

116TH CONGRESS
1ST SESSION

H. R. 2116

To enhance stabilization of conflict-affected areas and prevent violence and fragility globally, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 8, 2019

Mr. ENGEL (for himself, Mr. McCaul, Mrs. WAGNER, Mr. ROONEY of Florida, Mr. SMITH of Washington, Mr. KEATING, Mr. TED LIEU of California, Mr. WRIGHT, Mr. FITZPATRICK, and Mr. MALINOWSKI) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To enhance stabilization of conflict-affected areas and prevent violence and fragility globally, 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 “Global Fragility Act”.

5 **SEC. 2. FINDINGS.**

6 Congress finds the following:

7 (1) According to the United Nations, an un-
8 preceded 68.5 million people around the world,

1 the highest level ever recorded, are currently forcibly
2 displaced from their homes.

3 (2) According to the World Bank, violence and
4 violent conflict are now the leading causes of dis-
5 placement and food insecurity worldwide, driving 80
6 percent of humanitarian needs, with the same con-
7 flicts accounting for the majority of forcibly dis-
8 placed persons every year since 1991.

9 (3) According to the Institute for Economics
10 and Peace, violence containment costs the global
11 economy \$14.76 trillion a year, or 12.4 percent of
12 the world's GDP.

13 (4) Violence and violent conflict underpin many
14 of the United States Government's key national se-
15 curity challenges. Notably, violent conflicts allow for
16 environments in which terrorist organizations recruit
17 and thrive, while the combination of violence, cor-
18 ruption, poverty, poor governance, and underdevelop-
19 ment often enables transnational gangs and criminal
20 networks to wreak havoc and commit atrocities
21 worldwide.

22 (5) According to research by the University of
23 Maryland and University of Pittsburgh, exposure to
24 violence increases support for violence and violent
25 extremism. Research increasingly finds exposure to

1 violence as a predictor of future participation in violence,
2 including violent extremism.

3 (6) United States foreign policy and assistance
4 efforts in highly violent and fragile states remain
5 governed by an outdated patchwork of authorities
6 that prioritize responding to immediate needs rather
7 than solving the problems that cause them.

8 (7) Lessons learned over the past 20 years, doc-
9 umented by the 2013 Special Inspector General for
10 Iraq Reconstruction Lessons Learned Study, the
11 2016 Fragility Study Group report, and the 2018
12 Special Inspector General for Afghanistan Lessons
13 Learned Study on Stabilization, show that effective,
14 sustained United States efforts to reduce violence
15 and stabilize fragile and violence-affected states re-
16 quire clearly defined goals and strategies, adequate
17 long-term funding, rigorous and iterative conflict
18 analysis, coordination across the United States Gov-
19 ernment, including strong civil-military coordination,
20 attention to the problem of corruption, and integra-
21 tion with and leadership from national and sub-na-
22 tional partners, including local civil society organiza-
23 tions, traditional justice systems, and local govern-
24 ance structures.

(8) The “Stabilization Assistance Review” released in 2018 by the Departments of State and Defense and the United States Agency for International Development states, “The United States has strong national security and economic interests in reducing levels of violence and promoting stability in areas affected by armed conflict.”. The Review further states, “Stabilization is an inherently political endeavor that requires aligning U.S. Government efforts—diplomatic engagement, foreign assistance, and defense—toward supporting locally legitimate authorities and systems to peaceably manage conflict and prevent violence.”.

14 SEC. 3. STATEMENT OF POLICY.

15 It is the policy of the United States to—

23 (2) seek to improve global, regional, and local
24 coordination of relevant international and multilat-
25 eral development and donor organizations regarding

1 efforts to stabilize conflict-affected areas and pre-
2 vent violence and fragility globally, and, where prac-
3 ticable and appropriate, align such efforts with mul-
4 tilateral goals and indicators;

5 (3) expand and enhance the effectiveness of
6 United States foreign assistance programs and ac-
7 tivities to stabilize conflict-affected areas and pre-
8 vent violence and fragility globally;

9 (4) support the research and development of ef-
10 fective approaches to stabilize conflict-affected areas
11 and prevent violence and fragility globally, and data
12 collection efforts relevant to such approaches; and

13 (5) improve the tools and authorities for assess-
14 ment, monitoring, and evaluation needed to enable
15 learning and adaptation by such relevant Federal de-
16 partments and agencies working to stabilize conflict-
17 affected areas and prevent violence and fragility
18 globally.

19 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

20 (a) STABILIZATION AND PREVENTION FUND.—

21 (1) ESTABLISHMENT.—There is established in
22 the Treasury of the United States a fund to be
23 known as the “Stabilization and Prevention Fund”
24 (in this subsection referred to as the “Fund”), to be
25 administered by the Department of State and the

1 United States Agency for International Development
2 (USAID), and consisting of amounts authorized to
3 be appropriated pursuant to paragraph (2).

4 (2) AUTHORIZATION OF APPROPRIATIONS.—
5 There is authorized to be appropriated to the Fund
6 \$200,000,000 for each of the five fiscal years begin-
7 ning with the first fiscal year that begins after the
8 date of the enactment of this Act. Amounts author-
9 ized to be appropriated pursuant to this paragraph
10 are authorized to remain available until expended.

11 (3) PURPOSES OF THE FUND.—

12 (A) IN GENERAL.—Amounts authorized to
13 be appropriated to the Fund shall be used for
14 economic and development assistance for any of
15 the following:

16 (i) To support stabilization of conflict-
17 affected areas and prevent violence and
18 fragility globally, including through the
19 Global Fragility Initiative established pur-
20 suant to section 6.

21 (ii) To provide assistance to areas lib-
22 erated or at risk from, or under the control
23 of, the Islamic State of Iraq and Syria,
24 other terrorist organizations, or violent ex-
25 tremist organizations, including for sta-

(b) COMPLEX CRISES FUND —

23 (1) ESTABLISHMENT.—There is established in
24 the Treasury of the United States a fund to be
25 known as the “Complex Crises Fund” (in this sub-

1 section referred to as the “Fund”), to be adminis-
2 tered by USAID.

3 (2) AUTHORIZATION OF APPROPRIATIONS.—
4 There is authorized to be appropriated to the Fund
5 \$30,000,000 for each of the five fiscal years begin-
6 ning with the first fiscal year that begins after the
7 date of the enactment of this Act. Amounts author-
8 ized to be appropriated pursuant to this paragraph
9 are authorized to remain available until expended.

10 (3) PURPOSES OF THE FUND.—

11 (A) IN GENERAL.—Notwithstanding any
12 other provision of law, except section 620M of
13 the Foreign Assistance Act of 1961 (22 U.S.C.
14 2378d), amounts in the Fund may be used to
15 carry out the provisions of the Foreign Assist-
16 ance Act of 1961 (22 U.S.C. 2151 et seq.) to
17 support programs and activities to prevent or
18 respond to emerging or unforeseen foreign chal-
19 lenges and complex crises overseas, including
20 through the Global Fragility Initiative estab-
21 lished pursuant to section 6.

22 (B) ADDITION.—Amounts authorized to be
23 appropriated to the Fund are in addition to any
24 amounts otherwise made available for the pur-
25 poses described in subparagraph (A).

1 (4) LIMITATIONS.—

(A) IN GENERAL.—Amounts in the Fund may not be expended for lethal assistance or to respond to natural disasters.

21 (6) WAIVER.—Notification in accordance with
22 paragraph (5) may be waived if—

(A) notification by the deadline specified in such paragraph would pose a substantial risk to human health or welfare; and

(B) the congressional committees specified in such paragraph—

(ii) are provided with an explanation of the emergency circumstances that necessitated such waiver.

9 (c) OTHER FUNDING AND COST MATCHING.—The
10 Global Fragility Initiative established pursuant to section
11 6—

12 (1) may be supported by funds other than
13 funds authorized to be appropriated pursuant to this
14 section; and

15 (2) shall seek to leverage funds from sources
16 other than the United States Government in order
17 to promote coordination and cost-matching to the
18 maximum extent practicable.

19 SEC. 5. SENSE OF CONGRESS REGARDING ASSISTANCE FOR
20 THE GLOBAL FRAGILITY INITIATIVE.

21 It is the sense of Congress that the President, the
22 Secretary of State, the Administrator of USAID, the Sec-
23 retary of Defense, and the heads of other relevant Federal
24 departments and agencies should work with the appro-

1 priate congressional committees to provide sufficient types
2 and levels of funding to—

3 (1) allow for more adaptive and responsive pol-
4 icy and program planning, implementation, and scal-
5 ing under the Global Fragility Initiative established
6 pursuant to section 6, including through more flexi-
7 ble funding mechanisms and exemptions from spe-
8 cific and minimum funding levels when such exemp-
9 tions would make such programs better able to re-
10 spond to local needs, the results of monitoring and
11 evaluation, or changed circumstances in relevant
12 countries;

13 (2) better integrate the initiative and other con-
14 flict and violence reduction objectives and activities
15 into other policy and program areas, where appro-
16 priate; and

17 (3) support transparent and accountable multi-
18 lateral funds, initiatives, and strategies to enhance
19 and better coordinate both private and public efforts
20 to stabilize conflict-affected areas and prevent vio-
21 lence and fragility globally.

22 **SEC. 6. GLOBAL FRAGILITY INITIATIVE.**

23 (a) IN GENERAL.—

24 (1) ESTABLISHMENT.—The Secretary of State,
25 in coordination with the Administrator of the United

1 States Agency for International Development
2 (USAID), the Secretary of Defense, the Atrocities
3 Prevention Board (or any successor entity), and the
4 heads of other relevant Federal departments and
5 agencies, shall, in accordance with subsection (b), es-
6 tablish an interagency initiative, to be referred to as
7 the “Global Fragility Initiative”, to stabilize conflict-
8 affected areas and prevent violence and fragility
9 globally.

(2) STAKEHOLDER CONSULTATION.—The Global Fragility Initiative required under this subsection shall be developed in consultation with representatives of local civil society and national and local governance entities, as well as relevant international development organizations with experience implementing programs in fragile and violence-affected communities, multilateral organizations and donors, and relevant private, academic, and philanthropic entities, as appropriate.

20 (b) ESTABLISHMENT PLAN.—Not later than 180
21 days after the date of the enactment of this Act, the Sec-
22 retary of State, in coordination with the Administrator of
23 USAID, the Secretary of Defense, the Atrocities Preven-
24 tion Board (or any successor entity), and the heads of
25 other relevant Federal departments and agencies, shall

1 submit to the appropriate congressional committees an
2 interagency plan regarding the establishment of the Global
3 Fragility Initiative pursuant to subsection (a) that in-
4 cludes the following:

5 (1) Identification of the roles and responsibil-
6 ties of each participating Federal department or
7 agency, while ensuring that—

8 (A) the Department of State is the overall
9 lead department for establishing United States
10 foreign policy and advancing diplomatic and po-
11 litical efforts;

12 (B) USAID is the lead implementing agen-
13 cy for development, humanitarian, and related
14 non-security program policy;

15 (C) where appropriate, the Department of
16 Defense may support the activities of the De-
17 partment of State and USAID by providing
18 requisite security and support to civilian efforts
19 with the joint-formulation, coordination, and
20 concurrence of the Secretary of State and Ad-
21 ministrator of USAID; and

22 (D) other Federal departments and agen-
23 cies support the activities of the Department of
24 State and USAID as appropriate, with the con-

1 currence of the Secretary of State and Adminis-
2 trator of USAID.

3 (2) Identification of which officials of the De-
4 partment of State, USAID, and the Department of
5 Defense, with a rank not lower than Assistant Sec-
6 retary or Assistant Administrator, as the case may
7 be, will be responsible for overseeing and leading the
8 initiative.

9 (3) Identification of the authorities, staffing,
10 and other resource requirements needed to effec-
11 tively implement the initiative.

12 (4) Descriptions of the organizational steps the
13 Secretary of State, the Administrator, the Secretary
14 of Defense, and the head of each other relevant Fed-
15 eral department or agency will take to improve plan-
16 ning, coordination, implementation, assessment,
17 monitoring, evaluation, adaptive management, and
18 iterative learning with respect to the programs car-
19 ried out under the initiative.

20 (5) Descriptions of the steps the Secretary of
21 State, the Administrator, the Secretary of Defense,
22 and the head of each other relevant Federal depart-
23 ment or agency will take to ensure appropriate host-
24 country ownership and to improve coordination and
25 collaboration under the initiative with international

1 development organizations, international donors,
2 multilateral organizations, and the private sector.

3 (6) Descriptions of potential areas of improved
4 public and private sector research and development,
5 including with academic, philanthropic, and civil so-
6 ciety organizations, on data collection efforts and
7 more effective approaches to stabilize conflict-af-
8 fected areas and prevent violence and fragility glob-
9 ally.

10 (7) Descriptions of the processes for regularly
11 evaluating and updating the initiative on an iterative
12 basis, including regarding priority country and re-
13 gional plans described in subsection (d).

14 (8) A list of priority countries and regions se-
15 lected pursuant to subsection (c), including descrip-
16 tions of the rationale for such selections.

17 (c) SELECTION OF PRIORITY COUNTRIES AND RE-
18 GIONS.—The Secretary of State, in coordination with the
19 Administrator of USAID and the Secretary of Defense,
20 and in consultation with the appropriate congressional
21 committees, shall select certain countries as “priority
22 countries” and certain regions as “priority regions” for
23 the Global Fragility Initiative—

24 (1) on the basis of—

1 (A) clearly defined indicators of the levels
2 of violence or fragility in such country or re-
3 gion, such as the country or region's—

4 (i) ranking on recognized global fra-
5 gility lists, such as the Organization for
6 Economic Co-operation and Development
7 States of Fragility report, the Fund for
8 Peace Fragile States Index, the World
9 Bank Harmonized List of Fragile Situa-
10 tions, the Institute for Economics and
11 Peace Global Peace Index, and Holocaust
12 Museum Early Warning Project Risk As-
13 sessment;

14 (ii) ranking on select United States
15 Government conflict and atrocity early
16 warning watch lists; and

17 (iii) levels of violence, such as violence
18 committed by armed groups, violent ex-
19 tremist organizations, gender-based vio-
20 lence, and violence against children and
21 youth; and

22 (B) an assessment of—

23 (i) the capacity and commitment of
24 national and sub-national government enti-
25 ties and civil society partners in such coun-

try or region to work with Federal departments and agencies on the initiative, including by demonstrating the willingness and making demonstrable efforts to improve governance, enhance rule of law, and protect human rights; and

12 (2) in a manner that ensures that—

13 (A) not fewer than three countries or re-
14 gions are designated as “Stabilization Coun-
15 tries” or “Stabilization Regions”, as the case
16 may be, in which current levels of violence are
17 among the highest in the world;

(B) not fewer than three countries or regions are designated as “Prevention Countries” or “Prevention Regions”, as the case may be, in which current levels of violence are lower than such levels in Stabilization Countries or Stabilization Regions but risk factors for violence or fragility are significant;

5 (D) regions, rather than individual coun-
6 tries, are selected where the threat or spillover
7 of violence, conflict, or fragility threatens mul-
8 tiple countries within a single geographic re-
9 gion.

(d) COUNTRY AND REGIONAL PLANS.—Not later than one year after the date of the enactment of this Act, the Secretary of State, in coordination with the Administrator of USAID, the Secretary of Defense, the Atrocities Prevention Board (or any successor entity), and the heads of other relevant Federal departments and agencies, shall submit to the appropriate congressional committees ten-year plans to align and integrate under the Global Fragility Initiative required under subsection (a) all relevant diplomatic, development, security assistance and cooperation, and other relevant activities of the United States Government with respect to each of the countries and regions selected pursuant to subsection (c). Each such country and regional plan shall include the following:

1 (1) Specific multi-year interagency plans for co-
2 ordination and implementation under each such
3 plan.

4 (2) An up-to-date baseline analysis for each
5 such country or region, including an analysis of po-
6 litical dynamics, impacts of violence, and conditions
7 that contribute to violence and fragility.

8 (3) Prioritized descriptions of the goals and ob-
9 jectives for stabilizing conflict-affected areas and
10 preventing violence and fragility in each such coun-
11 try or region.

12 (4) Descriptions of how and when the relevant
13 goals, objectives, plans, and benchmarks for each
14 such country or region will be incorporated into rel-
15 evant United States country plans and strategies, in-
16 cluding Department of State Integrated Country
17 Strategies, USAID Country Development Cooper-
18 ation Strategies, and Department of Defense Cam-
19 paign Plans, Operational Plans, and Regional Strat-
20 egies, as well as any equivalent or successor plans or
21 strategies.

22 (5) Interagency plans to ensure that appro-
23 priate local actors, including government and civil
24 society entities and organizations led by women,
25 youth, or under-represented communities, have an

1 appropriate ownership stake in developing, imple-
2 menting, assessing, monitoring, evaluating, and up-
3 dating relevant activities under each such plan.

4 (6) Interagency plans to integrate existing and
5 planned security assistance and cooperation pro-
6 grams in each such country or region with the initia-
7 tive and to maximize positive outcomes and mitigate
8 risks associated with such programs, including risks
9 related to corruption, governance, and human rights.

10 (7) Assessment, monitoring, and evaluation
11 frameworks for diplomatic, development, and secu-
12 rity activities, which shall be informed by consulta-
13 tions with the stakeholders specified in subsection
14 (a)(2), with clear, date-certain metrics for each such
15 country or region, as well as interagency plans for
16 using such frameworks to adapt such activities on a
17 regular and iterative basis.

18 (8) Descriptions of available policy tools and
19 how such tools will be used to stabilize conflict-af-
20 fected areas or prevent violence and fragility in each
21 such country or region.

22 (9) A description of how planning and imple-
23 mentation for each such country or region will be co-
24 ordinated to ensure such planning and implementa-

1 tion are conducted in partnership between the
2 United States Government and—

19 (e) IMPLEMENTATION.—The Secretary of State, in
20 coordination with the Administrator of USAID, the Sec-
21 retary of Defense, and the heads of other relevant Federal
22 departments and agencies, and in consultation with the
23 Atrocities Prevention Board (or any successor entity), rel-
24 evant United States ambassadors, USAID mission direc-
25 tors, geographic combatant commanders, and other rel-

1 event individuals with responsibility over activities in each
2 priority country or region selected pursuant to subsection
3 (c), shall ensure that—

4 (1) the Global Fragility Initiative required
5 under subsection (a), including each of the country
6 and regional plans under subsection (d), is imple-
7 mented, updated, and coordinated on a regular and
8 iterative basis; and

9 (2) such initiative is used to guide United
10 States Government policy at a senior level and incor-
11 porated into relevant strategies and plans across the
12 United States Government such that the activities of
13 all Federal departments and agencies are consistent
14 with such initiative.

15 **SEC. 7. BIENNIAL REPORTS AND CONGRESSIONAL CON-**
16 **SULTATION.**

17 (a) BIENNIAL REPORTS.—Not later than two years
18 after the date of the enactment of this Act and every two
19 years thereafter until the date that is ten years after such
20 date of enactment, the Secretary of State, in coordination
21 with the Administrator of USAID, the Secretary of De-
22 fense, the Atrocities Prevention Board (or any successor
23 entity), and the heads of other relevant Federal depart-
24 ments and agencies, shall submit to the appropriate con-
25 gressional committees an unclassified report, which may

1 include a classified annex, on progress made and lessons
2 learned with respect to the Global Fragility Initiative es-
3 tablished pursuant to section 6, including each country
4 and regional plan required as part of such initiative, in-
5 cluding the following:

6 (1) Descriptions of steps taken to incorporate
7 the initiative and such country and regional plans
8 into relevant strategies and plans that affect such
9 countries and regions.

10 (2) Accountings of all funding received and ob-
11 ligated to implement each such country and regional
12 plan during the previous two years, as well as fund-
13 ing requested, planned, and projected for the fol-
14 lowing two years.

15 (3) Descriptions of progress made towards the
16 goals and objectives established for each such coun-
17 try and region, including progress made towards
18 achieving specific targets, metrics, and indicators.

19 (4) Descriptions of updates made during the
20 previous two years to the goals, objectives, plans of
21 action, and other elements described in each such
22 country and regional plan, as well as any changes
23 made to programs based on the results of assess-
24 ment, monitoring, and evaluation.

1 (b) CONGRESSIONAL CONSULTATION.—The Sec-
2 retary of State, the Administrator of USAID, and the Sec-
3 retary of Defense shall provide to any appropriate congres-
4 sional committee upon the request of any such committee
5 regular briefings on the implementation of this Act.

6 **SEC. 8. GAO REVIEW.**

7 (a) IN GENERAL.—Not later than two years after the
8 date of the enactment of this Act and every two years
9 thereafter until the date that is ten years after such date
10 of enactment, the Comptroller General of the United
11 States shall consult with the Chairman and Ranking Mem-
12 ber of the Committee on Foreign Relations of the Senate
13 and the Committee on Foreign Affairs of the House of
14 Representatives regarding opportunities for independent
15 review of the activities under the Global Fragility Initia-
16 tive established pursuant to section 6, including opportuni-
17 ties to—

18 (1) assess the extent to which United States
19 Government activities in each country and region se-
20 lected as part of the initiative are being implemented
21 in accordance with the initiative and the relevant
22 country or regional plan under the initiative;
23 (2) assess the processes and procedures for co-
24 ordinating among and within each relevant Federal

1 department or agency when implementing the initia-
2 tive and each such country and regional plan;

3 (3) assess the monitoring and evaluation efforts
4 under the initiative and each such country and re-
5 gional plan, including assessments of the progress
6 made and lessons learned with respect to each such
7 plan, as well as any changes made to activities based
8 on the results of such monitoring and evaluation;

9 (4) recommend changes necessary to better im-
10 plement United States Government activities in ac-
11 cordance with the initiative, as well as recommenda-
12 tions for any changes to the initiative; and

13 (5) assess such other matters as the Com-
14 trroller General determines appropriate.

15 (b) AVAILABILITY OF INFORMATION.—The heads of
16 all relevant Federal departments and agencies shall ensure
17 that all relevant data, documents, and other information
18 is made available to the Comptroller General of the United
19 States for purposes of conducting independent reviews
20 pursuant to this section.

21 **SEC. 9. DEFINITIONS.**

22 In this Act:

23 (1) APPROPRIATE CONGRESSIONAL COMMIT-
24 TEES.—The term “appropriate congressional com-
25 mittees” means—

