

108TH CONGRESS
1ST SESSION

S. 1235

To increase the capabilities of the United States to provide reconstruction assistance to countries or regions impacted by armed conflict, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 11, 2003

Mr. EDWARDS (for himself, Mr. REED, and Mr. ROBERTS) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To increase the capabilities of the United States to provide reconstruction assistance to countries or regions impacted by armed conflict, 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 “Winning the Peace
5 Act of 2003”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) President George W. Bush has stated that
9 the United States security strategy takes into ac-

1 count the fact that “America is now threatened less
2 by conquering states than we are by failing ones”.

3 (2) Failed states can provide safe haven for a
4 diverse array of transnational threats, including ter-
5 rorist networks, militia and warlords, global orga-
6 nized crime, and narcotics traffickers who threaten
7 the security of the United States and the allies of
8 the United States.

9 (3) The inability of the authorities in a failed
10 state to provide basic services can create or con-
11 tribute to humanitarian emergencies.

12 (4) It is in the interest of the United States
13 and the international community to bring conflict
14 and humanitarian emergencies stemming from failed
15 states to a lasting and sustainable close.

16 (5) Since the end of the Cold War, United
17 States military, diplomatic, and humanitarian per-
18 sonnel have been engaged in major post-conflict re-
19 construction efforts in such places as Iraq, Bosnia,
20 Kosovo, Somalia, Haiti, Rwanda, East Timor, and
21 Afghanistan.

22 (6) Assisting failed states in emerging from vio-
23 lent conflict is a complex and long-term task, as
24 demonstrated by the experience that 50 percent of

1 such states emerging from conditions of violent con-
2 flict slip back into violence within 5 years.

3 (7) In 2003, the bipartisan Commission on
4 Post-Conflict Reconstruction created by the Center
5 for Strategic and International Studies and the As-
6 sociation of the United States Army, released a re-
7 port explaining that “United States security and de-
8 velopment agencies still reflect their Cold War herit-
9 age. The kinds of complex crises and the challenge
10 of failed states encountered in recent years do not
11 line up with these outdated governmental mecha-
12 nisms. If regional stability is to be maintained, eco-
13 nomic development advanced, lives saved, and
14 transnational threats reduced, the United States and
15 the international community must develop a strategy
16 and enhance capacity for pursuing post-conflict re-
17 construction.”.

18 **SEC. 3. DEFINITIONS.**

19 In this Act:

20 (1) ADMINISTRATOR.—The term “Adminis-
21 trator” means the Administrator of the United
22 States Agency for International Development.

23 (2) DIRECTOR.—The term “Director” means a
24 Director of Reconstruction for a country or region
25 designated by the President under section 4.

1 (3) RECONSTRUCTION SERVICES.—The term
2 “reconstruction services” means activities related to
3 rebuilding, reforming, or establishing the infrastruc-
4 ture processes or institutions of a country that has
5 been affected by an armed conflict, including serv-
6 ices related to—

7 (A) security and public safety, including—

8 (i) disarmament, demobilization, and
9 reintegration of combatants;

10 (ii) training and equipping civilian po-
11 lice force; and

12 (iii) training and equipping of na-
13 tional armed forces;

14 (B) justice, including—

15 (i) developing rule of law and legal,
16 judicial, and correctional institutions;

17 (ii) preventing human rights viola-
18 tions;

19 (iii) bringing war criminals to justice;

20 (iv) supporting national reconciliation
21 processes; and

22 (v) clarifying property rights;

23 (C) governance, including—

- 1 (i) reforming or developing civil ad-
2 ministration and other government institu-
3 tions;
- 4 (ii) restoring performance of basic
5 civil functions, such as schools, health clin-
6 ics, and hospitals; and
- 7 (iii) establishing processes of govern-
8 ance and participation; and
- 9 (D) economic and social well-being, includ-
10 ing—
- 11 (i) providing humanitarian assistance;
- 12 (ii) constructing or repairing infra-
13 structure;
- 14 (iii) developing national economic in-
15 stitutions and activities, such as a banking
16 system; and
- 17 (iv) encouraging wise stewardship of
18 natural resources for the benefit of the
19 citizens of such country.

20 **SEC. 4. DIRECTOR OF RECONSTRUCTION POSITIONS.**

21 (a) AUTHORIZATION OF POSITIONS.—The President
22 is authorized to designate an individual who is a civilian
23 as the Director of Reconstruction for each country or re-
24 gion in which—

1 (1) units of the United States Armed Forces
2 have engaged in armed conflict; or

3 (2) as a result of armed conflict, the country or
4 region will receive reconstruction services from the
5 United States Government.

6 (b) **AUTHORITY TO PROVIDE RECONSTRUCTION**
7 **SERVICES.**—Notwithstanding any provision of law, other
8 than section 553 of the Foreign Operations, Export Fi-
9 nancing, and Related Programs Appropriations Act, 2003
10 (division E of Public Law 108–7; 117 Stat. 200), the
11 President is authorized to provide reconstruction services
12 for any country or region for which a Director has been
13 designated under subsection (a).

14 (c) **DUTIES.**—A Director who is designated for a
15 country or region under subsection (a) shall provide over-
16 sight and coordination of, have decision making authority
17 for, and consult with Congress regarding, all activities of
18 the United States Government that are related to pro-
19 viding reconstruction services in such country or region,
20 including implementing complex, multidisciplinary post-
21 conflict reconstruction programs in such country or re-
22 gion.

23 (d) **COORDINATION.**—A Director shall coordinate
24 with the representatives of the country or region where
25 the Director is overseeing and coordinating the provision

1 of reconstruction services, and any foreign government,
2 multilateral organization, or nongovernmental organiza-
3 tion that is providing services to such country or region—

4 (1) to avoid providing reconstruction services
5 that duplicate any such services that are being pro-
6 vided by a person or government other than the
7 United States Government;

8 (2) to capitalize on civil administration systems
9 and capabilities available from such person or gov-
10 ernment; and

11 (3) to utilize individuals or entities with exper-
12 tise in providing reconstruction services that are
13 available through such other person or government.

14 (e) SUPPORT SERVICES.—The Secretary of State is
15 authorized to establish within the Department of State a
16 permanent office to provide support, including administra-
17 tive services, to each Director designated under subsection
18 (a).

19 **SEC. 5. INTERNATIONAL EMERGENCY MANAGEMENT OF-**
20 **FICE.**

21 (a) AUTHORIZATION.—The Administrator is author-
22 ized to establish within the United States Agency for
23 International Development an Office of International
24 Emergency Management for the purposes described in
25 subsection (b).

1 (b) PURPOSES.—

2 (1) IN GENERAL.—The purposes of the Office
3 authorized by subsection (a) shall be—

4 (A) to develop and maintain a database of
5 individuals or entities that possess expertise in
6 providing reconstruction services; and

7 (B) to provide support for mobilizing such
8 individuals and entities to provide a country or
9 region with services applying such expertise
10 when requested by the Director for such coun-
11 try or region.

12 (2) EXPERTS.—The individuals or entities re-
13 ferred to in paragraph (1) may include employees or
14 agencies of the Federal Government, any other gov-
15 ernment, or any other person, including former
16 Peace Corps volunteers or civilians located in the af-
17 fected country or region.

18 **SEC. 6. INTEGRATED SECURITY SUPPORT COMPONENT.**

19 (a) SENSE OF CONGRESS REGARDING THE CRE-
20 ATION OF AN INTEGRATED SECURITY SUPPORT COMPO-
21 NENT OF NATO.—It is the sense of Congress that—

22 (1) the Secretary of State and the Secretary of
23 Defense should present to the North Atlantic Coun-
24 cil a proposal to establish within the North Atlantic
25 Treaty Organization an Integrated Security Support

1 Component to train and equip selected units within
2 the North Atlantic Treaty Organization to assist in
3 providing security in countries or regions that re-
4 quire reconstruction services; and

5 (2) if such a Component is established, the
6 President should commit United States personnel to
7 participate in such Component, after appropriate
8 consultation with Congress.

9 (b) AUTHORITY TO PARTICIPATE IN AN INTEGRATED
10 SUPPORT COMPONENT.—

11 (1) IN GENERAL.—If the North Atlantic Coun-
12 cil establishes an Integrated Security Support Com-
13 ponent, as described in subsection (a), the President
14 is authorized to commit United States personnel to
15 participate in such Component, after appropriate
16 consultation with Congress.

17 (2) CAPABILITIES.—The units composed of
18 United States personnel participating in such Com-
19 ponent pursuant to the authority in paragraph (1)
20 should be capable of—

21 (A) providing for security of a civilian pop-
22 ulation, including serving as a police force; and

23 (B) providing for the performance of pub-
24 lic functions and the execution of security tasks
25 such as control of belligerent groups and

1 crowds, apprehending targeted persons or
2 groups, performing anti-corruption tasks, and
3 supporting police investigations.

4 **SEC. 7. TRAINING CENTER FOR POST-CONFLICT RECON-**
5 **STRUCTION OPERATIONS.**

6 (a) ESTABLISHMENT.—The Secretary of State shall
7 establish within the Department of State an interagency
8 Training Center for Post-Conflict Reconstruction Oper-
9 ations for the purposes described in subsection (b).

10 (b) PURPOSES.—The purposes of the Training Cen-
11 ter authorized by subsection (a) shall be to—

12 (1) train interagency personnel in assessment,
13 strategy development, planning, and coordination re-
14 lated to providing reconstruction services;

15 (2) develop and certify experts in fields related
16 to reconstruction services who could be called to par-
17 ticipate in operations in countries or regions that re-
18 quire such services;

19 (3) provide training to individuals who will pro-
20 vide reconstruction services in a country or region;

21 (4) develop rapidly deployable training packages
22 for use in countries or regions in need of reconstruc-
23 tion services; and

24 (5) conduct reviews of operations that provide
25 reconstruction services for the purpose of—

1 (A) improving subsequent operations to
2 provide such services; and

3 (B) developing appropriate training and
4 education programs for individuals who will
5 provide such services.

6 **SEC. 8. REPORTS TO CONGRESS.**

7 Not later than 180 days after the date of the enact-
8 ment of this Act, the President shall submit to Congress
9 a report on the actions planned to be taken to carry out
10 the provisions of this Act.

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