

Union Calendar No. 329

110TH CONGRESS
2D SESSION

H. R. 1084

[Report No. 110-537]

To amend the Foreign Assistance Act of 1961, the State Department Basic Authorities Act of 1956, and the Foreign Service Act of 1980 to build operational readiness in civilian agencies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 2007

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

MARCH 4, 2008

Additional sponsors: Mr. BLUMENAUER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HONDA, Mr. DAVIS of Kentucky, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. BERMAN, Ms. WATSON, Ms. MATSUI, Ms. BORDALLO, Ms. WOOLSEY, Mr. HASTINGS of Florida, Mr. MORAN of Virginia, Ms. ZOE LOFGREN of California, Mr. FORBES, Ms. SCHAKOWSKY, Mr. LATHAM, Mr. WOLF, Mr. BOUCHER, Mrs. BOYDA of Kansas, Mr. McDERMOTT, Mr. COHEN, Mr. MCGOVERN, Mr. PRICE of North Carolina, Mr. STARK, Mr. THORNBERRY, Mr. SMITH of Washington, Mr. VAN HOLLEN, Mr. FRANK of Massachusetts, Mr. ELLISON, and Mr. MILLER of North Carolina

MARCH 4, 2008

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on February 15, 2007]

A BILL

To amend the Foreign Assistance Act of 1961, the State Department Basic Authorities Act of 1956, and the Foreign Service Act of 1980 to build operational readiness in civilian agencies, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Reconstruction and Sta-*
5 *bilization Civilian Management Act of 2008”.*

6 **SEC. 2. FINDINGS.**

7 (a) *FINDINGS.—Congress finds the following:*

8 (1) *In June 2004, the Office of the Coordinator*
9 *for Reconstruction and Stabilization (referred to as*
10 *the “Coordinator”) was established in the Department*
11 *of State with the mandate to lead, coordinate, and in-*
12 *stitutionalize United States Government civilian ca-*
13 *capacity to prevent or prepare for post-conflict situa-*
14 *tions and help reconstruct and stabilize a country or*
15 *region that is at risk of, in, or is in transition from,*
16 *conflict or civil strife.*

17 (2) *In December 2005, the Coordinator’s man-*
18 *date was reaffirmed by the National Security Presi-*

1 *dential Directive 44, which instructed the Secretary of*
2 *State, and at the Secretary's direction, the Coordi-*
3 *nator, to coordinate and lead integrated United*
4 *States Government efforts, involving all United States*
5 *departments and agencies with relevant capabilities,*
6 *to prepare, plan for, and conduct reconstruction and*
7 *stabilization operations.*

8 *(3) National Security Presidential Directive 44*
9 *assigns to the Secretary, with the Coordinator's as-*
10 *sistance, the lead role to develop reconstruction and*
11 *stabilization strategies, ensure civilian interagency*
12 *program and policy coordination, coordinate inter-*
13 *agency processes to identify countries at risk of insta-*
14 *bility, provide decision-makers with detailed options*
15 *for an integrated United States Government response*
16 *in connection with reconstruction and stabilization*
17 *operations, and carry out a wide range of other ac-*
18 *tions, including the development of a civilian surge*
19 *capacity to meet reconstruction and stabilization*
20 *emergencies. The Secretary and the Coordinator are*
21 *also charged with coordinating with the Department*
22 *of Defense on reconstruction and stabilization re-*
23 *sponses, and integrating planning and implementing*
24 *procedures.*

1 (4) *The Department of Defense issued Directive*
2 *3000.05, which establishes that stability operations*
3 *are a core United States military mission that the*
4 *Department of Defense must be prepared to conduct*
5 *and support, provides guidance on stability oper-*
6 *ations that will evolve over time, and assigns respon-*
7 *sibilities within the Department of Defense for plan-*
8 *ning, training, and preparing to conduct and support*
9 *stability operations.*

10 **SEC. 3. DEFINITIONS.**

11 *In this Act:*

12 (1) *ADMINISTRATOR.*—*The term “Adminis-*
13 *trator” means the Administrator of the United States*
14 *Agency for International Development.*

15 (2) *AGENCY.*—*The term “agency” means any en-*
16 *tity included in chapter 1 of title 5, United States*
17 *Code.*

18 (3) *APPROPRIATE CONGRESSIONAL COMMIT-*
19 *TEES.*—*The term “appropriate congressional commit-*
20 *tees” means the Committee on Foreign Affairs of the*
21 *House of Representatives and the Committee on For-*
22 *eign Relations of the Senate.*

23 (4) *DEPARTMENT.*—*Except as otherwise provided*
24 *in this Act, the term “Department” means the De-*
25 *partment of State.*

1 (5) *PERSONNEL.*—*The term “personnel” means*
2 *individuals serving in any service described in section*
3 *2101 of title 5, United States Code, other than in the*
4 *legislative or judicial branch.*

5 (6) *SECRETARY.*—*The term “Secretary” means*
6 *the Secretary of State.*

7 **SEC. 4. AUTHORITY TO PROVIDE ASSISTANCE FOR RECON-**
8 **STRUCTION AND STABILIZATION CRISES.**

9 *Chapter 1 of part III of the Foreign Assistance Act*
10 *of 1961 (22 U.S.C. 2351 et seq.) is amended by inserting*
11 *after section 617 the following new section:*

12 **“SEC. 618. ASSISTANCE FOR A RECONSTRUCTION AND STA-**
13 **BILIZATION CRISIS.**

14 “(a) *ASSISTANCE.*—

15 “(1) *IN GENERAL.*—*If the President determines*
16 *that it is in the national security interests of the*
17 *United States for United States civilian agencies or*
18 *non-Federal employees to assist in reconstructing and*
19 *stabilizing a country or region that is at risk of, in,*
20 *or is in transition from, conflict or civil strife, the*
21 *President may, in accordance with the provisions set*
22 *forth in section 614(a)(3), subject to paragraph (2) of*
23 *this subsection but notwithstanding any other provi-*
24 *sion of law, and on such terms and conditions as the*
25 *President may determine, furnish assistance to such*

1 *country or region for reconstruction or stabilization*
2 *using funds under paragraph (3).*

3 “(2) *PRE-NOTIFICATION REQUIREMENT.*—*The*
4 *President may not furnish assistance pursuant para-*
5 *graph (1) until five days (excepting Saturdays, Sun-*
6 *days, and legal public holidays) after the require-*
7 *ments under section 614(a)(3) of this Act are carried*
8 *out.*

9 “(3) *FUNDS.*—*The funds referred to in para-*
10 *graph (1) are funds made available under any other*
11 *provision of law and under other provisions of this*
12 *Act, and transferred or reprogrammed for purposes of*
13 *this section, and such transfer or reprogramming*
14 *shall be subject to the procedures applicable to a noti-*
15 *fication under section 634A of this Act.*

16 “(b) *LIMITATION.*—*The authority contained in this*
17 *section may be exercised only during fiscal years 2008,*
18 *2009, and 2010, except that the authority may not be exer-*
19 *cised to furnish more than \$100,000,000 in any such fiscal*
20 *year.”.*

21 **SEC. 5. RECONSTRUCTION AND STABILIZATION.**

22 *Title I of the State Department Basic Authorities Act*
23 *of 1956 (22 U.S.C. 2651a et seq.) is amended by adding*
24 *at the end the following new section:*

1 **“SEC. 62. RECONSTRUCTION AND STABILIZATION.**

2 “(a) *OFFICE OF THE COORDINATOR FOR RECON-*
3 *STRUCTION AND STABILIZATION.—*

4 “(1) *ESTABLISHMENT.—There is established*
5 *within the Department of State the Office of the Coor-*
6 *ordinator for Reconstruction and Stabilization.*

7 “(2) *COORDINATOR FOR RECONSTRUCTION AND*
8 *STABILIZATION.—The head of the Office shall be the*
9 *Coordinator for Reconstruction and Stabilization,*
10 *who shall be appointed by the President, by and with*
11 *the advice and consent of the Senate. The Coordinator*
12 *shall report directly to the Secretary.*

13 “(3) *FUNCTIONS.—The functions of the Office of*
14 *the Coordinator for Reconstruction and Stabilization*
15 *shall include the following:*

16 “(A) *Monitoring, in coordination with rel-*
17 *evant bureaus and offices of the Department of*
18 *State and the United States Agency for Inter-*
19 *national Development (USAID), political and*
20 *economic instability worldwide to anticipate the*
21 *need for mobilizing United States and inter-*
22 *national assistance for the reconstruction and*
23 *stabilization of a country or region that is at*
24 *risk of, in, or are in transition from, conflict or*
25 *civil strife.*

1 “(B) Assessing the various types of recon-
2 struction and stabilization crises that could
3 occur and cataloging and monitoring the non-
4 military resources and capabilities of agencies
5 (as such term is defined in section 3 of the Re-
6 construction and Stabilization Civilian Manage-
7 ment Act of 2008) that are available to address
8 such crises.

9 “(C) Planning, in conjunction with
10 USAID, to address requirements, such as demo-
11 bilization, disarmament, rebuilding of civil soci-
12 ety, policing, human rights monitoring, and
13 public information, that commonly arise in re-
14 construction and stabilization crises.

15 “(D) Coordinating with relevant agencies to
16 develop interagency contingency plans and pro-
17 cedures to mobilize and deploy civilian personnel
18 and conduct reconstruction and stabilization op-
19 erations to address the various types of such cri-
20 ses.

21 “(E) Entering into appropriate arrange-
22 ments with agencies to carry out activities under
23 this section and the Reconstruction and Sta-
24 bilization Civilian Management Act of 2008.

1 “(F) *Identifying personnel in State and*
2 *local governments and in the private sector who*
3 *are available to participate in the Civilian Re-*
4 *serve Corps established under subsection (b) or to*
5 *otherwise participate in or contribute to recon-*
6 *struction and stabilization activities.*

7 “(G) *Taking steps to ensure that training*
8 *and education of civilian personnel to perform*
9 *such reconstruction and stabilization activities is*
10 *adequate and is carried out, as appropriate,*
11 *with other agencies involved with stabilization*
12 *operations.*

13 “(H) *Taking steps to ensure that plans for*
14 *United States reconstruction and stabilization*
15 *operations are coordinated with and complemen-*
16 *tary to reconstruction and stabilization activities*
17 *of other governments and international and non-*
18 *governmental organizations, to improve effective-*
19 *ness and avoid duplication.*

20 “(I) *Maintaining the capacity to field on*
21 *short notice an evaluation team consisting of*
22 *personnel from all relevant agencies to undertake*
23 *on-site needs assessment.*

24 “(b) *RESPONSE READINESS CORPS.—*

1 “(1) *RESPONSE READINESS CORPS.*—*The Sec-*
2 *retary, in consultation with the Administrator of the*
3 *United States Agency for International Development*
4 *and the heads of other appropriate agencies of the*
5 *United States Government, may establish and main-*
6 *tain a Response Readiness Corps (referred to in this*
7 *section as the ‘Corps’) to provide assistance in sup-*
8 *port of reconstruction and stabilization operations in*
9 *countries or regions that are at risk of, in, or are in*
10 *transition from, conflict or civil strife. The Corps*
11 *shall be composed of active and standby components*
12 *consisting of United States Government personnel, in-*
13 *cluding employees of the Department of State, the*
14 *United States Agency for International Development,*
15 *and other agencies who are recruited and trained*
16 *(and employed in the case of the active component) to*
17 *provide such assistance when deployed to do so by the*
18 *Secretary to support the purposes of this Act.*

19 “(2) *CIVILIAN RESERVE CORPS.*—*The Secretary,*
20 *in consultation with the Administrator of the United*
21 *States Agency for International Development, may es-*
22 *tablish a Civilian Reserve Corps for which purpose*
23 *the Secretary is authorized to employ and train indi-*
24 *viduals who have the skills necessary for carrying out*
25 *reconstruction and stabilization activities, and who*

1 *have volunteered for that purpose. The Secretary may*
2 *deploy members of the Civilian Reserve Corps pursu-*
3 *ant to a determination by the President under section*
4 *618 of the Foreign Assistance Act of 1961.*

5 “(3) *MITIGATION OF DOMESTIC IMPACT.*—*The es-*
6 *tablishment and deployment of any Civilian Reserve*
7 *Corps shall be undertaken in a manner that will*
8 *avoid substantively impairing the capacity and read-*
9 *iness of any State and local governments from which*
10 *Civilian Reserve Corps personnel may be drawn.*

11 “(c) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
12 *authorized to be appropriated to the Secretary of State such*
13 *sums as may be necessary for fiscal years 2007 through*
14 *2010 for the Office and to support, educate, train, main-*
15 *tain, and deploy a Response Readiness Corps and a Civil-*
16 *ian Reserve Corps.*

17 “(d) *EXISTING TRAINING AND EDUCATION PRO-*
18 *GRAMS.*—*The Secretary shall ensure that personnel of the*
19 *Department, and, in coordination with the Administrator*
20 *of USAID, that personnel of USAID, make use of the rel-*
21 *evant existing training and education programs offered*
22 *within the Government, such as those at the Center for Sta-*
23 *bilization and Reconstruction Studies at the Naval Post-*
24 *graduate School and the Interagency Training, Education,*

1 *and After Action Review Program at the National Defense*
2 *University.”.*

3 **SEC. 6. AUTHORITIES RELATED TO PERSONNEL.**

4 (a) *EXTENSION OF CERTAIN FOREIGN SERVICE BENE-*
5 *FITS.—The Secretary, or the head of any agency with re-*
6 *spect to personnel of that agency, may extend to any indi-*
7 *viduals assigned, detailed, or deployed to carry out recon-*
8 *struction and stabilization activities pursuant to section 62*
9 *of the State Department Basic Authorities Act of 1956 (as*
10 *added by section 5 of this Act), the benefits or privileges*
11 *set forth in sections 413, 704, and 901 of the Foreign Serv-*
12 *ice Act of 1980 (22 U.S.C. 3973, 22 U.S.C. 4024, and 22*
13 *U.S.C. 4081) to the same extent and manner that such bene-*
14 *fits and privileges are extended to members of the Foreign*
15 *Service.*

16 (b) *AUTHORITY REGARDING DETAILS.—The Secretary*
17 *is authorized to accept details or assignments of any per-*
18 *sonnel, and any employee of a State or local government,*
19 *on a reimbursable or nonreimbursable basis for the purpose*
20 *of carrying out this Act, and the head of any agency is*
21 *authorized to detail or assign personnel of such agency on*
22 *a reimbursable or nonreimbursable basis to the Department*
23 *of State for purposes of section 62 of the State Department*
24 *Basic Authorities Act of 1956, as added by section 5 of this*
25 *Act.*

1 **SEC. 7. RECONSTRUCTION AND STABILIZATION STRATEGY.**

2 (a) *IN GENERAL.*—*The Secretary of State, in consulta-*
3 *tion with the Administrator of the United States Agency*
4 *for International Development, shall develop an interagency*
5 *strategy to respond to reconstruction and stabilization oper-*
6 *ations.*

7 (b) *CONTENTS.*—*The strategy required under sub-*
8 *section (a) shall include the following:*

9 (1) *Identification of and efforts to improve the*
10 *skills sets needed to respond to and support recon-*
11 *struction and stabilization operations in countries or*
12 *regions that are at risk of, in, or are in transition*
13 *from, conflict or civil strife.*

14 (2) *Identification of specific agencies that can*
15 *adequately satisfy the skills sets referred to in para-*
16 *graph (1).*

17 (3) *Efforts to increase training of Federal civil-*
18 *ian personnel to carry out reconstruction and sta-*
19 *bilization activities.*

20 (4) *Efforts to develop a database of proven and*
21 *best practices based on previous reconstruction and*
22 *stabilization operations.*

23 (5) *A plan to coordinate the activities of agencies*
24 *involved in reconstruction and stabilization oper-*
25 *ations.*

1 **SEC. 8. ANNUAL REPORTS TO CONGRESS.**

2 *Not later than 180 days after the date of the enactment*
3 *of this Act and annually for each of the five years thereafter,*
4 *the Secretary of State shall submit to the appropriate con-*
5 *gressional committees a report on the implementation of*
6 *this Act. The report shall include detailed information on*
7 *the following:*

8 (1) *Any steps taken to establish a Response*
9 *Readiness Corps and a Civilian Reserve Corps, pur-*
10 *suant to section 62 of the State Department Basic*
11 *Authorities Act of 1956 (as added by section 5 of this*
12 *Act).*

13 (2) *The structure, operations, and cost of the Re-*
14 *sponse Readiness Corps and the Civilian Reserve*
15 *Corps, if established.*

16 (3) *How the Response Readiness Corps and the*
17 *Civilian Reserve Corps coordinate, interact, and work*
18 *with other United States foreign assistance programs.*

19 (4) *An assessment of the impact that deployment*
20 *of the Civilian Reserve Corps, if any, has had on the*
21 *capacity and readiness of any domestic agencies or*
22 *State and local governments from which Civilian Re-*
23 *serve Corps personnel are drawn.*

24 (5) *The reconstruction and stabilization strategy*
25 *required by section 7 and any annual updates to that*
26 *strategy.*

1 (6) *Recommendations to improve implementa-*
2 *tion of subsection (b) of section 62 of the State De-*
3 *partment Basic Authorities Act of 1956, including*
4 *measures to enhance the recruitment and retention of*
5 *an effective Civilian Reserve Corps.*

6 (7) *A description of anticipated costs associated*
7 *with the development, annual sustainment, and de-*
8 *ployment of the Civilian Reserve Corps.*

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