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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Global Fragility Act”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) According to the United Nations, an unprecedented 68.5 million people around the world,
the highest level ever recorded, are currently forcibly
displaced from their homes.

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

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

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

(5) According to research by the University of
Maryland and University of Pittsburgh, exposure to
violence increases support for violence and violent
extremism. Research increasingly finds exposure to
violence as a predictor of future participation in violence, including violent extremism.

(6) United States foreign policy and assistance efforts in highly violent and fragile states remain governed by an outdated patchwork of authorities that prioritize responding to immediate needs rather than solving the problems that cause them.

(7) Lessons learned over the past 20 years, documented by the 2013 Special Inspector General for Iraq Reconstruction Lessons Learned Study, the 2016 Fragility Study Group report, and the 2018 Special Inspector General for Afghanistan Lessons Learned Study on Stabilization, show that effective, sustained United States efforts to reduce violence and stabilize fragile and violence-affected states require clearly defined goals and strategies, adequate long-term funding, rigorous and iterative conflict analysis, coordination across the United States Government, including strong civil-military coordination, attention to the problem of corruption, and integration with and leadership from national and sub-national partners, including local civil society organizations, traditional justice systems, and local governance 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.”.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States to—

(1) ensure that all relevant Federal departments and agencies coordinate to achieve coherent, long-term goals for programs designed to stabilize conflict-affected areas and prevent violence and fragility globally, including when implementing the Global Fragility Initiative established pursuant to section 6;

(2) seek to improve global, regional, and local coordination of relevant international and multilateral development and donor organizations regarding
efforts to stabilize conflict-affected areas and pre-
vent violence and fragility globally, and, where prac-
ticable and appropriate, align such efforts with mul-
tilateral goals and indicators;

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

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

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

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

(a) Stabilization and Prevention Fund.—

(1) Establishment.—There is established in
the Treasury of the United States a fund to be
known as the “Stabilization and Prevention Fund”
(in this subsection referred to as the “Fund”), to be
administered by the Department of State and the
United States Agency for International Development (USAID), and consisting of amounts authorized to be appropriated pursuant to paragraph (2).

(2) Authorization of Appropriations.—
There is authorized to be appropriated to the Fund $200,000,000 for each of the five fiscal years beginning with the first fiscal year that begins after the date of the enactment of this Act. Amounts authorized to be appropriated pursuant to this paragraph are authorized to remain available until expended.

(3) Purposes of the Fund.—

(A) In General.—Amounts authorized to be appropriated to the Fund shall be used for economic and development assistance for any of the following:

(i) To support stabilization of conflict-affected areas and prevent violence and fragility globally, including through the Global Fragility Initiative established pursuant to section 6.

(ii) To provide assistance to areas liberated or at risk from, or under the control of, the Islamic State of Iraq and Syria, other terrorist organizations, or violent extremist organizations, including for sta-
bilitation assistance for vulnerable ethnic and religious minority communities affected by conflict.

(B) ADDITION.—Amounts authorized to be appropriated to the Fund are in addition to any amounts otherwise made available for the purposes described in subparagraph (A).

(4) CONGRESSIONAL NOTIFICATION.—Not later than 15 days before amounts from the Fund are obligated, the Secretary of State or Administrator of the United States Agency for International Development shall submit notification of such obligation to—

(A) the Committee on Foreign Affairs of the House of Representatives;

(B) the Committee on Appropriations of the House of Representatives;

(C) the Committee on Foreign Relations of the Senate; and

(D) the Committee on Appropriations of the Senate.

(b) COMPLEX CRISES FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the “Complex Crises Fund” (in this sub-
section referred to as the “Fund”), to be adminis-
tered by USAID.

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

(3) PURPOSES OF THE FUND.—

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

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

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

(B) ADMINISTRATIVE EXPENSES.—Not more than five percent of amounts in the Fund may be used for administrative expenses.

(5) CONGRESSIONAL NOTIFICATION.—Not later than five days before amounts from the Fund are obligated, the Administrator of the United States Agency for International Development shall submit notification of such obligation to—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Appropriations of the House of Representatives.

(6) WAIVER.—Notification in accordance with 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—

(i) are notified not later than three days after an obligation of amounts from the Fund; and

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

(e) Other Funding and Cost Matching.—The Global Fragility Initiative established pursuant to section 6—

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

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

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

It is the sense of Congress that the President, the Secretary of State, the Administrator of USAID, the Secretary of Defense, and the heads of other relevant Federal departments and agencies should work with the appro-
priate congressional committees to provide sufficient types
and levels of funding to—

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

(2) better integrate the initiative and other con-
lict and violence reduction objectives and activities
into other policy and program areas, where appro-
riate; and

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

SEC. 6. GLOBAL FRAGILITY INITIATIVE.

(a) In General.—

(1) Establishment.—The Secretary of State,
in coordination with the Administrator of the United
States Agency for International Development (USAID), the Secretary of Defense, the Atrocities Prevention Board (or any successor entity), and the heads of other relevant Federal departments and agencies, shall, in accordance with subsection (b), establish an interagency initiative, to be referred to as the “Global Fragility Initiative”, to stabilize conflict-affected areas and prevent violence and fragility 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.

(b) Establishment Plan.—Not later than 180 days 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 an
interagency plan regarding the establishment of the Global
Fragility Initiative pursuant to subsection (a) that in-
cludes the following:

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

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

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

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

(D) other Federal departments and agen-
cies support the activities of the Department of
State and USAID as appropriate, with the con-
currence of the Secretary of State and Administrator of USAID.

(2) Identification of which officials of the Department of State, USAID, and the Department of Defense, with a rank not lower than Assistant Secretary or Assistant Administrator, as the case may be, will be responsible for overseeing and leading the initiative.

(3) Identification of the authorities, staffing, and other resource requirements needed to effectively implement the initiative.

(4) Descriptions of the organizational steps the Secretary of State, the Administrator, the Secretary of Defense, and the head of each other relevant Federal department or agency will take to improve planning, coordination, implementation, assessment, monitoring, evaluation, adaptive management, and iterative learning with respect to the programs carried out under the initiative.

(5) Descriptions of the steps the Secretary of State, the Administrator, the Secretary of Defense, and the head of each other relevant Federal department or agency will take to ensure appropriate host-country ownership and to improve coordination and collaboration under the initiative with international
development organizations, international donors, multilateral organizations, and the private sector.

(6) Descriptions of potential areas of improved public and private sector research and development, including with academic, philanthropic, and civil society organizations, on data collection efforts and more effective approaches to stabilize conflict-affected areas and prevent violence and fragility globally.

(7) Descriptions of the processes for regularly evaluating and updating the initiative on an iterative basis, including regarding priority country and regional plans described in subsection (d).

(8) A list of priority countries and regions selected pursuant to subsection (c), including descriptions of the rationale for such selections.

(c) Selection of Priority Countries and Regions.—The Secretary of State, in coordination with the Administrator of USAID and the Secretary of Defense, and in consultation with the appropriate congressional committees, shall select certain countries as “priority countries” and certain regions as “priority regions” for the Global Fragility Initiative—

(1) on the basis of—
(A) clearly defined indicators of the levels of violence or fragility in such country or region, such as the country or region’s—

(i) ranking on recognized global fragility lists, such as the Organization for Economic Co-operation and Development States of Fragility report, the Fund for Peace Fragile States Index, the World Bank Harmonized List of Fragile Situations, the Institute for Economics and Peace Global Peace Index, and Holocaust Museum Early Warning Project Risk Assessment;

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

(iii) levels of violence, such as violence committed by armed groups, violent extremist organizations, gender-based violence, and violence against children and youth; and

(B) an assessment of—

(i) the capacity and commitment of national and sub-national government entities and civil society partners in such coun-
try or region to work with Federal depart-
ments and agencies on the initiative, in-
cluding by demonstrating the willingness
and making demonstrable efforts to im-
prove governance, enhance rule of law, and
protect human rights; and

(ii) the likelihood that selection as a
priority country or priority region would
allow the initiative to measurably stabilize
conflict-affected areas or prevent violence
and fragility in such country or region; and

(2) in a manner that ensures that—

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

(B) not fewer than three countries or re-
gions 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 vio-
ience or fragility are significant;
(C) countries and regions selected are in the areas of responsibility of at least three geographic bureaus of the Department of State; and

(D) regions, rather than individual countries, are selected where the threat or spillover of violence, conflict, or fragility threatens multiple countries within a single geographic region.

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

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

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

(4) Descriptions of how and when the relevant
goals, objectives, plans, and benchmarks for each
such country or region will be incorporated into rel-
vent United States country plans and strategies, in-
cluding Department of State Integrated Country
Strategies, USAID Country Development Coopera-
tion Strategies, and Department of Defense Cam-
paign Plans, Operational Plans, and Regional Strat-
egies, as well as any equivalent or successor plans or
strategies.

(5) Interagency plans to ensure that appro-
priate local actors, including government and civil
society entities and organizations led by women,
youth, or under-represented communities, have an
appropriate ownership stake in developing, implementing, assessing, monitoring, evaluating, and updating relevant activities under each such plan.

(6) Interagency plans to integrate existing and planned security assistance and cooperation programs in each such country or region with the initiative and to maximize positive outcomes and mitigate risks associated with such programs, including risks related to corruption, governance, and human rights.

(7) Assessment, monitoring, and evaluation frameworks for diplomatic, development, and security activities, which shall be informed by consultations with the stakeholders specified in subsection (a)(2), with clear, date-certain metrics for each such country or region, as well as interagency plans for using such frameworks to adapt such activities on a regular and iterative basis.

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

(9) A description of how planning and implementation for each such country or region will be coordinated to ensure such planning and implementa-
tion are conducted in partnership between the
United States Government and—

(A) governments of such countries;
(B) international development organiza-
tions;
(C) relevant international donors;
(D) multilateral organizations; and
(E) the private sector.

(10) A regional component outlining plans to
address relevant transnational issues in cases in
which an individual country is selected and such
country is affected by or at risk of regional fragility
or violence.

(11) A component outlining plans to address
national-level factors at the individual country level
in cases in which a region is selected and such re-

gion is affected by or at risk of fragility or violence
as a result of such national-level factors.

(e) IMPLEMENTATION.—The Secretary of State, in
coordination with the Administrator of USAID, the Sec-
retary of Defense, and the heads of other relevant Federal
departments and agencies, and in consultation with the
Atrocities Prevention Board (or any successor entity), rel-
evant United States ambassadors, USAID mission direc-
tors, geographic combatant commanders, and other rel-
evant individuals with responsibility over activities in each priority country or region selected pursuant to subsection (c), shall ensure that—

(1) the Global Fragility Initiative required under subsection (a), including each of the country and regional plans under subsection (d), is implemented, updated, and coordinated on a regular and iterative basis; and

(2) such initiative is used to guide United States Government policy at a senior level and incorporated into relevant strategies and plans across the United States Government such that the activities of all Federal departments and agencies are consistent with such initiative.

SEC. 7. BIENNIAL REPORTS AND CONGRESSIONAL CONSULTATION.

(a) Biennial Reports.—Not later than two years after the date of the enactment of this Act and every two years thereafter until the date that is ten years after such date of enactment, 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 an unclassified report, which may
include a classified annex, on progress made and lessons
learned with respect to the Global Fragility Initiative es-
tablished pursuant to section 6, including each country
and regional plan required as part of such initiative, in-
cluding the following:

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

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

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

(4) Descriptions of updates made during the
previous two years to the goals, objectives, plans of
action, and other elements described in each such
country and regional plan, as well as any changes
made to programs based on the results of assess-
ment, monitoring, and evaluation.
(b) CONGRESSIONAL CONSULTATION.—The Secretary of State, the Administrator of USAID, and the Secretary of Defense shall provide to any appropriate congressional committee upon the request of any such committee regular briefings on the implementation of this Act.

SEC. 8. GAO REVIEW.

(a) IN GENERAL.—Not later than two years after the date of the enactment of this Act and every two years thereafter until the date that is ten years after such date of enactment, the Comptroller General of the United States shall consult with the Chairman and Ranking Member of the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives regarding opportunities for independent review of the activities under the Global Fragility Initiative established pursuant to section 6, including opportunities to—

(1) assess the extent to which United States Government activities in each country and region selected as part of the initiative are being implemented in accordance with the initiative and the relevant country or regional plan under the initiative;

(2) assess the processes and procedures for coordinating among and within each relevant Federal
department or agency when implementing the initiative and each such country and regional plan;

(3) assess the monitoring and evaluation efforts under the initiative and each such country and regional plan, including assessments of the progress made and lessons learned with respect to each such plan, as well as any changes made to activities based on the results of such monitoring and evaluation;

(4) recommend changes necessary to better implement United States Government activities in accordance with the initiative, as well as recommendations for any changes to the initiative; and

(5) assess such other matters as the Comptroller General determines appropriate.

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

SEC. 9. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—
(A) the Committees on Foreign Relations, Armed Services, and Appropriations of the Senate; and

(B) the Committees on Foreign Affairs, Armed Services, and Appropriations of the House of Representatives.

(2) Relevant federal department or agency.—The term ‘‘relevant Federal department or agency’’ means the Department of the Treasury and any other Federal department or agency the President determines is relevant to carry out the purposes of this Act.