris Johnson Is Refusing to Publish Says It Cannot Rule out Russian Interference in the Brexit Referendum," Business Insider, November 17, 2019, https://www.businessinsider.com/report-russia-report-cannot-rule-out-interference-in-brexit-referendum-2019-11.
150 Rachel Ellehuus and Donatienne Ruy, "Did Russia Influence Brexit?," July 21, 2020, https://www.csis.org/blogs/brexit-bits-bobs-and-blogs/did-russia-influence-brexit.
[151] Rachel Ellehuus and Donatienne Ruy, "Did Russia Influence Brexit?"
[152] Clare Llewellyn et al., "Russian Troll Hunting in a Brexit Twitter Archive," in Proceedings of the 18th ACM/IEEE on Joint Conference on Digital Libraries, JCDL '18 (New York, NY, U.S.A: Association for Computing Machinery, 2018), 361–362, https://doi.org/10.1145/3197026.3203876; Yuriy Gorodnichenko, Tho Pham, and Oleksandr Talavera, "Social Media, Sentiment and Public Opinions: Evidence from #Brexit and #U.S.Election" (Cambridge, MA: National Bureau of Economic Research, May 2018), https://doi.org/10.3386/w24631.
[153] Llewellyn et al., "Russian Troll Hunting in a Brexit Twitter Archive."
[154] Ibid.

was concentrated around the election day: just two weeks before the vote only about 1000 posts a day appeared from Russian actors related to the Brexit referendum.[155] The day before and after the referendum, Russian Twitter accounts, many of which were bots, posted nearly 45,000 times about Brexit according to a report from UC Berkeley and Swansea University.[156] One account called for the British to vote to "make June the 23rd our Independence Day."[157] According to 89up, a communications company cited in the U.K. post-incident Parliamentary analysis, Russian bots created over 10 million potential impressions during the referendum campaign, nearly a third the reach of the official Leave.EU Twitter account.[158]

In addition, Russian state news actively posted articles about the Brexit referendum. Sputnik and RT posted over 250 Brexit-related articles in 2016 prior to the referendum, which were typically pro-Leave.[159] These articles created up to 134 million impressions, while the Vote Leave and Leave.EU websites combined had 44 million potential impressions.[160]

Although Russian interference in the U.K. Brexit campaign was on a smaller scale and lower profile than in the 2016 U.S. election, interference did occur. Russia used existing social media accounts, including bots, to comment on the Brexit referendum, and also successfully spread anti-EU stories through RT and Sputnik. As with the U.S. election, it is impossible to know how impactful Russian interference was on the United Kingdom's vote to leave the EU;

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[155] David D. Kirkpatrick, "Signs of Russian Meddling in Brexit Referendum," The New York Times, November 15, 2017, sec. World, https://www.nytimes.com/2017/11/15/world/europe/russia-brexit-twitter-facebook.html.
[156] Reuters Staff, "Russian Twitter Accounts Promoted Brexit Ahead of EU Referendum: Times Newspaper," Reuters, November 15, 2017, https://www.reuters.com/article/us-britain-eu-russia-idU.S.KBN1DF0ZR.
[157] Reuters Staff, "Russian Twitter Accounts Promoted Brexit Ahead of EU Referendum."
[158] 89up, "Putin's Brexit? The Influence of Kremlin Media & Bots during the 2016…," https://www.slideshare.net/89up/putins-brexit-the-influence-of-kremlin-media-bots-during-the-2016-uk-eu-referendum; "Disinformation and 'Fake News': Final Report - Digital, Culture, Media and Sport Committee - House of Commons."
[159] "Putin's Brexit? The Influence of Kremlin Media & Bots during the 2016 UK EU Referendum" (89up, February 10, 2018), https://www.89up.org/russia-report.
[160] "Putin's Brexit? The Influence of Kremlin Media & Bots during the 2016 UK EU Referendum."

however, as in the U.S., the EU referendum result had a narrow margin. Because of the narrow margin, any number of factors could have tipped the vote to either side.

U.K. Response to Russian Interference in the Brexit Referendum

According to a member of Parliament in the aftermath of the Brexit referendum, "The outrage isn't if there is interference; the outrage is no one wanted to know if there was interference."[161] As far back as 2016, the U.K. government's response to allegations of Russian interference in the Brexit referendum campaign has been focused on denial and downplaying.[162]

Public communication in the United Kingdom about Russian disinformation was inconsistent. In November 2017, U.K. Prime Minister Theresa May, who took over from David Cameron with a promise to facilitate Brexit, attacked Russia in a speech for election interference, saying that Putin was trying to "undermine free societies."[163] The BBC called her comments a "stark contrast to those of U.S. President Donald Trump" who at the time claimed that he believed President Putin's denials that it interfered in the U.S. 2016 election.[164] In response to her speech, a former Labour cabinet minister asked "why May [was] suddenly acknowledging Russian interference now having stonewalled for months."[165] The U.K. government demonstrated much greater hesitance to investigate or acknowledge allegations of Russian disinformation.

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[161] Mark Landler and Stephen Castle, "'No One' Protected British Democracy From Russia, U.K. Report Concludes," The New York Times, July 21, 2020, sec. World, https://www.nytimes.com/2020/07/21/world/europe/uk-russia-report-brexit-interference.html.
[162] Arne Delfs and Henry Meyer, "Putin's Propaganda Machine Is Meddling With European Elections," Bloomberg.Com, April 20, 2016, https://www.bloomberg.com/news/articles/2016-04-20/from-rape-claim-to-brexit-putin-machine-tears-at-europe-s-seams; "Russia" (Intelligence and Security Committee of Parliament, July 21, 2020), https://webarchive.nationalarchives.gov.uk/20200901112439/https://docs.google.com/a/independent.gov.uk/viewer?a=v&pid=sites&srcid=aW5kZXBlbmRlbnQuZ292LnVrfGlzY3xneDo1Y2RhMGEyN2Y3NjM0OWFl; Landler and Castle, "'No One' Protected British Democracy From Russia, U.K. Report Concludes."
[163] "Theresa May Accuses Vladimir Putin of Election Meddling," BBC News, November 14, 2017, sec. UK Politics, https://www.bbc.com/news/uk-politics-41973043.
[164] "Theresa May Accuses Vladimir Putin of Election Meddling."
[165] Ibid.

The U.K. government did eventually begin an investigation into Russian disinformation in the Brexit referendum. In late 2017, more than a year after the Brexit vote, the Digital, Culture, Media, and Sport Select Committee, a committee in the British House of Commons, began an investigation into disinformation online.[166] Though the inquiry focused on disinformation in general, it included some research into Russian election interference, including during the Brexit referendum. Starting in late 2017, several months after the referendum, the inquiry requested information from Facebook about disinformation. Though Facebook did not share any data on Russian influence networks, it shared limited data about advertising and unrelated disinformation.[167] The interim report issued by the select committee in July 2018 contained research on foreign disinformation during the 2016 referendum, citing academic studies, and Leave.EU and Arron Banks' potential ties to Russia.[168] The National Crime Agency (NCA), the U.K.'s lead law enforcement agency against cybercrime, organized crime, and economic crime, investigated the allegations against Arron Banks and in September 2019 found that the money donated to Leave.EU came from his company and was not laundered for Russia.[169] However, the NCA did not rule out investigating him for other overseas criminal business, implying that his overall wealth and ability to donate could rely on foreign opportunities and connections.[170] The final report of the Digital, Culture, Media, and Sport Select

[166] David Pegg, "Facebook Labelled 'digital Gangsters' by Report on Fake News," The Guardian, February 17, 2019, https://www.theguardian.com/technology/2019/feb/18/facebook-fake-news-investigation-report-regulation-privacy-law-dcms.
[167] Rebecca Stimson, "Response to Questions from Chair, Digital, Culture, Media and Sport Committee of Parliament," June 8, 2018, https://www.parliament.uk/globalassets/documents/commons-committees/culture-media-and-sport/180608-Rebecca-Stimson-Facebook-to-Chair-re-oral-ev-follow-up.pdf; "Disinformation and 'Fake News': Interim Report - Digital, Culture, Media and Sport Committee - House of Commons."
[168] "Disinformation and 'Fake News': Interim Report - Digital, Culture, Media and Sport Committee - House of Commons."
[169] "Public Statement on NCA Investigation into Suspected EU Referendum Offences," National Crime Agency, September 24, 2019, https://nationalcrimeagency.gov.uk/news/public-statement-on-nca-investigation-into-suspected-eu-referendum-offences.
[170] "Public Statement on NCA Investigation into Suspected EU Referendum Offences."

Committee, published February 2019, contained less detail, simply stating the government cannot say that there was "no evidence of successful interference" and recommended that the U.K. government publicize any inquiries into election interference and commission an independent inquiry.[171] In January 2018, the U.K. government created a new national security unit dedicated to combating disinformation.[172] The National Security Communications Unit was created in order to better deter opponents from election interference and disinformation.[173]

In July 2020 the Intelligence and Security Committee (ISC) of Parliament released the final public report on Russian interference in the United Kingdom overall.[174] The ISC began investigating Russian interference in U.K. democracy in November 2017.[175] Despite being completed over a year earlier, its publication was delayed by the U.K. government, supposedly due to normal procedural actions like redaction and the need to reconstitute the committee after the 2019 election.[176] However, the committee's previous chair called the reasons for the delay "entirely bogus," and Prime Minister Boris Johnson was accused of delaying the report because of his party's ties to Russian oligarchs.[177] The report failed to ascertain whether Russia interfered in the EU referendum, emphasizing primarily the lack of U.K. investigation into potential

[171] "Disinformation and 'Fake News': Final Report - Digital, Culture, Media and Sport Committee - House of Commons," parliament.uk, Frebruary 2019, https://publications.parliament.uk/pa/cm201719/cmselect/cmcumeds/1791/179109.htm.
[172] Peter Walker, "New National Security Unit Set up to Tackle Fake News in UK," the Guardian, January 23, 2018, http://www.theguardian.com/politics/2018/jan/23/new-national-security-unit-will-tackle-spread-of-fake-news-in-uk.
[173] Peter Walker, "New National Security Unit Set up to Tackle Fake News in UK."
[174] "Russia" (Intelligence and Security Committee of Parliament, July 21, 2020).
[175] "Russia Report: When Can We Expect It to Be Published?," BBC News, February 7, 2020, sec. UK Politics, https://www.bbc.com/news/uk-politics-51417880.
[176] Payne, "The Report That Boris Johnson Is Refusing to Publish Says It Cannot Rule out Russian Interference in the Brexit Referendum"; Elizabeth Piper James William, "UK Government Failed to Find out Whether Russia Meddled in Brexit Vote: Report," Reuters, July 21, 2020, https://www.reuters.com/article/us-britain-russia-idU.S.KCN24M15I; "Russia Report: When can we expect it to be published?"
[177] Mattha Busby, "Russia Report: UK MPs Condemn 'utterly Reprehensible' Delay," The Guardian, June 20, 2020, http://www.theguardian.com/politics/2020/jun/20/russia-report-uk-mps-condemn-utterly-reprehensible-delay; Russia Report: When can we expect it to be published?"

interference, rather than evaluation of the alleged interference itself.[178] When asked for evidence about Russian interference in the Brexit referendum, MI5, the United Kingdom's main domestic intelligence agency, responded with only six lines of text and a reference to public academic studies.[179] The report nonetheless recommended that the U.K. intelligence community investigate and publish a report on Russian interference in the UK referendum; however, a public report has not yet been published as of May 2021.[180]

Overall, the U.K. response to 2016 Russian election interference has been slower and even less thorough than the U.S. response, in addition to being similarly uncoordinated. It is notable that U.K. government agencies pointed to private academic research, instead of offering information based on their own research and intelligence, when asked about their knowledge of the extent of Russian interference in the Brexit referendum.[181] Unlike in the United States, the U.K. response did not include any punitive actions such as prosecutions or sanctions. The United Kingdom appears to be several steps behind the United States in reacting to Russian actions, having stalled before completing investigations into the presence of interference in the Brexit referendum. The United States and United Kingdom faced similar challenges, each experiencing a contentious attack on its domestic political system. Why was the policy process in both states disorganized, and what different challenges did the United States and United Kingdom face?

[178] James, "UK Government Failed to Find out Whether Russia Meddled in Brexit Vote."
[179] "Russia" (Intelligence and Security Committee of Parliament, July 21, 2020), 12.
[180] James, "UK Government Failed to Find out Whether Russia Meddled in Brexit Vote."
[181] "Russia" (Intelligence and Security Committee of Parliament, July 21, 2020), 12 & 40.

Chapter 3: Organizational Policy Decisions

Which factors shaped the U.S. and U.K. responses to the 2016 Russian disinformation campaigns, resulting in similarly uncoordinated responses but more a limited one in the United Kingdom? How does a bureaucratic politics approach shed light on the case studies? The bureaucratic politics model can be applied to the U.S. and U.K. case studies to illuminate important factors affecting policy in response to Russian disinformation. I begin Chapter 3 by analyzing the U.S. case study. I first examine how the bureaucratic politics model can inform the impact of actors' standard operating procedures on their choices in the U.S. case study. I then discuss how the U.S. case presents strong challenges to expectations of bargaining and leadership in the process of policy formulation, challenging the analytical utility of bureaucratic politics. Next, I discuss the importance of geopolitical context and how it affects and complements the above factors. Then, I discuss the role of the Presidency, assessing how its constraints and importance in creating leadership differ from those of other actors in the U.S. case. Finally, I discuss how the U.K. case reveals the significance of a government's institutional structure, specifically the division or centralization of power, on bargaining and leadership in the decision-making process. The analysis demonstrates that bureaucratic politics can generate key insights, but that some of its predictions may be less robust without the domestic-consensus-building, bipolar competition that shaped foreign policy during the Cold War.

Bureaucratic Politics Applications to the U.S. Case Study

The bureaucratic politics model can be applied to the U.S. case study to help illuminate some aspects of government interaction, such as reliance on standard operating procedure by agencies and partisan division. The analytical leverage of standard operating procedure,

however, depends somewhat on taking into account context, particularly the presence or absence of a unifying threat. In addition, the U.S. case study poses challenges to the importance of bargaining and leadership as key factors in the policy process as predicted by a bureaucratic politics approach.

Standard Operating Procedures

Many of the U.S. actions taken in response to Russian election interference strongly conform to the idea in bureaucratic politics that actors have defined roles and histories, and their actions are selected from a set of standard operating procedures shaped by their areas of responsibility and experiences. Examples of expected actions that can be illuminated by this aspect of the approach include DoJ indictments, retaliatory hacking by the NSA and Cyber Command, intelligence agencies issuing investigative reports, internal investigations by Congressional oversight committees, and even to some degree partisan division by the President and other political actors. Using bureaucratic politics to examine these actions, which constitute a large portion of overall U.S. responses, reveals that the responses are not in fact as unusual or unexpected as some of them were perceived to be at the time.

One of the primary options considered by the Obama Administration was economic sanctions. Although sanctions are a standard response to provocations that do not rise to the level of armed conflict, they ended up being one of the less significant aspects of the response in this case.[182] Interestingly, sanctions were of limited use in the 2016 response precisely because most viable sanctions had already been imposed as a standard response to Russian actions like the

[182] "U.S. Government Response to Russian Activities," Russian Active Measures Campaigns and Interference in the 2016 Election (Senate Select Committee on Intelligence, February 6, 2020), https://www.intelligence.senate.gov/sites/default/files/documents/Report_Volume3.pdf.

2014 invasion of Ukraine to the degree that "the remaining economic options would incur significant blowback to either the United States or its allies, notably the Europeans."[183] President Obama's initial executive order, which was codified into law by the 2017 CAATSA, did implement some sanctions, though they were likely of low impact as they targeted figures in the Russian intelligence agencies who were unlikely to be affected by U.S. sanctions.[184]

DoJ indictments and hacking back by U.S. Cyber Command were probably the clearest examples of actors' actions being derived from their standard operating procedures. The DoJ is empowered to prosecute cases for the U.S. government, as well as defend the country against foreign threats.[185] The DoJ's main tools are investigation, including special counsel investigations followed by prosecution if illegal actions are uncovered. Following a special counsel investigation, in February 2018, the DoJ issued indictments through a grand jury against Russians involved in the IRA for breaking U.S. laws against hacking and fraud, among other charges.[186] The indictments fell exactly in line with the mission of the DoJ, as well as the FBI, which operates under the DoJ: DoJ is empowered to enforce laws and protect U.S. interests, including against foreign threats. In addition, the DoJ enforced the existing law around foreign agents (FARA) by compelling RT to register as a foreign agent.[187]

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[183] "U.S. Government Response to Russian Activities."
[184] Blackwill and Gordon, "Containing Russia: How to Respond to Moscow's Intervention in U.S. Democracy and Growing Geopolitical Challenge," 13.
[185] "About DOJ," justice.gov, September 16, 2014, https://www.justice.gov/about.
[186] "Grand Jury Indicts Thirteen Russian Individuals and Three Russian Companies for Scheme to Interfere in the United States Political System," February 16, 2018, https://www.justice.gov/opa/pr/grand-jury-indicts-thirteen-russian-individuals-and-three-russian-companies-scheme-interfere: "United States of America vs Viktor Borisovich Netyksho, Boris Alekseyevich Antonov, et Al.," Department of Justice, July 13, 2018, https://www.justice.gov/file/1080281/download.
[187] "Production Company Registers Under the Foreign Agent Registration Act as Agent for the Russian Government Entity Responsible for Broadcasting RT," Department of Justice, November 13, 2017, https://www.justice.gov/opa/pr/production-company-registers-under-foreign-agent-registration-act-agent-russian-government.

The U.S. Cyber Command was designed as the military command charged with leading or coordinating cyber operations in order to protect national security, and like DoJ, this institution hewed closely to the role defined in its mission statement in the aftermath of the misinformation campaigns.[188] U.S. Cyber Command worked with the NSA to inform the FBI and DHS about election interference threats in the run up to the 2018 midterm elections.[189] Cyber Command's actions were designed to disrupt Russian interference in U.S. elections as a preventative before the 2018 midterms.[190] Cooperation with other intelligence agencies to counter threats to U.S. cyber infrastructure is standard for Cyber Command; for example, more recently it cooperated with DHS on the response to the SolarWinds hack, which affected U.S. government infrastructure.[191]

Reports issued by the DNI and Congressional reports and investigations were also strongly aligned with the roles of those actors. Throughout the response process, numerous intelligence reports, including the 2016 JAR and 2017 ICA, were issued by different agencies, including DNI, DHS, FBI, CIA, and NSA. Congressional committees, in addition to drafting legislation, are tasked with oversight and investigation of government actions.[192] This investigative and oversight role played a strong role in Congressional actions in response to 2016 Russian election interference. Committees relevant to the process, including the Senate Select

[188] "Mission and Vision," U.S. Cyber Command, accessed March 25, 2021, https://www.cybercom.mil/About/Mission-and-Vision/.
[189] Ignatius, "Opinion | The U.S. Military Is Quietly Launching Efforts to Deter Russian Meddling."
[190] David Ignatius, "Opinion | The U.S. Military Is Quietly Launching Efforts to Deter Russian Meddling," Washington Post, February 7, 2019, https://www.washingtonpost.com/opinions/the-us-military-is-quietly-launching-efforts-to-deter-russian-meddling/2019/02/07/4de5c5fa-2b19-11e9-b2fc-721718903bfc_story.html.
[191] U.S. Cyber Command Public Affairs, "US Cyber Command, DHS-CISA Release Russian Malware Samples Tied to SolarWinds Compromise," U.S. Cyber Command, April 15, 2021, https://www.cybercom.mil/Media/News/Article/2574011/us-cyber-command-dhs-cisa-release-russian-malware-samples-tied-to-solarwinds-co/.
[192] Andrew Winston, "Parliamentary Oversight of the Executive Branch," Web page, Library of Congress, August 2017, https://www.loc.gov/law/help/parliamentary-oversight/unitedstates.php.

Committee on Intelligence and the House Permanent Select Committee on Intelligence, held hearings to investigate and interview government actors such as former FBI Director James Comey and issued reports that investigated election interference as well as the analytical processes used by intelligence agencies to make their earlier determinations about interference.[193] Not only did Congressional committees' actions fall under their investigative mandates, but they also were driven by their roles of providing government oversight in analyzing the 2016 election and analytical procedures in the 2017 ICA.

Congressional actions also demonstrate the bureaucratic politics theory's view that organizations' roles and procedures restrict the actions of individual members. Congress is an organization comprised of partisan actors. While individual representatives are able to make political statements, the collective organization of Congress and its procedures constrained individual dissent. The House Permanent Select Committee on Intelligence Report published in 2018 involved the most contentious conclusions, initially denying and then downplaying Russian preference for President Trump, as well as restricting investigations of collusion allegations.[194] Both Republican and Democratic actions were constrained by Congressional procedures. Democrats were unable to force Republicans to include more information critical of President Trump and were limited to publishing a supplement to the final report and issuing a statement in protest, as they were in the minority. Ranking Member Adam Schiff published a response, in addition to a supplementary Minority Views section added to the committee report, criticizing

[193] "ODNI Statement on Declassified Intelligence Community Assessment of Russian Activities and Intentions in Recent U.S. Elections," § U.S. Senate Select Committee on Intelligence (2017), https://www.intelligence.senate.gov/hearings/open-hearing-intelligence-communitys-assessment-russian-activities-and-intentions-2016-us; Russian Interference in the 2016 U.S. Elections.; "The Intelligence Community Assessment: Assessing Russian Activities and Intentions in Recent U.S. Elections," 4-5.
[194] "Report on Russian Active Measures" (House Permanent Select Committee on Intelligence, March 22, 2018), https://republicans-intelligence.house.gov/uploadedfiles/final_russia_investigation_report.pdf.

the majority investigation.[195] However, Schiff was not able to break free of the limitations of being part of the minority on the committee in order to change the report itself. On the other hand, Republicans were similarly constrained from completely refuting the claim that Russia supported President Trump, as they were unable to defend the claim and had to submit the report for review by both the minority and Intelligence Community before publishing.[196]

However, one action seemingly contradicts the position that government actors behave in accordance with their legal and historically defined roles. After President Trump voiced support for Putin's denials of election interference, President Trump's own DNI, Dan Coats, took the unusual step of directly refuting Trump's support for the Russian assertion of innocence.[197] The DNI is a traditionally nonpartisan role.[198] The position was created in 2004 to establish an independent director to oversee the Intelligence Community, which itself is traditionally seen as nonpartisan.[199] In addition, the DNI is the primary intelligence advisor to the President and NSC.[200] Although these aspects of the role would seem to result in a low-profile, nonpartisan actor predisposed to avoid conflict, DNI Coats made a public statement contradicting comments made by President Trump.

Bureaucratic politics points to a potentially relevant context for DNI Coats' statement. While individual incentives are strongest among political actors, institutional actors also have

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[195] "Intel Committee Ranking Member Schiff Statement on Release of Majority's Russia Report," U.S. House of Representatives Permanent Select Committee on Intelligence, April 27, 2018, https://intelligence.house.gov/news/documentsingle.aspx?DocumentID=376.
[196] Ibid.
[197] John Fritze and Gregory Korte, "Trump Accepts Putin's Denials of Election Meddling, Prompting Outrage from Congress," U.S.A TODAY, July 16, 2018, https://www.usatoday.com/story/news/politics/2018/07/16/vladimir-putin-denies-meddling-2016-presidential-election/788219002/.
[198] Warren Strobel, "Senate Committee Approves Nominee for Director of National Intelligence - WSJ," May 19, 2020, https://www.wsj.com/articles/senate-committee-approves-nominee-for-director-of-national-intelligence-11589903075.
[199] "Statutory Authorities of the Director of National Intelligence," GovInfo, February 14, 2008, https://www.govinfo.gov/content/pkg/CHRG-110shrg48099/html/CHRG-110shrg48099.htm.
[200] "What We Do," Office of the Director of National Intelligence, accessed March 24, 2021, https://www.dni.gov/index.php/what-we-do.

goals beyond simply enacting standard operating procedure. All individual government actors, including institutional ones, are driven to increase and protect their areas of influence and authority.[201] Possibly, in the face of deep Presidential animosity towards the Intelligence Community and its conclusions, DNI Coats was attempting to protect the authority and legitimacy of the DNI by distancing himself from the partisan statements made by Trump and supporting the Intelligence Community he led.

Leadership

Although actions taken largely comported with bureaucratic roles and precedence, the clear leadership role anticipated for one actor by a bureaucratic political approach did not materialize in the U.S. case.[202] Leadership is important to the policy formation process, as it creates a space in which organizations can interact as a group and bargaining can occur. While a couple of specific examples of effective cooperation and leadership involving a few, related actors arose, the U.S. policy response process as a whole lacked a point person or organization.

Though there was no overall leader, a few specific examples in the U.S. case study demonstrate the emergence of a point person. As the bureaucratic politics approach might anticipate, President Obama's initial response to Russian election interference was formed through discussion with a small group of relevant individuals, including the DNI, CIA Director, and Attorney General.[203] The group eventually expanded to include the Departments of Defense, State, and Treasury, as they were relevant to response options.[204] This more deliberative type of

[201] Halperin, Clapp, and Kanter, *Bureaucratic Politics and Foreign Policy*, chap. 2.
[202] Morton H. Halperin, Priscilla Clapp, and Arnold Kanter, *Bureaucratic Politics and Foreign Policy*, 2nd ed (Washington, D.C: Brookings Institution Press, 2006), chap. 6.
[203] "U.S. Government Response to Russian Activities," Russian Active Measures Campaigns and Interference in the 2016 Election (Senate Select Committee on Intelligence, February 6, 2020), https://www.intelligence.senate.gov/sites/default/files/documents/Report_Volume3.pdf.
[204] Ibid.

policy process, in which stakeholders come together to discuss all potential options, is more similar to the cases presented by Allison and Halperin because it involved the sort of group collaboration they discussed with respect to the Cuban Missile Crisis and ABM deployment. As part of the Obama administration response, the NSC encouraged the Intelligence Community under the leadership of the DNI to come to a unified conclusion on Russian disinformation.[205] While the ICA was not entirely unanimous and completion of the report took longer than the NSC hoped as the NSA had a different standard for assessing confidence levels, the report was mostly unified.[206] In addition, the FBI had an interest in protecting its institutional reputation for being nonpartisan and worried that public statements by the FBI about election security during an election could be harmful to the institution, which was balanced by the NSC's desire for to respond strongly to the DNC hack and treat it like any other security breach.[207] Unlike the lack of cooperation after Trump's inauguration, these signs of bargaining and actors' distinct interests reflected a U.S. response under President Obama consistent with expectations of bureaucratic politics theory.

Joint intelligence reports as well as joint cyber campaigns reflected cooperation and bargaining under the coordination of the DNI and Cyber Command whose missions most closely conforms with the challenge of leading the response. The 2017 ICA is an example of cooperation and compromise under the leadership of the DNI. The DNI coordinated the Intelligence Community's assessments in order to publish the JAR. While there was slight variation among the analysis and focus of agencies' conclusions, for example the NSA confidence level in Russian preference towards Trump being lower, the agencies were able to publish a single,

[205] Ibid., 21.
[206] Ibid.
[207] Ibid., 18.

almost entirely unanimous report.[208] In addition, while there are fewer details due to the covert nature of the actions, U.S. Cyber Command coordinated with the NSA to identify and deter Russian actors and to pass along information to the FBI and DHS.[209]

Despite these few specific instances where one actor was in charge of the process, the overall government response, the majority of which took place under the Trump Administration, lacked leadership. Victoria Nuland, the former Assistant Secretary of State for European and Eurasian Affairs, in her testimony for the Senate Select Committee on Intelligence, specifically criticized the absence of a "whole-of-government approach" led by the President.[210] In the 2016 U.S. case, unlike Halperin's ABM missile deployment example in which the President ultimately made a single choice after input from different government actors, there was no identifiable leading actor.[211] This was not for lack of an existing mission-appropriate actor to whom to delegate responsibility. DHS, for example, could have been designated by the President to coordinate and lead all U.S. responses to election interference. DHS's mission includes responding to cyber incidents, including specifically coordinating the U.S. response "to ensure greater unity of effort and a whole-of-nation response to cyber incidents," so overall responsibility would have been consistent with the DHS mission.[212] However, several agencies have relevant departments or missions including the FBI and U.S. Cyber Command, and so there

[208] "Russian Efforts Against Election Infrastructure with Additional Views," Russian Active Measures Campaigns and Interference in the 2016 Election (Senate Select Committee on Intelligence, July 2019), https://www.intelligence.senate.gov/sites/default/files/documents/Report_Volume1.pdf.
[209] David Ignatius, "Opinion | The U.S. Military Is Quietly Launching Efforts to Deter Russian Meddling," Washington Post, February 7, 2019, https://www.washingtonpost.com/opinions/the-us-military-is-quietly-launching-efforts-to-deter-russian-meddling/2019/02/07/4de5c5fa-2b19-11e9-b2fc-721718903bfc_story.html.
[210] Victoria Nuland, "Testimony before the Senate Intelligence Committee on the Policy Response to Russian Interference in the 2016 Elections," June 22, 2018, https://www.cnas.org/publications/congressional-testimony/senate-intelligence-committee-hearing-on-the-policy-response-to-russian-interference-in-the-2016-elections.
[211] Halperin, Clapp, and Kanter, *Bureaucratic Politics and Foreign Policy*.
[212] "DHS Role in Cyber Incident Response | CISA," Cybersecurity and Infrastructure Security Agency (CISA), accessed March 25, 2021, https://www.cisa.gov/publication/dhs-role-cyber-incident-response.

was no single, clear, pre-existing delegation of authority for the overall response. Outside of the one-time JAR issued in December 2016, no agency or actor took responsibility for coordinating and communicating policy options.

Bargaining

Bargaining appears to be another relatively rare component of the U.S. policy formation process, despite its prominence in bureaucratic politics. While bargaining does not always result in compromise, the U.S. policy response process under the Trump administration involved little collaborative or non-adversarial communication among government agencies, the President, and Congress. Leadership and bargaining tend to occur together because leadership helps organize a space in which bargaining can occur, which seems to be particularly important for large scale or multilateral bargaining. Instead of collaborating and bargaining, various government actors with different interests generally acted without consulting one another or coming to consensus. While bureaucratic politics helps in analyzing the actions taken by independent organizations in all but a few outlier cases, it is less helpful in the U.S. case for analyzing how organizations combined and interacted to form a broader policy because, by and large, individual actions did not combine to form a greater policy or strategy.

Enactment of the 2017 CAATSA superficially seemed like a compromise between Congress and the Presidency. In reality, the 2017 CAATSA was passed by a large enough margin that Trump would likely have faced an embarrassing veto override if he had refused to sign, resulting both in failure to block the law and criticism from his own party.[213] Regardless,

[213] Gregory Korte, "Facing Veto Override on Russia Sanctions, Trump's Signing Statement Raises Constitutional Issues," U.S.A TODAY, August 2, 2017, https://www.usatoday.com/story/news/politics/2017/08/02/trump-russia-sanctions-signing-statement-raises-constitutional-issues/534099001/.

President Trump issued a statement along with the signing detailing legal objections to the bill that offered him the ability to affect how it was enforced, thereby eroding the impact of Congressional action.[214]

While the actions of various government actors by necessity built on each other, under the Trump administration, there was no overall guiding strategy or policy consensus from the U.S. government. There was no documented meeting among Congressional leaders, President Trump, and agency officials to discuss potential options, even one with only some actors or one that did not lead to successful compromise. DoJ indictments, issued in February and July 2018 by a grand jury after presentation of the case by DoJ, were brought following the Mueller special counsel investigation and 2017 ICA. Similarly, Congressional reports analyzed and confirmed the 2017 ICA because they were oversight investigations meant to confirm and inspect the process by which intelligence reports came about. However, these actions occurred sequentially and reactively rather than as a result of multilateral, real-time discussions or in pursuit of an overarching strategy.

Context

The bureaucratic politics approach was developed during the Cold War, which provided an overarching context for U.S. foreign policy. The 2016 U.S. case suggests that some of the theory's assumptions based on the stability and consensus of the Cold War need to be adjusted for the more fragmented priorities of modern foreign policy. The absence of context in bureaucratic politics theory has previously attracted criticism, as organizations' level of

[214] Korte, "Facing Veto Override on Russia Sanctions, Trump's Signing Statement Raises Constitutional Issues."

involvement, particularly the Presidency, can vary with the importance of an issue.[215] During the Cold War, there was bipartisan agreement that the Soviet Union was the main competitor of the United States, with ideological conflict playing out around the world through proxy battles and events such as the Cuban Missile Crisis and ABM deployment. Despite strains, by 2016 the U.S.-Russian relationship was warmer, involving some cooperation, than during the Cold War, and there was less consensus that Russia was an enemy of the United States. These contextual shifts impact the influence of standard operating procedure, leadership, and bargaining, broadening the parameters of debate over the U.S.-Russian relationship.

The Cold War was defined by several characteristics that influenced policymaking, though at the time these characteristics may have simply been viewed as the largely immutable default. Foreign policy consensus represents the most relevant of these characteristics to my analysis. During the Cold War, there was a strong political consensus that the Soviet Union was the United States' primary competitor and enemy. [216] This consensus meant that politicians shared a common cause, even if they had slightly different desired policies, making leadership and collaboration easier. In contrast, by 2016 there was no longer consensus that Russia should be viewed as an enemy of the U.S., and China was seen by many as the primary threat. As a result, leadership, and therefore bargaining, are likely to occur less smoothly as actors may have opposing views of the fundamental situation as well as optimal policy responses. In addition, the Cold War international system was bipolar, with one major competitor to United States hegemony. In contrast, the current international system is more complex but includes some

[215] Jerel A. Rosati, "Developing a Systematic Decision-Making Framework: Bureaucratic Politics in Perspective," *World Politics* 33, no. 2 (1981): 248.
[216] Cyrus Newlin et al., "U.S.-Russia Relations at a Crossroads" (Center for Strategic and International Studies (CSIS), October 1, 2020), JSTOR, http://www.jstor.org/stable/resrep26991.

multipolar characteristics.[217] A multipolar system, or one with a less identifiable single competitor, creates more competing issue areas for Presidential attention and leadership, meaning that Russian election interference might be deprioritized in favor of other issues like technology competition with China or Iran nuclear negotiations.

The effects of context on the relevance of standard operating procedure are more nuanced. Standard operating procedures are relatively stable, an important assumption of bureaucratic politics. Organizations accumulate experience and responsibilities, allowing them to form standard operating procedures that evolve slowly over time in response to new challenges. While bureaucratic politics explains that organizations will look to standard operating procedures to formulate responses, it does not examine the constraints placed on the selection of standard operating procedures by context. During the Cold War, while the United States made no overt direct response to Soviet disinformation campaigns, it ran parallel covert disinformation campaigns against Soviet-aligned politicians and groups in other countries.[218] The consensus that the Soviet Union was an enemy of the United States, as well as the increased urgency created by the ideological aspect of the conflict and existential threat of nuclear weapons, enabled government organizations to agree on more aggressive retaliation.[219] Because the conflict between the United States and Russia today is less ideologically driven and existential, actors may not consider some standard operating procedures for lower level threats because of the desire to avoid a risk of unnecessary escalation.

[217] Seth Cropsey, "Seeking Stability In The Structure of Power," Hoover Institution, no. 55 (November 15, 2018), https://www.hoover.org/research/seeking-stability-structure-power.
[218] Shimer, *Rigged*, 46.
[219] Newlin et al., "U.S.-Russia Relations at a Crossroads."

The Complex Presidency

While Presidential actions are shaped by the traditional Presidential role, such as reliance on executive branch agencies, conformity with party platforms, and wary treatment of adversarial states, political institutions constrain individual imperatives less. Even the actions of President Trump, who was strongly criticized for speaking against the investigations rejecting allegations that Russia supported him and downplaying all election interference allegations, can be illuminated by the theory that roles limit and influence actions. Analyzing the role of the Presidency in the U.S. response to the Russian misinformation effort presents challenges due to the strongly divergent analyses of President Trump's response. Many of Trump's actions shortly after the election directly contradicting statements and actions taken by his predecessor, President Obama, Congress, and executive agencies, were seen as aberrant, breaking ranks with the stance of other major federal government actors, and were strongly criticized, including from within his own party.[220] In particular, President Trump's denial that Russia interfered in the election, rejection of conclusions made by traditionally apolitical intelligence agencies, and attempts to create a less adversarial relationship with Russia were directly refuted by the Republican Speaker of the House Paul Ryan.[221] Shortly after Trump's election in 2016, one intelligence official said that the administration's hostility to intelligence agencies put it in "uncharted territory."[222]

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[220] Julie Hirschfeld Davis, "Trump, at Putin's Side, Questions U.S. Intelligence on 2016 Election," The New York Times, July 16, 2018, sec. World, https://www.nytimes.com/2018/07/16/world/europe/trump-putin-election-intelligence.html; Abby Vesoulis and Abigail Simon, "Here's Who Found That Russia Meddled in the 2016 Election," Time, July 16, 2018, https://time.com/5340060/donald-trump-vladimir-putin-summit-russia-meddling/.
[221] Davis, "Trump, at Putin's Side, Questions U.S. Intelligence on 2016 Election."
[222] David Nakamura and Greg Miller, "Trump, CIA on Collision Course over Russia's Role in U.S. Election," Washington Post, December 10, 2016, sec. Politics, https://www.washingtonpost.com/politics/trump-cia-on-collision-course-over-russias-role-in-us-election/2016/12/10/ad01556c-bf01-11e6-91ee-1adddfe36cbe_story.html.

Despite the backlash against Trump's actions, they can be explained by how those choices were shaped by standard operating procedure as informed by bureaucratic politics theory. While stable, more nonpartisan organizations like the State Department are strongly constrained by standard operating procedure, the Presidency is less constrained. The Presidency is an elected role, and as a result, the President has both a partisan affiliation as well as individual incentives such as achieving reelection. However, President Trump's pre-Presidency positivity towards Russia was not affected by the reelection imperative in his denial of Russian election interference, as his friendliness predated his election.

In contrast to unelected, less partisan agencies, which are primarily driven by their roles and past experience and subject to much weaker political and personal influence, in the case of the Presidency the influence of the institutional mission of the Presidency and convention compete with strong individual motivations. For example, President Trump's actions were influenced by the need to court public opinion and achieve reelection, while the CIA had no such direct imperative. Trump's campaign promises included reevaluating the U.S.-Russian relationship including through increased cooperation against Islamic State, which meant that as President he was incentivized to follow through with a friendlier and more collaborative posture towards Russia, a stance challenged by the election interference allegations. In line with this position, President Trump consistently downplayed or denied Russian interference in the 2016 election and opposed efforts to respond to it.

Allegations of Russian election interference, particularly the allegation that Russia had favored him and attempted to encourage his election, also called into direct question President Trump's democratic legitimacy. This incentivized President Trump's denials that Russia interfered, particularly that Russia supported him, in order to protect his democratic legitimacy.

He referred to allegations that Russia favored him as "just another excuse" that Hillary Clinton lost and argued that "they have no idea if it's Russia or China or somebody."[223] President Trump is often seen as unique or an outlying case in his breaking of Presidential norms, but in fact, the outlying element here is unusually high-profile foreign interference in a domestic election, which connects Trump's choices to his Presidential legitimacy and individual drive to be reelected. While other foreign policy decisions can affect reelection prospects to the extent that voters favor one policy or another, election interference is uniquely entangled with reelection itself and, as a result, has an unusually direct effect on those actors who are the subject of the election in question.[224] Supporting efforts to retaliate against Russia would have been tacit acceptance that his election was tainted by foreign influence. By opposing sanctions and retaliation, Trump further attempted to discredit the existence of Russian election interference in the eyes of his supporters and shore up his legitimacy. President Trump's decision to break with the position of leaders in the Republican Party was likely driven in part by his newcomer status to politics and the potential that his supporters were anti-establishment and more connected to him than the party.[225] This perceived disconnect of his base of support from the Republican Party reduced the conventional incentive for a President to cooperate with their party. Though President Trump's denial of Russian election interference disrupted leadership and bargaining in the wider U.S.

[223] Sabrina Siddiqui, "Donald Trump Says CIA Charge Russia Influenced Election Is 'Ridiculous,'" The Guardian, December 12, 2016, http://www.theguardian.com/us-news/2016/dec/11/donald-trump-cia-russia-election-ridiculous.
[224] John H. Aldrich, John L. Sullivan, and Eugene Borgida, "Foreign Affairs and Issue Voting: Do Presidential Candidates 'Waltz Before A Blind Audience?,'" *The American Political Science Review* 83, no. 1 (1989): 123–41, https://doi.org/10.2307/1956437; Benjamin I. Page and Robert Y. Shapiro, "Effects of Public Opinion on Policy," *The American Political Science Review* 77, no. 1 (1983): 175–90.
[225] Bert Bakker et al., "Donald Trump's Support Comes from Two Distinct Groups: Authoritarians Who Oppose Immigration and Anti-Establishment Voters.," U.S. APP (blog), September 2, 2016, https://blogs.lse.ac.uk/usappblog/2016/09/02/donald-trumps-support-comes-from-two-distinct-groups-authoritarians-who-oppose-immigration-and-anti-establishment-voters/.

response, Trump's actions are unsurprising in the context of his individual interests and within the constraints and incentives of his role as President.

Insights from the U.K. Case Study

The bureaucratic politics model was developed in response to several case studies of U.S. policymaking and therefore tends to make certain assumptions based on the U.S. government structure. The approach's roots in the U.S. case are particularly notable in bureaucratic politics' focus on separation of powers, such as Allison's discussion of the Presidential power to persuade under the governmental politics model.[226] However, the primary assumption of bureaucratic politics, that governments are made of multiple, interconnected organizations who have defined roles and respond based on standard operating procedures, applies to all governments, as does the assumption that sub-state systems rely on bargaining between multiple actors to create state-level outcomes. The U.K. case challenges a bureaucratic politics framework, as the response was largely dictated by Boris Johnson, the Prime Minister, instead of an actor with more experience or a mission more directly connected to election interference, such as one of the U.K. intelligence agencies. In addition, the U.K. intelligence agencies publicly distanced themselves from the response to Russia's Brexit election interference, despite the assertion by the U.K. parliamentary investigation that defending the democratic process from foreign influence "should fall to [the] intelligence and security Agencies."[227]

While the responses of the United States and United Kingdom seem similar on the surface, characterized by conflict within each government and relatively uncoordinated and

[226] Allison, *Essence of Decision*.
[227] "Disinformation and 'Fake News': Final Report - Digital, Culture, Media and Sport Committee - House of Commons," parliament.uk, February 2019, https://publications.parliament.uk/pa/cm201719/cmselect/cmcumeds/1791/179109.htm.

limited overt actions, important differences between the cases exist. The U.K. response, unlike that in the United States, superficially seems to have involved leadership and coordination by one actor, which is what bureaucratic politics would anticipate when an issue falls under the responsibility of several actors. However, despite superficial conformity with the bureaucratic politics model, on closer examination, the U.K. case diverges even more from predictions of the theory than the U.S. case. In the United Kingdom, despite the seeming relevance of the intelligence agencies, MI5, MI6, and GCHQ, to the issue of election interference, policy was ultimately controlled by PM Boris Johnson. Unlike the U.S. case, standard operating procedure had relatively limited impact. In addition, leadership and bargaining appear to be disconnected in the U.K. case. By contrast, in the United States, the Obama and Trump Administrations' process and outcomes appear to demonstrate leadership and bargaining going hand-in-hand, with the Trump Administration demonstrating the absence of both.

Concentration of Power in the United Kingdom

The U.K.'s parliamentary democracy system of government, which concentrates more authority in one organization, creates a different environment for organizational interaction than the separation of powers of the U.S. Presidential democracy. Presidential systems, including that of the United States, revolve around the separation between the executive and legislative branches, devolving decision-making powers to different actors and lacking a singular decision maker. Unlike the U.S. government, in which the President, Congress, and even agencies to some degree have the authority to take independent action within a system of checks and balances, legislative systems like the United Kingdom's combine the executive and legislative

roles in a unified hierarchy, with the head of the legislature serving as Prime Minister.[228] While the United States and United Kingdom both have bicameral legislative systems, in the United Kingdom power rests with the Prime Minister, who is chosen by the majority party or coalition in the House of Commons and is ultimately responsible for all policy decisions.[229] Because the executive and legislative roles are combined, they are never occupied by opposing parties. In addition, power is more centralized because the executive leads the legislature, reducing the number of independent actors and their ability to influence policy. In contrast, in the United States the President is separate from Congress and regularly comes from the opposite party from the Congressional majority, and thus often lacks legislative support to create policy.

The Prime Minister leads and appoints members of the Cabinet, which includes heads of important departments and have similar functions to executive agencies in the United States.[230] While the Prime Minister needs to retain the confidence of the House of Commons, a majority vote of no confidence forces the majority party to elect a new Prime Minister and form a new government, risking a loss of power, thus preventing votes of no confidence being used as routine leverage against the Prime Minister.[231]

The centralization of power, combined with a fairly stable hold on that power, disrupts the connection between leadership and bargaining in the U.K. case. Despite the emergence of policy leadership, the process in the United Kingdom did not lead to collaboration and bargaining among different actors in the government. The bureaucratic politics model seems

[228] José Antonio Cheibub and Fernando Limongi, "Democratic Institutions and Regime Survival: Parliamentary and Presidential Democracies Reconsidered," *Annual Review of Political Science* 5, no. 1 (June 2002): 151–79.
[229] Charles Bjork, "Guides: United Kingdom Legal Research Guide: Legislative Authority," Georgetown Law Library, accessed March 23, 2021, https://guides.ll.georgetown.edu/c.php?g=365741&p=4199179; "Cabinet Manual," gov.uk, accessed March 23, 2021, https://www.gov.uk/government/publications/cabinet-manual.
[230] "Ministers," gov.uk, accessed March 23, 2021, https://www.gov.uk/government/ministers.
[231] "Confidence Motions and Parliament," The Institute for Government, March 1, 2018, https://www.instituteforgovernment.org.uk/explainers/confidence-motions-parliament.

specifically tailored towards the type of bargaining interaction that occurs in a system like the United States in which there is separation of powers, and indeed it was designed with the Presidential system of the United States in mind. While bargaining can occur in other systems, there is more of an imperative within the U.S. system for the primary actor, such as the President in Halperin's analysis of ABM missile deployment, to take into account and incorporate the preferences of other actors in decisions.[232] Operating in a system with separation of powers, the U.S. President often relies on others, typically Congress as it can pass legislation for major changes, to implement promised policies. This leads to an incentive for more bargaining, as well as the potential for organizations with greater independence. When Johnson was deciding whether and when to release the report on the U.K. response to 2016 Russian disinformation, he did not have the same type of incentives to bargain or compromise with other actors, who were ultimately responsible to him through the U.K.'s unified power structure. Despite protests from the former parliamentary Intelligence and Security Committee chair as well as opposition politicians that the report should be published before the election, Johnson delayed the report until several months after the 2019 general election.[233] The report was allegedly delayed as it contained potentially embarrassing evidence that Russia attempted to influence senior figures in the Conservative Party.[234] A unitary system like that in the United Kingdom leaves more space for individual interests to dominate organizational politics. Thus, the U.K. parliamentary system appears more consistent with generation of leadership than the U.S. due to unification of power, even as it challenges the idea that leadership and bargaining go hand in hand.

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[232] Halperin, Clapp, and Kanter, *Bureaucratic Politics and Foreign Policy*, chap. 6.
[233] Andrew Woodcock, "Long-Delayed Report into Russian Influence on UK Politics Could Soon Be Cleared for Publication," The Independent, July 9, 2020, https://www.independent.co.uk/news/uk/politics/russia-report-boris-johnson-election-interference-intelligence-security-a9610251.html.
[234] Woodcock, "Long-Delayed Report into Russian Influence on UK Politics Could Soon Be Cleared for Publication."

Organizational Self-Preservation

Interestingly, intelligence agencies played a small part in the U.K. response, even though their designated areas of responsibility, which traditionally include counterintelligence, would logically dictate that they would be involved with or even coordinate the response. The extreme caution of U.K. intelligence agencies about being involved in the response to election interference has been attributed to a reluctance to appear to interfere with U.K. democracy.[235] In the United States, the initial response process of the Obama administration also demonstrated some of this hesitancy around democracy and perceptions; however, the U.S. government took action even before the November 2016 election.[236] It is unclear why U.K. intelligence agencies were so reluctant to play a role in the U.K. response while U.S. actors overcame their hesitancy around perceptions. Possibly the U.K. intelligence agencies were choosing not to act in order to protect their institutions and institutional reputations for avoiding politics, analogous to the case of DNI Coats in the United States. The governing Conservative Party had an incentive, like that of Trump, not to emphasize Russian interference because of fears of undermining the legitimacy of the Tory government. However, U.S. intelligence agencies independently investigated the Russian disinformation campaign in line with their mandates, despite President Trump's opposition, while the U.K agencies did not. In the more centralized U.K. system, greater control over the whole government by the executive may have dissuaded intelligence agencies from

[235] "Disinformation and 'Fake News': Final Report - Digital, Culture, Media and Sport Committee - House of Commons," parliament.uk, February 2019, https://publications.parliament.uk/pa/cm201719/cmselect/cmcumeds/1791/179109.htm.
[236] Eric Lipton, David Sanger, and Scott Shane, "The Perfect Weapon: How Russian Cyberpower Invaded the U.S. - The New York Times," The New York Times, December 13, 2016, https://www.nytimes.com/2016/12/13/us/politics/russia-hack-election-dnc.html. "Senate Report Faults Obama Administration's Paralysis on Russian Election Interference," POLITICO, February 6, 2020, https://www.politico.com/news/2020/02/06/obama-russia-senate-intel-committee-report-111388.

becoming involved and potentially increased intelligence agencies' instincts to protect their organizations. It nonetheless remains strange and inconsistent with the expectations of bureaucratic politics theory that U.K. agencies did not perform even a small-scale public investigation or, if they privately investigated, reveal evidence of Russian interference.

Conclusion

What challenges do Russian election interference and disinformation, specifically in the U.S. and U.K. in 2016 elections, pose for bureaucratic politics theory? Can bureaucratic politics theory shed light on the allegedly partisan and ineffective policy formation processes in response to that interference? Why did the U.S. and U.K. responses differ in scale? Bureaucratic politics theory provides a useful, but limited, lens to analyze these cases and attempts to answer these questions, deepening the analysis beyond the public narrative of partisanship by focusing on the institutions over individuals. However, bureaucratic politics theory also has limitations in these cases. Bureaucratic politics seems strongest when applied to relatively stable issues, such as potentially the long U.S. involvement in Afghanistan, that are more closely analogous to the Cold War cases for which the theory was developed and faces greater challenges when applied to rapidly evolving and fragmentary issues like the use of social media disinformation to attack elections.

In the U.S. case, bureaucratic politics reveals the relevance of actors' roles and standard operating procedures in guiding and constraining their choices and seemed to predict responses relatively effectively. Many U.S. actions were based on standard operating procedure, such as the DNI reports and DoJ special counsel investigations resulting in indictments. However, the U.S. case challenges the narrative that leadership and bargaining play a significant role in the

policy process, particularly with respect to the Trump administration's response. President Trump was specifically criticized for the absence of a "Presidentially led, whole-of-government effort" necessary to protect U.S. democracy.[237] While there were limited or shorter-duration examples of leadership and bargaining, such as the Obama administration's reliance on the NSC for decision making, the overall U.S. response was defined by a lack of compromise and cooperation. All of the factors proposed by bureaucratic politics theory were influenced by changes in the geopolitical context since the theory was proposed during the Cold War. With the ideological struggle and urgency of the Cold War gone and lack of broad foreign policy consensus that Russia is an enemy of the United States, the pressure for leadership and bargaining has been greatly reduced and standard operating procedure is more constrained. In the future, the U.S. government could potentially improve responses to disinformation by expressly delegating responsibility for disinformation policy to non-elected, less partisan organizations; however, the challenge remains that the President could likely reclaim effective control if motivated to do so.

The U.K. case reveals even deeper challenges to bureaucratic politics theory, perhaps in part because the bureaucratic politics model was initially developed with the U.S. Presidential system in mind. While Prime Minister Johnson took leadership for the response consistent with the single leader hypothesis, he was a self-interested leader on election interference and used his position to obstruct other actors with relevant missions, such as U.K. intelligence agencies, instead of collaborating with them. The U.K. government's response may have been limited in part because it has a larger number of veto points than the United States, preventing independent

[237] Victoria Nuland, "Testimony before the Senate Intelligence Committee on the Policy Response to Russian Interference in the 2016 Elections," June 22, 2018, https://www.cnas.org/publications/congressional-testimony/senate-intelligence-committee-hearing-on-the-policy-response-to-russian-interference-in-the-2016-elections.

action and allowing the Prime Minister to suppress opposing policies more effectively. In addition, the UK intelligence agencies, MI5, MI6, and GCHQ, took no public action to counter or investigate the Russian disinformation campaign despite the fact that it fell directly under their responsibilities and they counter other types of Russian interference in the United Kingdom, perhaps because of institutional preservation motives consistent with bureaucratic politics.[238] The United Kingdom could potentially help reduce intelligence agencies' hesitance to get involved in countering disinformation by making their responsibility to protect U.K. democracy, and elections specifically, explicit.

Looking Ahead

Ultimately, both the United States and United Kingdom struggled to form a coherent and collaborative policy process. A bureaucratic politics approach reveals the lack of leadership and coordination in the United States, as well as both the lack of compromise and effective fulfillment of responsibilities in the U.K. response. Despite substantially different governmental structures, the policy processes of both countries were challenged in responding to disinformation. Democracy and democratic institutions themselves may even be part of the challenge. As noted, election interference threatens the democratic legitimacy of leaders, creating an inherent incentive to suppress and ignore the issue instead of leading a rigorous, whole-government policy response. While separation of powers in the United States enabled more actors to act independently, in many cases their diverging interests and goals led to oppositional behavior and a chaotic response, indicating that independent action is not likely to be as effective

[238] Martin Kettle, "The Russia Report Reveals That MI5 and MI6 Have Lost Their Way | Martin Kettle," The Guardian, July 24, 2020, http://www.theguardian.com/commentisfree/2020/jul/24/russia-report-uk-intelligence-services-moscow-mi5-mi6.

as a well-led, coordinated, planned response. In the United Kingdom, unified power did allow for leadership to emerge, though not necessarily in the right place or with objectives that best protected national security, and correspondingly led other actors to abrogate their institutional responsibilities. Although the unified power structure of the parliamentary system appears more consistent with leadership generation, its greater veto potential challenges the linkage between leadership and bargaining. There is a paradox between struggles to establish leadership under one system and the disconnect between leadership and compromise in the other.

The challenges highlighted by my analysis raise the question of how democracies can respond effectively to the threat of disinformation. Sharp power, including disinformation campaigns in democratic elections, is difficult to counter because it involves a closed society attacking an open one. The United States and other democracies are particularly vulnerable because they allow a free flow of information, media, and debate, while more authoritarian countries like Russia have tighter control over information and may feel less constrained by international norms. Therefore, while Russian state media like RT and Sputnik, in addition to groups like the IRA, operate in a variety of Western countries, the United States is unable to retaliate openly in kind against Russia for a variety of reasons. These include a potential weakening of international norms against domestic interference and strengthening Russia's narrative that the United States interferes in Russia and near abroad states. Russia's contrasting willingness to challenge international norms allows it to interfere in democracies with only a thin veneer of deniability. However, democracies may paradoxically rely on covert actions, like non-public ultimatums or retaliatory hacking, that allow them to maintain a public moral high ground while take retaliatory or defensive actions, even as they are perceived as weak or ineffective. Disinformation thus seems to invite less democratic solutions, potentially reducing the control of

democratically elected officials over agencies, and more oversight of the flow of information to cut off foreign disinformation, potentially undermining democratic values of free speech and privacy. Democracies must balance the need to defend democracy from illiberal actors like Russia while minimizing reductions in democratic openness in the process.

Deterrence offers an appealing way for democracies to counter disinformation, focusing on the source of disinformation rather than worrying about democratic vulnerability. Democracies could increase the cost of foreign disinformation campaigns, altering the cost-benefit calculations for such campaigns, by clearly enumerating retaliatory measures for disinformation campaigns and following through on them in the event of an attack. However, deterrence also shines light on some of the challenges of a response focusing on Russia and Russian motivations. Because disinformation is a non-military attack, policy response options are realistically constrained by the risk of escalation. Democratic governments have a limited set of standard tools they can use to respond to non-military conflict, relying heavily on sanctions and public condemnation. Sanctions, and potentially public condemnation, become less effective or limited by overuse, so different policy objectives may be competing for the same tools, making them less available or effective as a deterrent against disinformation. As noted, this frequent use appeared to have limited the utility of sanctions against Russian 2016 election interference. Tools like indictment are unlikely to provide a strong deterrent effect in foreign policy, as targets typically live abroad. Such measures also often provoke a tit-for-tat response that must be considered. These challenges are heightened by the special complications associated with cyber deterrence. In addition, the divisive effects of disinformation on domestic politics make it challenging to muster a whole-government collaboration, as seen in both the U.S. and U.K. cases. Partisanship is particularly problematic for deterrence, as clear messaging is

important, and mixed messages from different government actors disrupt the credibility of deterrence.

Ultimately, both bureaucratic politics theory and deterrence are limited by their focus solely on interactions within government, failing to account for key non-governmental actors like social media companies. While the U.S. and U.K. government policy processes were challenged in responding to a technologically advanced, domestic political attack, independent government action was not the only option for countering Russian disinformation. Private sector and coordinated public-private sector efforts have the potential to represent essential means of addressing the issue going forward. While the growth of social media allowed disinformation to become much more effective, collaboration with social media companies also provides a new avenue for addressing disinformation. In 2017, the Senate and House Intelligence Committees held hearings with representatives from major social media companies to discuss Russian disinformation in 2016, allowing Congress to pressure companies including Facebook and Twitter to address Russian disinformation, as well as domestic and other foreign disinformation, more effectively.[239] Around the time of the hearings, several companies pledged to verify political advertisement purchasers and provide additional transparency around political activity on their platforms.[240] While the federal government is able to address disinformation at its source by engaging with Russia directly, social media companies are able to address the disinformation and distribution itself by suppressing or removing disinformation networks and actors, and potentially reworking algorithms to deprioritize contentious topics or siloed communities. Their collaboration may be especially helpful given the rapidly evolving nature of the technology used

[239] Mary Jalonick and Eric Tucker, "Under Pressure, Social Media Giants Acknowledge Meddling," AP News, November 2, 2017, https://apnews.com/article/6ab5b49accc6478e90ef5c9f0e2d9986.
[240] Ibid.

to promote disinformation and the relatively slower pace of bureaucratic action. Ultimately, disinformation can be most effectively addressed wholistically as not just as foreign policy, but also as a technology, media, and education issue.

Methodology

My analysis and background include major actions by federal government actors, such as bills, investigations, official statements, and executive orders. In addition, I include some comments in my analysis where they add important context to actions, such as President Trump's discussion of and signing of the CAATSA bill. Most bills are initiated and formed by Congress, and signing by the President is secondary, so the policy is attributed to Congress. In the U.S. case, I use a cutoff of the 2018 midterms as any policies after the midterms cannot clearly be identified as a response to 2016. I chose to exclude from my analysis informal remarks, routine activities such as Presidential signing of bills, and policy implemented after the 2018 midterms. I exclude informal remarks because, due to the contentious and highly publicized nature of Russian disinformation in the U.S. election, there are a very large number of remarks.

In order to compile my timeline of events for the disinformation campaigns, I relied on news, think tank, and social media analysis reports, as well as to a lesser degree government post-incident reports. Four years later, the basic facts of the U.S. case study are fairly well established; the UK case study has been researched less, and therefore has less data available. As a result, I relied more on information that the U.K. government collected several years after the Brexit referendum. In both cases, the timeline of government policies was assembled by combining news reports and think tank lists of policy actions, and searching for relevant policy actions on the websites of important actors, including the U.S. President, U.K. Prime Minister, and Congressional intelligence committees.

There are a large number of relevant terms and phrases that can be used to refer to Russian actions during the 2016 U.S. election. I primarily use the terms election interference,

disinformation, and disinformation campaign because they are relatively specific and accurate to the cases. Other relevant terms include sharp power, foreign malign influence, information warfare, and foreign election interference. Less formal terms include fake news and propaganda. Misinformation, though occasionally used, is an inaccurate description of Russian actions in 2016 because the concept of misinformation lacks intentionality, while disinformation involves intentionally spreading incorrect or misleading information.[241]

[241] Christina Nemr and William Gangware, "Weapons of Mass Distraction: Foreign State-Sponsored Disinformation in the Digital Age" (US Department of State Global Engagement Center, March 2019), https://www.state.gov/wp-content/uploads/2019/05/Weapons-of-Mass-Distraction-Foreign-State-Sponsored-Disinformation-in-the-Digital-Age.pdf.

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