



Peacekeeping/Stabilization and Conflict Transitions: Background and Congressional Action on the Civilian Response/Reserve Corps and other Civilian Stabilization and Reconstruction Capabilities

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Summary

In November 2011, the Obama Administration announced the creation of a new State Department Bureau of Conflict and Stabilization Operations (CSO) to provide the institutional focus for policy and “operational solutions” to prevent, respond to, and stabilize crises in priority states. This bureau integrates the former Office of the Coordinator for Reconstruction and Stabilization (S/CRS). In December 2011, the Administration nominated Frederick D. Barton to two posts: the Assistant Secretary for Conflict and Stabilization Operations and the Coordinator for Reconstruction and Stabilization. The second session of the 112th Congress may wish to follow the progress of the CSO Bureau in furthering the work of S/CRS as part of appropriations and oversight functions.

Congress established S/CRS by law in the Reconstruction and Stabilization Civilian Management Act, 2008, as Title XVI of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (S. 3001, P.L. 110-417, signed into law October 14, 2008). This legislation codified the existence and functions of S/CRS and authorized new operational capabilities within the State Department, a Civilian Response Corps (CRC) of government employees with an active and a standby component, and a reserve component. Earlier, in 2004, the George W. Bush Administration had stood up S/CRS to address long-standing concerns, both within Congress and the broader foreign policy community, over the perceived lack of the appropriate capabilities and processes to deal with transitions from conflict to stability. These capabilities and procedures include adequate planning mechanisms for stabilization and reconstruction operations, efficient interagency coordination structures and procedures in carrying out such tasks, and appropriate civilian personnel for many of the non-military tasks required.

From July 2004, S/CRS worked to establish the basic concepts, mechanisms, and capabilities necessary to carry out such operations. With a staff that slowly grew from a few dozen to well over 100 individuals, S/CRS took steps to monitor and plan for potential conflicts, to develop a rapid-response crisis management “surge” capability, to improve interagency and international coordination, to develop interagency training exercises, and to help State Department regional bureaus develop concepts and proposals for preventive action.

Not until four years later, in 2008, did Congress provide the first funding to establish civilian response capabilities, as well as the first line-item funding for S/CRS. The Bush Administration plans at that point contemplated a CRC force of 4,250, including a sizable reserve component of private citizens similar in concept to the U.S. military reserve. The Obama Administration proceeded with plans and funding requests to develop S/CRS and its operational arm, the CRC. The 111th Congress provided funding to expand the active and standby units, but not the civilian reserve. The 111th Congress also established a new USAID Complex Crises Fund (CCF) to support programs and activities responding to emerging or unforeseen complex crises abroad.

The 112th Congress continued to fund S/CRS and its successor, the CSO Bureau, as well as the CCF, although at reduced levels. This report does not cover events since the formation of the CSO Bureau. It will not be updated.

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Latest Developments and Congressional Interest

In November 2011, the Obama Administration announced the creation of a new State Department Bureau of Conflict and Stabilization Operations (CSO) to provide the institutional focus for policy and “operational solutions” to prevent, respond to, and stabilize crises in priority states. This bureau integrates the former Office of the Coordinator for Reconstruction and Stabilization (S/CRS). In December 2011, the Administration nominated Frederick D. Barton to two posts: the Assistant Secretary for Conflict and Stabilization Operations and the Coordinator for Reconstruction and Stabilization. He was confirmed to those posts by the Senate in April 2012.

Congress may wish to follow the progress of the CSO Bureau in furthering the work of S/CRS as part of appropriations and oversight functions. Specific issues include the roles of the CSO Bureau and other State Department offices, the U.S. Agency for International Development (USAID), the Department of Defense (DOD), and other agencies; the organizational structures to integrate agency contributions; the structure and functions of the Civilian Response Corps; and the appropriate level of funding for the CSO Bureau.

This report provides background on the establishment of S/CRS, its functions, and its operations, as well as on the CRC. The report tracks S/CRS budget requests and congressional actions. It discusses four issues raised during the S/CRS years that may still be relevant for the CSO Bureau: S/CRS’s effectiveness, the appropriate size for the CRC, flexible funding for stabilization operations, and funding for a reserve component. It does not cover events or perceptions since the formation of the CSO Bureau.

Introduction

For well over a decade, there has been widespread concern that the U.S. government lacks appropriate civilian “tools” to carry out state-building tasks in post-conflict situations. This concern grew from U.S. military operations in Haiti, Somalia, Bosnia, and elsewhere, where military forces were tasked with a variety of state-building tasks, such as creating justice systems, assisting police, and promoting governance. With the wars in Afghanistan and Iraq, consensus increased that the United States must develop adequate civilian organizational structures, procedures, and personnel to respond effectively to post-conflict and other “stabilization and reconstruction” (S&R) situations.

The George W. Bush Administration launched several initiatives to do just that. The centerpiece of its efforts was the establishment of the Office of the Coordinator for Reconstruction and Stabilization (S/CRS) in the Office of the Secretary of State. Created in mid-2004, S/CRS was tasked with designing, and in some cases establishing, the new structures within the State Department and elsewhere that would allow civilian agencies to develop effective policies, processes, and personnel to build stable and democratic states. Among other tasks, S/CRS developed plans for the creation of a civilian “surge” capability that could respond rapidly to S&R emergencies.

In the early months of the Obama Administration, Administration officials signaled their support for civilian S&R capabilities. In her January 2009 confirmation hearings before the Senate Foreign Relations Committee, Secretary of State Hillary R. Clinton mentioned the State Department’s new S&R responsibilities, citing a department need to demonstrate competence and

secure funding to carry them out. Secretary of Defense Robert Gates, while serving in that position under former President George W. Bush, urged the development of civilian capabilities in major speeches.¹ As Senator, Vice President Joseph Biden was the co-sponsor, with Senator Lugar, of legislation, first introduced in 2004, to create an office within the State Department that would coordinate U.S. government S&R operations and deploy civilian government employees and private citizens to carry out state-building activities in crises abroad.

In its second session, the 110th Congress enacted legislation that “operationalizes” certain groups of personnel within the Department of State and other federal agencies for S&R efforts by authorizing the creation of federal civilian “response” units, as well as the creation of a volunteer S&R civilian reserve force, akin to the military reserve force. This legislation advances the work of previous Congresses regarding Bush Administration initiatives to improve the conduct of (S&R) efforts. With the passage in September 2008 of Title XVI of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (S. 3001/P.L. 110-417), signed into law October 14, 2008, Congress established S/CRS as part of permanent law and formally “operationalized” certain units in civilian federal agencies, most particularly the State Department, expanding its mission from that of an institution devoted solely to diplomacy to one that also has a role in effecting change through “on-the-ground” personnel and programs dedicated to promoting security and stability in transitions from conflict and post-conflict situations. This was accomplished by authorizing the creation of a two component “readiness response” corps consisting of a small active unit of federal employees drawn from several agencies and a federal standby unit, and a large civilian reserve corps, analogous to the military reserve.

The 112th Congress may consider several remaining tasks. One is whether to create a mechanism, such as envisioned in early legislation, to create a flexible, no-year, discretionary Conflict Response Fund to be drawn upon by civilian agencies for S&R efforts. Another is to decide what would constitute an appropriate level of staffing and funding for S/CRS, or an office that carries out those functions, and whether and how to reposition S/CRS to carry out its functions. A third is to decide on whether to support expected Administration plans to strengthen the Civilian Response Corps of government employees and to create a new expert roster to deploy private sector personnel.

The State Department’s December 2010 Quadrennial Diplomacy and Defense Review (QDDR), with its broad reform agenda for State Department and USAID structures and activities, addressed potential changes to S/CRS, the response corps, and the reserves.² The QDDR proposed reorganizing the structures to enhance the State Department’s ability to develop and implement policy to address crises, conflict, and stability, including endowing an expanded version of S/CRS’s mandate and capabilities in a new Bureau for Conflict and Stabilization Operations. It also stated that the State Department anticipates presenting Congress with a request for funds to support an in-depth, two-year plan currently being formulated to expand and strengthen the Civilian Response Corps’ active and standby components. Finally, it proposed replacing plans for a Civilian Reserve Corps (CRC), modeled after the military reserves and

¹ U.S. Department of Defense. Speech by Secretary of Defense Robert M. Gates, delivered at Kansas State University, Manhattan, KA (the “Landon Lecture”), November 26, 2007, and U.S. Department of Defense, Speech by Secretary of Defense Robert M. Gates at the AFRICOM Activation Ceremony, Washington, DC, October 1, 2008; <http://www.defenselink.mil/speeches/secdef.aspx>.

² Department of State and U.S. Agency for International Development, *Leading Through Civilian Power: The First Quadrennial Diplomacy and Development Review*, December 2010. See pp. 135-136, and 144-145, <http://www.state.gov/s/dmr/qddr/>. Hereinafter referred to as QDDR.

national guard, with an “expert roster” of private citizens who collectively possess a broad range of technical expertise and experience necessary for dealing with complex crises.

Background

Former President George W. Bush’s pledge, articulated in his February 2, 2005, State of the Union address, “to build and preserve a community of free and independent nations, with governments that answer to their citizens, and reflect their own cultures” cast the once-discredited concept of building or rebuilding government institutions, economies, and civic cultures in a new light. During the 1990s, many policymakers considered the establishment of new institutions in troubled countries to be an overly expensive, if not futile exercise. The use of U.S. military forces for such activities, particularly in the first half of the decade, was troubling to many Members. The Bush Administration, in response to concerns about the threats posed by weak and fragile states, reframed both U.S. security and international development policy and initiated dramatic corresponding changes in U.S. governmental structures and practices. These changes, the Bush Administration argued, would enable the United States to perform such tasks more efficiently and at a lesser cost, particularly in transitions from conflict and in post-conflict situations.

A key component of these changes was the establishment and reinforcement of new civilian structures and forces, in particular S/CRS and the civilian response/reserve corps. The Bush Administration made these new civilian entities a prominent feature in two initiatives: the National Security Presidential Directive 44 (NSPD-44) of December 2005 on the management of interagency reconstruction and stabilization operations and the “transformational diplomacy” reorganization of State Department personnel and practices announced in January 2006.

These initiatives were intended to enhance the United States’ ability to function effectively on the world scene in the environment created by the terrorist attacks on the United States of September 11, 2001 (9/11). Soon after 9/11, many analysts began to predict that the greatest threats to U.S. security often would emerge within states that are either too weak to police their territory or lack the political will or capacity to do so. To respond to those threats with a new “whole-of-government” approach, in 2006 former Secretary of State Condoleezza Rice outlined a new U.S. foreign policy strategy focusing on the “intersections of diplomacy, democracy promotion, economic reconstruction and military security” and involving extensive changes in government to carry that strategy out.³ State-building (or nation-building as it is often called) was at the center of this strategy. Both initiatives reinforced the important role that the Bush Administration gave S/CRS in policymaking and implementation dealing with conflict transitions and weak and fragile states.

³ Taken from a speech delivered by then-Secretary of State Condoleezza Rice. Remarks at Georgetown School of Foreign Service, January 18, 2006. Available at <http://www.state.gov/secretary/rm/2006/59306.htm>. This theme was reiterated by Stephen Krasner, director of Policy Planning at the State Department. Remarks at the Center for Global Development, January 20, 2006. Available at <http://www.cgdev.org/doc/event%20docs/Krasner%20Transcript.pdf>.

Evolving Perceptions of Post-Conflict Needs⁴

The creation of S/CRS in July 2004 responded to increasing calls for the improvement of U.S. civilian capabilities to plan and carry out post-conflict state-building operations. Several factors combined after 9/11 to lead many analysts to conclude that such operations are vital to U.S. security and that the United States must reorganize itself to conduct them effectively, in particular by creating new and improving existing civilian institutions to carry them out. Foremost among these factors, for many analysts, was the widespread perception since 9/11 that global instability directly threatens U.S. security and that it is a vital U.S. interest to transform weak and failing states into stable, democratic ones. Related to this was the expectation that responding to the threat of instability will require the United States and the international community to intervene periodically in foreign conflicts with “peacekeeping”⁵ and “stabilization” forces at about the same intensive pace as it had done since the early 1990s. Because that pace stressed the U.S. military, many policymakers believed that the United States should create and enhance civilian capabilities to carry out the peacebuilding tasks that are widely viewed as necessary for stability and reconstruction in fragile, conflict-prone, and post-conflict states. Finally, numerous analyses distilling years of experience with multifaceted peacekeeping and peacebuilding operations (subsequently also referred to as post-conflict operations or stabilization and reconstruction, or S&R missions),⁶ raised hopes that rapid, comprehensive, and improved peacebuilding efforts could significantly raise the possibilities of achieving sustainable peace.

The perception that international terrorism could exploit weak, unstable states convinced many policymakers and analysts of the need to strengthen U.S. and international capabilities to foster security, good governance and economic development, especially in post-conflict situations. The 9/11 Commission and the Commission on Weak States and U.S. National Security found that weak states, as well as unsuccessful post-conflict transitions, pose a threat to U.S. security.⁷ These

⁴ Parts of this Background section and the following section on S/CRS are drawn from a now archived CRS Report RS22031, *Peacekeeping and Post-Conflict Capabilities: The State Department's Office for Reconstruction and Stabilization*, by Nina M. Serafino and Martin A. Weiss.

⁵ “Peacekeeping” is a broad, generic, and often imprecise term to describe the many activities that the United Nations and other international organizations, and sometimes *ad hoc* coalitions of nations or individual nations, undertake to promote, maintain, enforce, or enhance the possibilities for peace. These activities range from providing election observers, recreating police or civil defense forces for the new governments of those countries, organizing and providing security for humanitarian relief efforts, and monitoring and enforcing cease-fires and other arrangements designed to separate parties recently in conflict. (Many of these activities are often also referred to as “nation-building”; a better term, some analysts suggest, is “state-building.”) As used here, the term encompasses both “peace enforcement” operations, sent to enforce an international mandate to establish peace, and “peacebuilding” activities. Peacebuilding activities, usually undertaken in a post-conflict environment, are designed to strengthen peace and prevent the resumption or spread of conflict, including disarmament and demobilization of warring parties, repatriation of refugees, reform and strengthening of government institutions, election-monitoring, and promotion of political participation and human rights.

⁶ The term “post-conflict stabilization and reconstruction” is broad but is usually understood to encompass tasks and missions to promote security and encourage stable, democratic governance and economic growth following major hostilities. In the past, many of the “stabilization” activities were loosely labeled “peacekeeping.” Reconstruction involves repairing (in some cases creating) the infrastructure necessary to support long-term economic growth and development. This infrastructure can be physical (e.g., roads and schools) or institutional (e.g., legal and tax systems). For additional background on various aspects of post-conflict reconstruction and assistance, see CRS Report RL33557, *Peacekeeping and Related Stability Operations: Issues of U.S. Military Involvement*, by Nina M. Serafino, and CRS Report RL33700, *United Nations Peacekeeping: Issues for Congress*, by Marjorie Ann Browne.

⁷ The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks upon the United States, New York: W.W. Norton and Company, 2004, and On the Brink: A Report of the Commission on Weak States and US National Security, sponsored by the Center for Global Development, May 2004. Also see CRS Report RL34253, *Weak* (continued...)

groups argued that such states often experience economic strife and political instability that make them vulnerable to drug trafficking, human trafficking, and other criminal enterprises, and to linkage with non-state terrorist groups (such as the links between the previous Taliban government in Afghanistan and the Al Qaeda terrorist network). Weak states also are unprepared to handle major public health issues, such as HIV/AIDS, that can generate political and economic instability.⁸ These commissions, and other analysts, argued for assistance to the governments of weak states and of post-conflict transitions regimes to help them control their territories, meet their citizens' basic needs, and create legitimate governments based on effective, transparent institutions.

These and other studies recognized a need to enhance U.S. government structures and capabilities for conducting post-conflict operations.⁹ Although differing in several respects, the studies largely agreed on five points: (1) the *ad hoc* system needs to be replaced with a permanent mechanism for developing contingency plans and procedures for joint civil-military operations led by civilians; (2) mechanisms to rapidly deploy U.S. civilian government and government-contracted personnel need to be put in place; (3) preventive action needs to be considered; (4) the U.S. government needs to enhance multinational capabilities to carry out post-conflict security tasks and to better coordinate international aid; and (5) flexible funding arrangements are needed to deal with such situations. In addition, some urged substantial amounts of funding for flexible U.S. and international accounts.¹⁰

Proposals for New Civilian Forces

A prominent feature of several of the reports on stabilization and reconstruction operations was a recommendation to develop rapidly deployable civilian forces to undertake state-building functions, particularly those related to rule of law, even before hostilities had ceased. Many analysts view the early deployment of rule of law personnel as essential to providing security from the outset of an operation, which they argue will enhance the possibilities for long-term stability and democracy in an intervened or post-conflict country. Many view the development of civilian groups to do so as permitting the earlier withdrawal of military personnel than would otherwise be possible.

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and *Failing States: Evolving Security Threats and U.S. Policy*, by Liana Sun Wyler.

⁸ Prins, Gwyn, "AIDS and Global Security," *International Affairs*, vol. 80, Issue 5, 2004.

⁹ The reports are (1) *Play to Win: The Final Report of the Bi-partisan Commission on Post-Conflict Reconstruction*, Center for Strategic and International Studies (CSIS) and the Association of the U.S. Army (AUSA), 2003 (a book-length version was published in mid-2004, *Winning the Peace: An American Strategy for Post-Conflict Reconstruction*, Robert C. Orr, ed.); (2) Clark A. Murdock, Michèle A. Flournoy, Christopher A. Williams, and Kurt M. Campbell, principal authors. *Beyond Goldwater-Nichols: Defense Reform for a New Strategic Era Phase I Report*, CSIS, March 2004; (3) Hans Binnendijk and Stuart Johnson, eds. *Transforming for Stabilization and Reconstruction Operations*, National Defense University Center for Technology and National Security Policy, April 2004, (4) *On the Brink: Weak States and US National Security*, Center for Global Development, May 2004; Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics. *Defense Science Board 2004 Summer Study on Transition to and From Hostilities*, December 2004; and *In the Wake of War: Improving U.S. Post-Conflict Capabilities*, Washington, D.C.: Council on Foreign Relations, Report of an Independent Task Force, July 2005.

¹⁰ The July 2005 Council on Foreign Relations report recommends the establishment of a conflict response fund of \$500 million, a five-fold increase over the amount requested by the Bush Administration for FY2006. In addition, the report recommends establishing a new \$1 billion standing multilateral reconstruction trust fund under the auspices of the Group of Eight industrialized nations. This trust fund would be modeled on existing post-conflict trust funds located at the United Nations and the World Bank.

The concept of a cohesive, rapidly deployable unit of civilian experts for stabilization and reconstruction operations dates back at least to the Clinton Administration. In PDD-71, which dealt with strengthening criminal justice systems in peace operations, the Clinton Administration identified such an initiative as a high priority, according to the PDD-71 White Paper.¹¹ Six studies between 2003 and 2005 endorsed the creation of cohesive, rapidly deployable units of civilian experts for stabilization and reconstruction operations. These include a 2003 report of the National Defense University (NDU);¹² a March 2004 report of the Center for Strategic and International Studies (CSIS);¹³ an April 2004 report of the U.S. Institute of Peace (USIP);¹⁴ a book by a USIP analyst;¹⁵ and the Defense Science Board 2004 Summer Study on transitions from hostilities.¹⁶

Critics Respond

Some analysts have questioned the utility of S/CRS and of the rationale that underlines its creation and the adoption of the transformational diplomacy strategy more broadly. Two think-tank studies published in January 2006 dispute the concept that weak and failed states are per se among the most significant threats to the United States. They point out that weak states are not the only locations where terrorists have found recruits or sought safe-haven, as they have exploited discontent and operated in developed countries as well. A report of the Center for Global Development states that many factors beyond the weakness or lack of government institutions—demographic, political, religious, cultural, and geographic—contribute to the development of terrorism.¹⁷ As a result, an emphasis on weak and failed states can lead the United States to give short shrift to more tangible threats and to areas of greater U.S. interest. The CATO Institute study worries that former Secretary Rice’s focus on promoting “responsible sovereignty” as an underpinning of transformational diplomacy may provide potential justification for eroding the current international norm of respect for national sovereignty, leading the United States into fruitless interventions.¹⁸

¹¹ That white paper states that PDD 71 instructed that “programs must be developed that enable the U.S. to respond quickly to help establish rudimentary judicial and penal capacity during peace operations and complex contingencies.” PDD-71 White Paper, op. cit., p. 6.

¹² Transforming for Stabilization and Reconstruction Operations, op.cit.

¹³ Beyond Goldwater-Nichols: Defense Reform for a New Strategic Era, Phase 1 Report, op.cit. See pp. 64-65.

¹⁴ Robert M. Perito, Michael Dziedzic and Beth C. DeGrasse, *Building Civilian Capacity for U.S. Stability Operations*. Washington, DC: United States Institute of Peace, Special Report 118, April 2004.

¹⁵ Robert M. Perito, *Where is the Lone Ranger When We Need Him? America’s Search for a Postconflict Stability Force*. Washington, DC: United States Institute of Peace Press, 2004. See pp 323-337 for an extensive discussion of this proposal.

¹⁶ Transition to and From Hostilities, op.cit., p 58.

¹⁷ Patrick Stewart. *Weak States and Global Threats: Assessing Evidence of “Spillovers.”* Working Paper No. 73, Center for Global Development, January 2006.

¹⁸ Justin Logan and Christopher Preble. *Failed States and Flawed Logic: The Case against a Standing Nation-Building Office*. CATO Policy Analysis Paper No. 560, Cato Institute, January 11, 2006. The authors make substantial reference to a Fall 2004 paper by Stephen Krasner, State Department Director of Policy Planning, that challenged the conventional sovereignty norms. Krasner argues that these norms are outmoded and an obstacle to dealing with the international threats caused by weak and unstable states. He argues for granting international acceptance to new norms of shared-sovereignty (more than one country) or international trusteeships following successful interventions, Stephen Krasner, “Sharing Sovereignty,” *International Security*, Vol. 28, No. 4, Spring 2004, pp. 5-43.

In addition, some analysts are skeptical that the problems of weak and failed states can be most dealt with through military and political interventions aimed at creating viable government institutions. The effectiveness of past efforts is a subject of debate, with differing views on the criteria for and the number of successes, draws, and failures, as is the best means to achieve success.

There is some skepticism that state-building efforts will result in success in most instances. In the words of one scholar, “barring exceptional circumstances (the war against the Taliban after 9/11), we had best steer clear of missions that deploy forces (of whatever kind) into countries to remake them anew.... The success stories (Germany, Japan) are the exceptions and were possible because of several helpful conditions that will not be replicated elsewhere.”¹⁹ Others, however, point to cases such as Mozambique and El Salvador as examples that state-building efforts can promote peace after civil strife.

Creating Civilian Reconstruction and Stabilization Capabilities: Congressional and Executive Actions, 2004-2007

The “Lugar-Biden” Legislation

On February 25, 2004, Senators Lugar and Biden introduced the Stabilization and Reconstruction Civilian Management Act of 2004 “to build operational readiness in civilian agencies.” (At the time, these Senators were respectively the chairman and ranking Member of the Senate Foreign Relations Committee [SFRC].) The bill provided concrete proposals for establishing and funding the two new “operational” entities that had been recommended in think tank reports. This legislation contained three main proposals: (1) establish in law and fund a State Department Office for Stabilization and Reconstruction, (2) create an Emergency Response Readiness Force, and (3) create and fund an annually replenishable emergency response fund similar to that used for refugee and migration funds.²⁰ The SFRC reported S. 2127 on March 18, 2004, but it was not considered by the full Senate; its companion bill (H.R. 3996, 108th Congress, introduced by Representative Schiff) was not considered by the House International Relations Committee. In subsequent years, similar legislation was introduced,²¹ but until 2008 the only bill to pass either

¹⁹ Rajan Menon, “Low Intensity Conflict in the Emerging Strategic Environment,” as reproduced in U.S. Army Peacekeeping and Stability Operations Institute. *Strategic Requirements for Stability Operations and Reconstruction: Final Report*. pp. 80-81. This report summarizes the result of a conference held April 19-20, 2006, and three preceding workshops, conducted under the aegis of the Dwight D. Eisenhower National Security Series. It also reproduces several papers presented at one workshop. The final report was distributed by e-mail in late 2006, but as of January 18, 2007, does not appear on either the PKSOI or Eisenhower Series website.

²⁰ The emergency response fund would have been subject to limited conditions, but requiring extensive consultation with Congress, similar to spending authority provisions of Section 614 of the Foreign Assistance Act of 1961, as amended. FAA Section 614(a)(3) requires the President to consult with and provide a written policy justification to the House Committee on Foreign Affairs (now International Relations), the Senate Committee on Foreign Relations, and the Appropriations committee of each chamber. CBO estimated that implementing the bill would cost some \$50 million in 2005 and \$550 million from 2005 through 2009.

²¹ These include two similar versions of the original Lugar-Biden bill with same name: the Stabilization and Reconstruction Civilian Management Act of 2005 (S. 209/109th Congress, by Senators Lugar, Biden, and Hagel), and of 2006 (S. 3322/109th Congress by Senators Lugar, Biden, Hagel, Alexander and Warner, and H.R. 6104/109th Congress by Representatives Farr, Blumenauer and Saxton). Similar provisions were included in Title VII of the Senate version of the Foreign Relations Authorization Act for FY2006 and FY2007 (S. 600/109th Congress). A related bill was the International Security Enhancement Act of 2005 (H.R. 1361/109th Congress, introduced by Representative (continued...))

chamber was a subsequent Lugar-Biden measure, the Reconstruction and Stabilization Civilian Management Act of 2006 (S. 3322/109th Congress). S. 3322 was introduced in the Senate May 26, 2006, and approved without amendment by unanimous consent the same day. It was received by the House on June 6, 2006, and referred to the House International Relations Committee. No further action occurred until the 110th Congress with House passage on March 5, 2008, of a House bill with almost the same title, the Reconstruction and Stabilization Civilian Management Act of 2008 (H.R. 1084), and the incorporation of a version of that bill into the conference version of the FY2009 NDAA, (S. 3001, P.L. 110-417, see below).

S/CRS Start-Up and Early Congressional Mandate

S/CRS began operations in July 2004 on a somewhat more tentative status than that envisioned by the Lugar-Biden bill. The office was created by then-Secretary of State Colin Powell without statutory authority, and the coordinator, appointed by the Secretary, was not given the rank of “Ambassador-at-Large.” By the beginning of 2005, S/CRS had a staff of 37 individuals from the State Department, USAID, and several other U.S. government agencies, including the Departments of Defense, Commerce, and the Treasury.

The U.S. military supported S/CRS’s creation and its mission. In prepared statement for testimony before the Armed Services Committees in February 2005, General Richard B. Myers, Chairman of the Joint Chiefs of Staff, cited the creation of S/CRS as “an important step” in helping “post-conflict nations achieve peace, democracy, and a sustainable market economy.” “In the future, provided this office is given appropriate resources, it will synchronize military and civilian efforts and ensure an integrated national approach is applied to post-combat peacekeeping, reconstruction and stability operations,” according to General Myers.²²

S/CRS also received an endorsement from a task force headed by two former Members. The June 2005 report of the congressionally mandated Task Force on the United Nations, chaired by former Speaker of the House of Representatives Newt Gingrich and former Senate Majority Leader George Mitchell, recommended that the United States strengthen S/CRS and that Congress provide it with the necessary resources to coordinate with the United Nations.²³

2004 Congressional Mandate

Congress first endorsed the creation of S/CRS in 2004 as part of the Consolidated Appropriations Act for FY2005 (H.R. 4818, P.L. 108-447), signed into law December 8, 2004. Section 408,

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Dreier), which also would provide authority for preventive action not included in the other bills. (H.R. 1361 would have allowed the president, acting through S/CRS, to authorize the deployment to a country likely to enter into conflict or civil strife in addition to countries emerging from conflict.) Related bills were: The Winning the Peace Act of 2003 (H.R. 2616/108th Congress, introduced by Representative Farr); the International Security Enhancement Act of 2004 (H.R. 4185/108th Congress, introduced by Representative Dreier); and the United States Assistance for Civilians Affected by Conflict Act of 2004 (H.R. 4058/108th Congress, introduced by Representative Hyde).

²² Posture Statement of General Richard B. Myers, USAF, Chairman of the Joint Chiefs of Staff, before the 109th Congress. Senate Armed Services Committee, February 17, 2005, p. 31, as posted on the Senate Armed Services Committee website.

²³ American Interests and U.N. Reform: Report of the Task Force on the United Nations. Washington, DC: United States Institute of Peace, June 2005, p. 25.

Division D, defined six responsibilities for the office, the first five of which respond to the first need—to create a readily deployable crisis response mechanism—stated above. As legislated by P.L. 108-447, S/CRS’s functions are (1) to catalogue and monitor the non-military resources and capabilities of executive branch agencies, state and local governments, and private and non-profit organizations “that are available to address crises in countries or regions that are in, or are in transition from, conflict or civil strife”; (2) to determine the appropriate non-military U.S. response to those crises, “including but not limited to demobilization, policy, human rights monitoring, and public information efforts”; (3) to plan that response; (4) to coordinate the development of interagency contingency plans for that response; (5) to coordinate the training of civilian personnel to perform stabilization and reconstruction activities in response to crises in such countries or regions”; and (6) to monitor political and economic instability worldwide to anticipate the need for U.S. and international assistance. In subsequent legislation (S. 3001, P.L. 110-417, the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009), Congress expanded this list of functions. (See below.)

Congress funds S/CRS under the State Department’s Diplomatic and Consular Affairs budget. S/CRS has received funding through annual appropriations and supplemental appropriations.

S/CRS Role in Interagency Coordination

The S/CRS role in interagency coordination was formalized under NSPD-44, issued by former President Bush on December 7, 2005, to improve conflict-response coordination among executive branch agencies. NSPD-44 assigns the Secretary of State the lead responsibility for developing the civilian response for conflict situations and related S&R activities; the Secretary may direct the Coordinator for Reconstruction and Stabilization to assist with those tasks. Under NSPD-44, the Secretary of State is also responsible for, and may delegate to the Coordinator, coordination of the interagency processes to identify states at risk, the leadership of interagency planning to prevent or mitigate conflict, and the development of detailed contingency plans for stabilization and reconstruction operations, as well as for identifying appropriate issues for resolution or action through the National Security Council (NSC) interagency process as outlined in President Bush’s first National Security Policy Directive (NSPD-1, “Organization of the National Security Council System,” signed February 1, 2001²⁴). NSPD-44, entitled “Management of Interagency Efforts Concerning Reconstruction and Stabilization,” expanded S/CRS activities beyond those conferred by the congressional mandate (see above). (NSPD-44 supersedes PDD-56, referred to above.)

S/CRS developed the mechanism for interagency cooperation in actual operations, drafting the January 22, 2007, Interagency Management System (IMS) for Reconstruction and Stabilization, which was approved by a National Security Council (NSC) deputies meeting. This document lays out a plan for interagency coordination in responding to highly complex reconstruction and stabilization crises. Under the IMS, the Coordinator for Reconstruction and Stabilization is one of three co-chairs of the central coordinating body for the U.S. government response to a crisis. (The others are the appropriate regional Assistant Secretary of State and the relevant NSC Director.)

²⁴ NSPD-1 established 17 NSC/PPCs to “be the main day-to-day fora for interagency coordination of national security policy,” providing policy analysis for more senior committees (the NSC Principals Committee and the NSC Deputies Committee) and ensuring timely responses to presidential decisions. Membership on the NSC/PCC is to consist of representatives from the departments of State, Defense, Justice, and the Treasury, and the Office of Management and Budget, the offices of the President and Vice President, the Central Intelligence Agency, the Joint Chiefs of Staff, and the NSC. Representatives from the Departments of Agriculture and Commerce, and the Office of the U.S. Trade Representative, are to participate when issues pertain to their responsibilities.

Under the plan, S/CRS is charged with providing support to a civilian planning cell integrated with relevant military entities (a geographic combatant command or an equivalent multinational headquarters).

Codifying Civilian Reconstruction and Stabilization Assistance and State Department Capabilities: Title XVI, P.L. 110-417, October 14, 2008

The effort to expand civilian capabilities to perform stabilization and reconstruction tasks reached an important benchmark in October 2008. Through Title XVI of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (P.L. 110-417), Congress amended the basic foreign assistance and State Department statutes to (1) authorize the President to provide assistance for a reconstruction and stabilization crisis, (2) formally establish S/CRS and assign it specific functions, and (3) authorize a Response Readiness Corps (RRC) and a Civilian Reserve Corps (CRC). The authority to provide assistance for a reconstruction and stabilization crisis was created by amending chapter 1 of part III of the Foreign Assistance Act of 1961, as amended (FAA, 22 U.S.C. 2734 et seq.) by inserting a new section. This authority is, however, subject to a time limitation: it may be exercised only during FY2009-FY2011. The new authority for S/CRS, the RRC, and the CRC was created by amending Title I of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a et seq.). These authorities are permanent.

Authorizes Assistance for Reconstruction and Stabilization Crises

Under the heading “Authority to Provide Assistance for Reconstruction and Stabilization Crises,” Section 1604 of P.L. 110-417 adds a new section to the FAA. Section 681 provides authority for the President to use U.S. civilian agencies or non-federal employees to furnish assistance for reconstruction and stabilization in order to prevent conflict and to secure peace. The specific authority permits the President to “to assist in reconstructing and stabilizing a country or region that is at risk of, in, or is in transition from, conflict or civil strife.” As passed in P.L. 110-417, this authority may be exercised for three fiscal years (FY2009-FY2011).

To provide such assistance, the President must determine that U.S. national security interests are served by using such personnel. The President may use funds made available under any other provision of the FAA that are transferred or reprogrammed for the purposes of this section, subject to the 15-day prior notification to congress required by Section 634A, FAA. The President must also consult with and provide a written policy justification to Congress’s foreign affairs and appropriations committees (under Section 614(a)(3), FAA) prior to its use. The assistance may be provided notwithstanding any other provision of law, and on such terms and conditions as the President may determine. The section does not provided authority “to transfer funds between accounts or between Federal departments or agencies.”

Makes S/CRS a Permanent State Department Office and Assigns Specific Functions

A major objective of proponents of improving the civilian capacity to perform stabilization and reconstruction operations was to provide S/CRS with a permanent authorization and specified

functions mandated by law. Such an authorization was a key feature of the initial and subsequent versions of the Lugar-Biden legislation. P.L. 110-417, Section 1605, codifies the existence of S/CRS by amending Title 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651 et seq.), which, among other functions, provides for the establishment of the higher level positions within the Department of State. This codification prevents the dismantling of the office without the legislative consent of Congress. It also assigns nine specific functions to S/CRS,²⁵ largely mirroring the functions assigned by Congress in its original legislation on S/CRS, as cited above. In general, these functions convey on the Coordinator for Reconstruction and Stabilization an overall responsibility for monitoring and assessing political and economic instability, and planning an appropriate U.S. response. Some of these functions are to be undertaken in coordination or conjunction with USAID and other relevant executive branch agencies.

Authorizes a Civilian Response Readiness Corps and a Civilian Reserve Corps

Civilian personnel available through the U.S. government to perform S&R activities are scarce, decentralized in organization, and difficult to call up. Many analysts viewed the remedy to this situation as the creation of a corps of “on-the-ground” civilian personnel which could develop and implement state-building activities and interact with U.S. military personnel at all levels in order to foster security and stability in troubled situations. From the beginning, Lugar\Biden legislation sought to authorize the establishment of such a corps. The Bush Administration began creating a small response cadre of government employees in its FY2006 and FY2007 budget submissions, and proposed a full-scale corps in its February 2008 Civilian Stabilization Initiative.²⁶

P.L. 110-417 establishes the Response Readiness Corps and the Civilian Reserve Corps “to provide assistance in support of stabilization and reconstruction activities in foreign countries or regions that are at risk of, in, or are in transition from, conflict or civil strife.”

²⁵ The specific functions, as detailed in P.L. 110-417, Section 1605, are (1) “Monitoring, in coordination with relevant bureaus within the Department of State and the United States Agency for International Development (USAID), political and economic instability worldwide to anticipate the need for mobilizing United States and international assistance for the stabilization and reconstruction of a country or region that is at risk of, in, or ... in transition from, conflict or civil strife”; (2) “Assessing the various types of stabilization and reconstruction crises that could occur and cataloging and monitoring the non-military resources and capabilities of agencies ... that are available to address such crises”; (3) “Planning, in conjunction with USAID, to address requirements, such as demobilization, rebuilding of civil society, policing, human rights monitoring, and public information, that commonly arise in stabilization and reconstruction crises”; (4) “Coordinating with relevant agencies to develop interagency contingency plans to mobilize and deploy civilian personnel to address the various types of such crises”; (5) “Entering into appropriate arrangements with agencies to carry out activities under this section and the Reconstruction and Stabilization Civilian Management Act of 2008”; (6) “Identifying personnel in State and local governments and in the private sector who are available to participate in the Civilian Reserve Corps ... or to otherwise participate in or contribute to reconstruction and stabilization activities”; (7) “Taking steps to ensure that training of civilian personnel to perform such reconstruction and stabilization activities is adequate and, is carried out, as appropriate, with other agencies involved with stabilization operations”; (8) “Taking steps to ensure that plans for United States reconstruction and stabilization operations are coordinated with and complementary to reconstruction and stabilization activities of other governments and international and nongovernmental organizations, to improve effectiveness and avoid duplication”; and (9) “Maintaining the capacity to field on short notice an evaluation team to undertake on-site needs assessment.”

²⁶ In its FY2006 and FY2007 budget requests, the Bush Administration’s budget proposed funding for S/CRS to establish a 100-person ready-response cadre of government employees. In 2007, Congress approved \$50 million in supplemental funds (available through FY2008) to establish and maintain a civilian reserve corps, the release of these funds was made contingent on a subsequent authorization of the corps. (Section 3810, [U.S. Troop Readiness, Veterans’ Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007, H.R. 2206, P.L. 110-28, signed into law May 25, 2007.]

[Note that the terminology for this “surge” capability differs in the legislation from that used by the Bush and Obama Administration in naming its components. The Obama Administration combines the Civilian Response Readiness Corps and the Civilian Reserve Corps into one “Civilian Response Corps” (CRC) with three components. The Obama Administration’s CRC active and standby units (CRC-A and CRC-S) correspond to this legislation’s Civilian Response Readiness Corps, and the reserve component (CRC-R) corresponds to this legislation’s Civilian Reserve Corps.]

This civilian capability consists of two components:

- The Response Readiness Corps (RRC) of federal employees composed of active and standby components consisting of U.S. government personnel, including employees of the Department of State, USAID, and other agencies who are recruited and trained to provide reconstruction and stabilization assistance when deployed to do so by the Secretary of State. No specific number is provided for members of these components. The legislation notes that members of the active component would be specifically employed to serve in the Corps. The Secretary of State is authorized to establish and maintain the SRC, in consultation with the Administrator of USAID and the heads of other appropriate U.S. government agencies. The Secretary of State alone is authorized to deploy its members.
- The Civilian Reserve Corps (CRC) of individuals with “the skills necessary for carrying out reconstruction and stabilization activities, and who have volunteered for that purpose.” The Secretary is authorized to establish the Corps in consultation with the Administrator of USAID, and is authorized to employ and train its members, as well as to deploy them subject to a presidential determination under the proposed Section 618 of the Foreign Assistance Act of 1961, as amended. No size was specified for the Civilian Reserve Corp. For the Corps to deploy, the President must issue a determination that U.S. national security interests would be served by providing assistance for a reconstruction and stabilization crisis (see above).

Development of the S/CRS Office, Responsibilities, and Capabilities

S/CRS worked to develop the knowledge, capacity, and procedures to ably respond to the needs of countries at risk of conflict, in transitions from conflict, and in the early stages of recovery from conflict. S/CRS grew slowly from a few dozen to somewhat under 200. The numbers varied from time to time. Staff was largely drawn from the State Department (Foreign Service officers and State Department permanent civil service employees) and several contributed by other executive branch agencies, including Justice, the Office of the Director of National Intelligence, USAID, DOD, the Army Corps of Engineers, the Department of Agriculture, and the Department of Health and Human Services. It also included a good number of contract employees working for S/CRS, as well as fellows and interns. S/CRS carried out a wide range of activities: monitoring potential conflict, planning for U.S. responses to conflict, and evaluating and initiating programs to prevent conflict or the spread of conflict, among others.

Monitoring and Planning for Potential Conflicts

To monitor potential crises, S/CRS asked the National Intelligence Council (NIC) to provide it twice a year with a list of weak states most susceptible to crisis, from which S/CRS could choose one or more as test cases to prepare contingency plans for possible interventions. S/CRS also worked with the USAID Office of Conflict Management and Mitigation, which develops techniques for preparing highly detailed assessments of current and impending conflicts. In addition, S/CRS worked with the U.S. military's Joint Forces Command (JFCOM) to develop a common civilian-military planning model for stabilization and reconstruction operations. S/CRS also assisted U.S. embassies abroad in assessing the potential for conflict in individual countries.

Developing and Carrying Out Conflict Response Activities

S/CRS took a lead in planning, developing, and implementing many small conflict response programs. From FY2006 through FY2009, S/CRS used funds provided under DOD's "Section 1207" to carry out conflict prevention and response efforts in 14 individual countries and other countries in Southeast Asia and the Trans-Sahara region.²⁷ In the wake of the January 2010 earthquake in Haiti, S/CRS played a supporting role to USAID's humanitarian relief effort.

Well before Congress authorized the creation of a Civilian Response Corps (see below), S/CRS took the first steps in the lengthy process of creating integrated and coherent groups of crisis-response personnel from executive branch agencies. In 2006, S/CRS created, as a pilot project, a small nucleus of active and retired government employees to deploy to operations. S/CRS began deploying members of the active response component during the last half of 2006. In 2006, ARC members were deployed to Darfur, Lebanon, Chad, and Nepal. About 10 other deployments followed, some with standby component members and other members of the S/CRS staff. Subsequent deployments to many other countries followed.²⁸

In 2010, S/CRS and the CRC carried out three primary missions, conducted in Afghanistan, Kyrgyzstan, and Sudan.

- As of August 2010, there were 26 S/CRS and CRC staff in Afghanistan providing support to the government of Afghanistan in implementing the Afghan National Development Strategy, to coalition military regional commands, and to communications and elections efforts. Personnel deployed in Afghanistan are

²⁷ For more on this program, and funding details, see CRS Report RS22871, *Department of Defense "Section 1207" Security and Stabilization Assistance: Background and Congressional Concerns, FY2006-FY2010*, by Nina M. Serafino.

²⁸ The first active response component member was deployed to Lebanon, to assist with efforts to train and equip additional Lebanese Internal Security (LIS) forces. (The purpose of this effort was to enhance LIS ability to replace the Lebanese Army Forces, which had been maintaining law and order in conflictive areas such as the Bekaa Valley before being deployed to southern Lebanon.) Several standby response component members also deployed to post-conflict situations in 2006. The first person from this group was deployed to eastern Chad and two more began working in Nepal on demobilizing and reintegrating Maoist rebels. In the course of early 2007, several active component members deployed to Kosovo to help prepare for the status settlement process, one deployed to Beirut to help coordinate reconstruction assistance, and one to Chad to monitor activities on the Chad side of the border with Sudan. Other response corps deployments were to Afghanistan, Bangladesh, Cuba, the Democratic Republic of Congo, Georgia, Haiti, Iraq, Liberia, and Sri Lanka, as well as to work with the U.S. Africa Command (AFRICOM). Original plans had called for the ARC to number 30 by the end of 2006. U.S. Department of State. *Fact Sheet: State Department Stands Up Active Response Corps*. August 23, 2006; <http://www.state.gov/s/crs/rls/71038.htm>.

supported by a 15-person Afghan Engagement Team at S/CRS in Washington, DC, which also supports other agencies' efforts in Afghanistan, including the Office of the Special Representative for Afghanistan and Pakistan, regional bureaus, regional combatant commands, and partner nations.

- In February 2010, S/CRS staff deployed to Kyrgyzstan at the request of the State Department's South and Central Asia Bureau to provide assessment and planning support for the development of a five-year strategic plan for the country. After the April overthrow of the government, S/CRS supported efforts that led to a six-month interagency stabilization strategy, and then deployed 18 of its personnel and 17 CRC members to help implement the strategy. S/CRS and the CRC also provide support to a wide variety of other U.S. activities involving elections, strategic communications, stabilization and conflict-mitigation assistance, and economic and trade assessments and advice, as well as to the Organization for Security and Cooperation in Europe (OSCE) efforts.
- Beginning in April 2010, six S/CRS planners, accompanied at times by USAID staff, supported the election preparation work of the U.S. Special Envoy to Sudan as that office prepared for the January 2011 referendum on self-determination in Southern Sudan, as well as other support to the special envoy and to U.S. government interagency groups working on Sudan. As of January 11, 2011, there were 15 Washington, DC-based personnel (6 S/CRS and 9 CRC) engaged in Sudan work.

As of January 6, 2012, S/CRS and the CRC had 51 people deployed to 10 countries. This was down 17 personnel and 1 country, Nepal, from mid-December 2011. Most of them were in Afghanistan (30) and Sudan (11). Of those in Afghanistan, 22 were CRC-A, 2 were CRC-S, and 6 were from S/CRS. In Sudan, 7 were CRC-A, 3 were CRC-S, and 1 was from S/CRS. There were two people each in Cote D'Ivoire (both from S/CRS) and Pakistan (one CRC-A and one CRC-S). One CRC-A member was present in each of the Democratic Republic of the Congo, Haiti, Iraq, Libya, Tunisia, and Uganda. Contributing agencies were State, USAID, and the Departments of Agriculture, Commerce, and Justice.

Other Activities

To address the need for greater interagency, particularly civil-military, planning and coordination, S/CRS worked with the military entities to develop civilian-military training exercises for stabilization and reconstruction operations. It has entered into an agreement with the U.S. Army to train civilian planners. And, among other activities, it has developed ties with other international participants to coordinate and enhance civilian capabilities for stabilization and reconstruction activities.

Development of the Civilian Response Corps (CRC)

On July 16, 2008, then Secretary of State Rice formally launched the Civilian Response Corps active and standby components with a speech thanking Congress for the passage of funding in the Supplemental Appropriations Act, 2008, to establish the CRC. Under plans developed by the Bush Administration (and continued by the Obama Administration) the three-component corps would consist of a 250-member active component (CRC-A) of U.S. government employees who

could deploy within 48 hours, a 2,000-member standby component (CRC-S) of U.S. government employees who could deploy within 30 days, and a 2,000-member reserve component (CRC-R) of experts from other public institutions and the private sectors who would be available for deployment in 45-60 days.

Under the leadership of S/CRS, two other State Department offices and eight other contributing departments and agencies are now recruiting the first 100 members of the CRC-A, and 500 members of the standby component. Besides the State Department, contributors are USAID and the Departments of Agriculture (USDA), Commerce, Justice, Health and Human Services (HHS), Homeland Security (DHS), Treasury, and Transportation.

Initial CRC Funding: FY2008 and FY2009

As of May 7, 2009, the date the Obama Administration presented its detailed FY2010 budget request, Congress had appropriated \$140 million for the establishment and deployment of the active and standby civilian response components. These FY2008 and FY2009 funds together provided for the establishment of a 250-member active component and a 500-member standby component.

In June 2008, Congress specifically provided \$65 million for S/CRS and USAID S&R activities in supplemental appropriations through the Supplemental Appropriations Act, 2008, P.L. 110-252, signed into law June 30, 2008.²⁹ Of that amount, up to \$30 million was appropriated as FY2008 funds (under the State Department Diplomatic and Consular Programs account) for the State Department “to establish and implement a coordinated civilian response capacity” and up to \$25 million was appropriated to USAID as FY2008 supplemental funds for that agency to do the same (122 Stat.2328-2329). The remaining \$10 million was part of FY2009 supplemental bridge fund appropriations for the State Department. (This appropriation was less than the \$248.6 million that the Bush Administration requested in February 2008, for its CSI, which rolled into one its request for funds for continued operations of S/CRS, funds for a 250-member interagency CRC Active Response component and a 2,000-member Standby Response component, and a 2,000-member Civilian Reserve component, and money for deployment of experts.)

In March 2009, Congress provided \$75 million in FY2009 appropriations to the newly created Civilian Stabilization Initiative account in order to establish and support the CRC active and standby components (Omnibus Appropriations Act, 2009, P.L. 111-8, signed into law March 11, 2009). This included \$45 million in State Department funds and \$30 million in USAID funds.

Establishing the Civilian Response Corps Active Response Component (CRC-A)

As originally planned by the Bush Administration, and contemplated by early plans of the Obama Administration, the total number of personnel for the CRC-A was 250.³⁰ By early 2010, the

²⁹ The \$10 million in FY2009 bridge fund supplemental appropriations for the State Department was provided as part of a lump sum for State Department diplomatic and consular programs.

³⁰ According to plans in 2009, the Civilian Response Corps would be composed of personnel filling over 100 specific job specialties. The first 100 active component members would be hired for roughly half of those specialties. These were to include 29 rules of law personnel dealing with police, the judicial system, corrections, and human rights. Other (continued...)

Obama Administration contemplated a CRC-A of 247 members onboard, trained, and ready for deployment as of the end of FY2010. This is nearly all the originally planned goal of 250 CRC-A members. The planned distribution among the agencies participating at that time, to be achieved by September 30, 2010, was as follows:

Table 1. CRC-A Initial Plans for Contributions

State	USAID	Justice	USDA	HHS	Commerce	DHS	Treasury
68	91	62	8	5	5	7	1

In mid-2010, however, S/CRS halted formation of the active unit to rethink the appropriate distribution of specialties and, consequently, the necessary contribution from each agency. It is still in the process of formulating a new division of labor for the CRC-A. Meanwhile, the Treasury Department withdrew, and two new agencies—the Department of Energy (DOE) and the Department of Transportation (DOT)—were added.

As of early 2012, CRC-A members totaled 131, a bit over half the originally planned goal. They were contributed by the following agencies:

Table 2. CRC-A Contributions as of January 6, 2012

State	USAID	Justice	USDA	HHS	Commerce	DHS
47	35	30	7	2	4	2

Establishing the Civilian Response Corps Standby Component (CRC-S)

The Obama Administration’s original goal for the response corps’ standby component was 2,268. As of January 21, 2011, the CRC-S had 1,062 members contributed by seven agencies ready and trained for deployment. They were distributed as follows:

Table 3. CRC-S Contributions as of January 21, 2011

State	USAID	Justice	USDA	HHS	Commerce	DHS
724	175	73	2	9	51	27

Revised plans called for an intermediate CRC-S goal of 2,000 members, of which 1,374 members were to be onboard from these seven agencies as of the end of FY2011.

(...continued)

personnel would be skilled in commerce, finance, revenue and budgets; civil works and infrastructure; demobilization, disarmament, and reintegration; security sector reform; agriculture; strategic communications; health; drug enforcement; environment; urban and rural planning and management; and disarming explosives.

Table 4. CRC-S Contingents as Planned for October 31, 2011

State	USAID	Justice	USDA	HHS	Commerce	DHS
754	200	200	64	40	60	56

By January 6, 2012, the CRC-S was reduced by almost half. Its 590 members were contributed by agencies as follows:

Table 5. CRC-S Contributions as of January 6, 2012

State	USAID	Justice	USDA	HHS	Commerce	DHS
222	146	76	12	43	60	31

Establishing a Civilian Reserve Capability

In line with former President Bush's 2008 State of the Union speech, mentioned above, S/CRS had developed by early 2009 a general concept for a reserve component of retired government personnel, personnel from state and local governments, private for-profit companies, and non-profit NGOs to carry out rule of law, civil administration, and reconstruction activities.³¹ Nevertheless, Congress turned down the sole budget request for the reserve corps: \$63.3 million for FY2010 for a 2,000-member CRC reserve component (CRC-R), whose members would be deployable within 45-60 days. The Obama Administration did not request FY2011 funds for a civilian reserve. In briefings to Congress, Administration officials stated that the Administration would complete work establishing the CRC active and standby components before requesting funds for a reserve component.

With the State Department's December 2010 QDDR, the Obama Administration announced a change of course regarding a civilian reserve. The QDDR proposed replacing the reserve with "a more cost-effective 'Expert Corps' consisting of an active roster of technical experts, willing but not obligated to deploy to critical conflict zones."³² (See the section on "Establishing a Reserve Capability?" below for more information.)

Civilian Stabilization Initiative FY2010 Funding

The Obama Administration's May 7, 2009, FY2010 budget request of \$323.272 million for the Civilian Stabilization Initiative (CSI) was designed to continue Bush Administration plans for the establishment of a 4,250 member, three-component civilian response corps. According to the State Department request for these funds, this CSI would provide "trained, equipped, and

³¹ Two outside studies forming the basis for planning for the reserve were completed in 2006. BearingPoint, Inc. *Management Study for Establishing and Managing a Civilian Reserve*. Prepared for the U.S. Department of State, Office of the Coordinator for Reconstruction and Stabilization. May 30, 2006.

³² QDDR, p. 145.

mission-ready civilian experts and institutionalized systems to meet national security imperatives, including in partnership with the U.S. Armed Forces.” This corps will enable the President and Secretary of State “to react to unanticipated conflict in foreign countries” while reducing or eliminating “the need for large military deployments in such crises,” according to the State Department request.

The requested FY2010 CSI funding also was intended to support the continued development of the CRC, including the establishment of a reserve component, which has yet to receive funds, and provide for the institutional structure to coordinate interagency conflict response efforts. CRC development requires not only recruitment and hiring, but the training and pre-positioning of equipment for U.S. government response personnel. The State Department broke down the uses of the requested \$323 million as follows:

- \$136.9 million to build and support an active component of 250 members and a standby component of 2,000 members, to fund up to 1,000 members of the active and standby component to deploy to S&R missions in FY2010;
- \$63.6 million to establish a trained and equipped 2,000 member reserve component that will draw other public and private sector experts into U.S. S&R responses;
- \$12.5 million to fund the deployment of other experts during the first three months of an operation, “ensuring that critical staff such as police trainers and advisors can be deployed when ... most needed”;
- \$51.3 million to sustain deployed personnel and provide logistics for up to 130 responders for three months, including \$7.1 million to operate and maintain a civilian deployment center;
- \$34.3 million to provide security for up to 130 civilian responders (in up to three deployed field teams) in a semi-permissive environment for three months; and
- \$24.7 million to augment Washington-area leadership, including 10 new positions for S/CRS operations and staff.

The Obama Administration requested an additional \$40 million in the Economic Support Fund (ESF) account for Stabilization Bridge Funds (SBF) to provide for urgent on-the-ground needs during the initial stages of a crisis. These funds could be used while other funds are reprogrammed, transferred, or appropriated for the crisis. Under its “General Provisions” request, the Obama Administration asks authority to transfer SBF funds into the CSI account. In response, Congress provided a \$50 million “Complex Crisis Fund” under USAID. (See the section on “Flexible Funding for S&R Operations,” below.)

Congress’s FY2010 Appropriations and Rescission

For FY2010, Congress provided \$150 million for the CSI Active and Standby components in the Department of State, Foreign Operations, and Related programs Appropriations Act, 2010, Division F of the Consolidated Appropriations Act, 2010, (H.R. 3288, P.L. 111-117, signed into law December 16, 2009). Of this, Congress provided \$120 million to the State Department and \$30 million to USAID. It did not provide funding for the proposed reserve component. The P.L. 111-117 appropriations language requires USAID and the State Department to coordinate their activities.

Congress specified that the CSI funds were provided to enable the State Department and USAID to “support, maintain, mobilize, and deploy a Civilian Response Corps ... and for related reconstruction and stabilization assistance to prevent or respond to conflict or civil strife in foreign countries or regions, or to enable transitions from such strife” under Section 667 of the FAA. These funds are available until expended.

The bill’s conference report (H.Rept. 111-366) mandated the allocations detailed below, in bold, from the State Department’s funding. The State Department’s actual allocations, made after \$70 million in rescissions,³³ are indicated in italics.

- **\$21.0 million** for active response component salaries, benefits, and other personnel costs (*\$22.3 million*).
- **\$15.2 million** for Active and Standby Response Component training (*\$8.6 million*).
- **\$25.0 million** for equipment acquisition (*\$1.1 million*).
- **\$26.7 million** for deployments (*\$12.3 million*).
- **\$8.0 million** for operations support (*\$8.4 million*).
- **\$21.1 million** for S/CRS policy and planning functions (*\$27.2 million*).

In addition, Congress established a new USAID Complex Crisis Fund with \$50 million to “support programs and activities to respond to emerging or unforeseen complex crises overseas.” These funds are also available until expended.

Civilian Stabilization Initiative FY2011 Funding

In its FY2011 budget request submitted February 1, 2010, the Obama Administration requested \$184 million for the CSI, to be available until expended. This was \$34 million over the total CSI funding provided by Congress for FY2010. Although Congress divided FY2010 CSI funding between the State Department and USAID, the Administration requested the entire FY2011 CSI budget under the State Department. Under the continuing resolutions for FY2011³⁴ in effect through March 4, 2011 (P.L. 111-322), and through March 18, 2011 (P.L. 112-4), total CSI funding remained at the FY2010 level before rescissions.

H.R. 1, Full-Year Continuing Appropriations, 2011, as passed by the House February 19, 2011, would set the CSI funding level at \$40 million for State and \$7 million for USAID.

The FY2011 funding request broke down planned CSI allocations as follows, in bold. The State Department’s planned allocations for FY2011, based on P.L. 111-322 appropriations calculated at an annual rate, are indicated in italics.

³³ Of the FY2010 CSI funds, Congress later rescinded \$70 million—all \$30 million of the USAID funding and \$40 million from the State Department funding—in the FAA Air Transportation Modernization and Safety Improvement Act, P.L. 111-226, Section 328b(1)and(2), signed into law August 10, 2010.

³⁴ P.L. 111-242, as amended, October 1, 2010, through December 21, 2010; P.L. 111-322, December 22, 2010, through March 4, 2011.

- CRC active component salaries, benefits and other personnel expenses: **\$45.1 million** (\$16.0 million).
- Training for CRC active and standby components: **\$12.2 million** (\$5.2 million).
- Equipment acquisition: **\$12.3 million** (\$25.0 million).
- Deployments: **\$69.6 million** (\$34.7 million).
- Deployment center: **\$4.1 million** (0).
- CRC operations support: **\$11.0 million** (\$13.0 million).
- S/CRS policy and planning: **\$29.8 million** (\$26.1 million).

For FY2011, the Administration also asked for \$100 million for the Complex Crises Fund, which it stated “will replace funding formerly provided through the Department of Defense Section 1207 authority.”³⁵ According an accompanying document, the requested funds

will support activities to prevent or respond to emerging or unforeseen crises that address reconstruction, security, or stabilization needs. Funding will target countries or regions that demonstrate a high or escalating risk of conflict or instability, or an unanticipated opportunity for progress in a newly-emerging or fragile democracy. Projects will aim to address and prevent root causes of conflict and instability through a whole-of-government approach and will include host government participation, as well as other partner resources where possible and appropriate.³⁶

As noted above, Congress established this account in 2009 with initial funding from the FY2010 budget of \$50 million, the level at which was continued under the FY2011 continuing resolutions through March 4 (P.L. 111-322) and through March 18, 2011 (P.L. 112-4). H.R. 1 provided no funding for the CCF.

Civilian Stabilization Operations FY2012 Funding

For FY2012, the Obama Administration requested \$92.2 million for Conflict Stabilization Operations (CSO), the new name for the CSI, and \$75 million for the USAID Complex Crises Fund. The request was broken down as follows:

- CRC active component salaries, benefits, and other personnel expenses: \$31.9 million.
- Training for CRC active and standby components: \$9.6 million.
- Equipment acquisition: \$1.0 million.
- Deployments: \$15.5 million.
- Deployment center: \$0.6 million.
- CRC operations support: \$7.7 million.

³⁵ Department of State, *Executive Budget Summary: Function 150 & Other International Programs Fiscal Year 2011*, p. 66.

³⁶ Ibid.

- Headquarters policy and planning: \$25.9 million.

The Consolidated Appropriations Act, 2012 (P.L. 112-74), provided \$8.5 million for Conflict Stabilization Operations in the Overseas Contingency Operations (OCO) funding. During FY2012, \$21.8 million in funds for S/CRS and then for CSO were drawn from the State Department Diplomatic and Consular Programs account. P.L. 112-74 provided \$40 million for the CCF, \$10 million in the core budget, and \$30 million in OCO funds.

Issues for Congress

S/CRS in Retrospect

The establishment of the new State Department Conflict and Stabilization Operations (CSO) Bureau appears to respond to the perception that S/CRS was not performing as intended. During its seven years, S/CRS encountered substantial difficulties in building its capabilities and carrying out its functions, and many analysts expressed doubts about the office's ability and capacity to carry out its mission. Some analysts blamed a perceived lack of initiative by the State Department to provide S/CRS with necessary personnel and responsibility on an "anti-operational" social culture of the State Department, at least at first. (For several years, it was also blamed on a perceived lack of sufficient funding from Congress.) Some analysts have pointed to resistance from the regional bureaus, which traditionally have the lead on conflict response abroad, to S/CRS involvement in specific crises.³⁷ Some cited the lack of necessary support from top State Department leadership to overcome this bureaucratic resistance and ensure that S/CRS played a larger and constructive role.

Many analysts agree that the U.S. government needs a civilian entity or entities that can effectively perform the planning and lessons learned functions assigned to S/CRS by Congress, as well as the coordination function for specific operations that the Secretary of State may assign to the Coordinator under NSPD-44. The question has been whether to resolve the problem by upgrading or improving S/CRS, assigning operational functions to USAID, or replacing S/CRS with a new organization.

Some observers argued that the magnitude of the S/CRS mission required improved capabilities within the office and enhanced status, if it is to provide adequate direction and personnel for an interagency response to stabilization and reconstruction crises. "It is not clear that S/CRS is large enough, well enough funded, or sufficiently high in rank to pull an interagency effort together," according to a 2008 MIT Security Studies Program report.³⁸ To provide the head of S/CRS with greater clout within the State Department and in dealing with other departments and agencies, some suggested that rank of that official or the status of the Office itself, be upgraded. Some

³⁷ A recent study notes "the unwillingness of the geographic bureaus to cede to S/CRS a major role in dealing with high-priority conflicts. S/CRS was largely excluded from decisions on the U.S. government response to the Lebanon and Somalia crises in 2006 and 2007, respectively." although "the bureaus now agree that S/CRS can play a useful role in modestly augmenting embassy resources through deployment of Active Response Component." Dane F. Smith, Jr. *U.S. Peacefare: Organizing American Peace-Building Operations*. Center for Strategic and International Studies and Praeger Security International: Santa Barbara, CA: 2010, p. 216. Hereinafter referred to as *U.S. Peacefare*.

³⁸ Cindy Williams and Gordon Adams. *Strengthening Statecraft and Security: Reforming U.S. Planning and Resource Allocation*. MIT Security Studies Program Occasional Paper, June 2008, p. 89.

suggest that the Coordinator's functions be assigned to an Under Secretary, or that S/CRS become a State Department bureau headed by an Assistant Secretary. (The "Coordinator" position is the equivalent of an Assistant Secretary, according to an S/CRS official.)

Nevertheless, others have questioned whether all of the functions assigned S/CRS are appropriate for that office. For instance, some contend that an office with the mission of mobilizing civilian personnel for stabilization and reconstruction missions would be better placed in USAID,³⁹ which fields disaster response units (the Disaster Assistance Response Teams) and has an Office of Transition Initiatives that has worked in post-conflict settings.

A study by a former U.S. Ambassador to Senegal and to Guinea, Dane F. Smith, Jr., now a senior associate at CSIS, argued that leadership for reconstruction and stabilization missions should be exercised through a State Department office "like that of" S/CRS, but one that incorporates a much greater number of personnel from other civilian agencies (as well as some from DOD) and would be "a fully integrated State-USAID operation." Ambassador Smith also cited a need to establish a new balance between the regional bureaus and the S/CRS-like office that would draw on their respective strengths for planning and conducting operations, and for the Secretary of State to ensure effective cooperation.⁴⁰

Another study would reassign S/CRS functions to a new, independent entity, the U.S. Office for Contingency Operations (USOCO), responsible to the NSC. As proposed in a February 2010 report by the Office of the Special Inspector General for Iraq Reconstruction, the USOCO "would become the locus for planning, funding, staffing, and managing" stabilization and reconstruction operations, "replacing the fragmented process that now exists. Importantly, it would provide a single office whose sole mission is ensuring that the United States is ready to go when the next contingency occurs; and it would provide someone to hold accountable for failures in planning and executions."⁴¹

Another recent proposal would have divided S/CRS's functions among the NSC, the State Department Policy Planning Office, and USAID. As proposed by an April 2010 joint study of the Brookings Institution and the CSIS, the NSC would take on "the design and management of whole-of-government coordination systems," a "more robust policy planning office at the State

³⁹ Gordon Adams, Obama's test: Bringing order to the national security process. Bulletin of the Atomic Scientists, web version, January 26, 2009; <http://www.thebulletin.org>.

⁴⁰ "To facilitate effective cooperation between S/CRS and the bureaus in major crises will require leadership from the Secretary of State. Depriving the bureaus of their primary diplomatic role would generate bureaucratic foot dragging. Moreover, short-circuiting the sources of regional expertise and experience is likely to lead to critical mistakes in practice. A useful rule of thumb would be to assign primacy in foreign policy guidance to the geographic bureaus and primacy in program design and implementation to S/CRS. Since these two responsibilities overlap in practice, a practical *modus operandi* would need to be worked out in each case." *U.S. Peacefare*, p. 216.

⁴¹ Office of the Special Inspector General for Iraq Reconstruction, *Applying Iraq's Hard Lessons to the Reform of Stabilization and Reconstruction Operations*, Arlington, VA, February 2010, p. 25, <http://www.sigir.mil>. This quote continues: "Currently, there is no single agency that devotes its entire mission to SROs. For State and Defense, they are but a small part of the departments' larger missions." Under this proposal, USOCO would tie DOD capacity and resources to State Department and USAID expertise "by closely linking its planning and operations with State, Defense, and USAID, bringing out the best-developed SRO aspects from each, while avoiding the 'stovepiping' that tends to limit departmental action. USOCO would fit between and among State, Defense, and USAID, providing the integrative 'glue' that SRO planning and execution currently lack." (p. 27) The report warns that because the USOCO concept "impinges upon existing 'turf,'" it will "draw resistance." But the decision on whether to pursue the proposal should be shaped by a careful analysis of whether the current departmentalized system has the genuine potential to generate an integrated approach to planning and managing SROs." (p. 27).

Department,” would provide the “helpful planning support that S/CRS has provided to regional bureaus on a case-by-case basis,” and USAID would assume the “operational responsibilities of building and maintaining the Civilian Response Corps.”⁴² (USAID might also take on the planning support if a policy and strategic planning entity were to be established there, according to the proposal.)

QDDR Proposal to Reorganize State Department for Conflict and Stabilization Operations

The Obama Administration first announced the creation of the CSO Bureau in the December 2010 QDDR. In line with proposals to elevate the status of S/CRS functions, the QDDR proposed restructuring the State Department in order for it to “exercise the leadership demanded in complex political and security contingencies.”⁴³ This is to be accomplished by integrating “conflict and stabilization operations into core functions of the State Department.”⁴⁴ Under the plan set out in the QDDR, S/CRS would be subsumed under the new Bureau for Conflict and Stabilization Operations (CSO), which would “build upon but go beyond the mandate and capabilities of S/CRS,” serving “as the institutional locus for policy and operational solutions for crisis, conflict, and instability.”⁴⁵ Under this plan, the Assistant Secretary leading the CSO Bureau “will coordinate early efforts at conflict prevention and rapid deployment of civilian responders as crises unfold, working closely with the senior leadership of USAID’s Bureau of Democracy, Conflict, and Humanitarian Assistance.”⁴⁶ In addition, this Bureau would be placed under a new Under Secretary for Civilian Security, Democracy, and Human Rights.⁴⁷

The QDDR set forth five other functions of the CSO Bureau.⁴⁸ In respect to interagency work, the CSO Bureau would bear responsibility, in cooperation with other State Department bureaus and USAID, to (1) build the capabilities and systems of the CRC, other interagency surge teams, and other deployable assets; (2) provide expertise and operational guidance for the development of policies and strategies to prevent and respond to crises and conflicts; and (3) provide specialists in crisis, conflict, and state fragility to regional bureaus in order to serve as CSO liaisons and to integrate conflict prevention work across the State Department. In relation to other countries and international organizations, the CSO Bureau would be responsible for institutionalizing an international operational crisis response framework, and coordinating efforts among key allies and other partners to build civilian capacity, strengthening interoperability, and cooperation.

As part of this restructuring, the State Department promised in the QDDR promises to ensure that the new CSO Bureau would be staffed with personnel with the requisite expertise and experience in conflict management and prevention, and draw others with needed expertise in other areas

⁴² Noam Unger, Margaret L. Taylor, Frederick Barton. *Capacity for Change: Reforming U.S. Assistance Efforts in Poor and Fragile Countries*. The Brookings Institution and the Center for Strategic and International Studies, April 2010. p. 29.

⁴³ QDDR, p. 135.

⁴⁴ QDDR, p. 135.

⁴⁵ QDDR, p. 135.

⁴⁶ QDDR, p. 136.

⁴⁷ According to the QDDR, this Under Secretary would also oversee three currently existing bureaus—the Bureau of International Narcotics and Law Enforcement Affairs, the Bureau of Population, Refugees, and Migration, the Bureau of Democracy, Human Rights, and Labor—and other offices. See p. 135.

⁴⁸ QDDR, see p. 136.

from elsewhere in State, as well as USAID and other U.S. government agencies. The CSO Bureau would also create a new cadre of senior diplomats trained and experienced in conflict resolution and mediation to deploy to conflict zones and at-risk weak states. The State Department would also develop a quick, flexible contracting mechanism to deploy people and resources to the field.

In parallel with the creation of the CSO Bureau, the State Department would also revamp related USAID capabilities. The QDDR calls for expanding USAID's Office of Transition Initiatives (OTI), enhancing its field presence, and augmenting its staff abroad and in Washington. The QDDR promises that the State Department will work more closely with OTI, and signals OTI's risk-taking, problem solving, and innovative organizational culture as a model for State's crisis response and stabilization. It also states that the CSO Bureau will work with OTI leadership to ensure effective design and start-up of the new bureau. Other improvements are proposed, including an expansion of USAID's capacity for conflict programs and transitions from relief to development.

Appropriate Size for the Civilian Response Corps

Some policymakers and analysts have questioned whether the CRC active and standby components are large enough to perform effectively their intended functions. Others might wonder whether the United States should be supporting such a Corps even at its current size in the current constrained budget environment. The Obama Administration is currently reconsidering the size, composition, and functions of the CRC.

One 2008 study, prepared by the National Defense University (NDU) Center for Technology and National Security Policy, argues that the CRC should be considerably larger, with 5,000 total in the active and standby components and 10,000 in the reserve component. An active/standby component of that size "would provide a fairly large pool of trained experts in each category" if personnel were "properly distributed," according to the study. "This sizable, diverse pool, in turn, would help provide the flexibility, adaptability, and modularity to tailor complex operations to the missions and tasks at hand in each case, without worrying that the act of responding effectively to one contingency would drain the force or expertise in key areas needed to handle additional contingencies."⁴⁹ This study also states that a combined active and standby force numbering 2,500 (compared to the 2,250 now planned) "should be backed by a reserve force of 4,500 personnel, not 2,000."⁵⁰

Another study envisions the possibility of a larger corps than currently contemplated by the Obama Administration, but somewhat smaller than that proposed in the NDU study. Co-sponsored by the American Academy of Diplomacy and the Stimson Center, this study finds that the "magnitude of growth beyond FY2010 will depend largely on the experience gained based on deployments in that year. For the purposes of projection, we propose that the active response team would grow to 500 by FY2014, the standby response corps would remain at 2,000, and the civilian reserve would grow to 4,000."⁵¹

⁴⁹ Christel Fonzo-Eberhard and Richard L. Kugler. "Sizing the Civilian Response Capacity for Complex Operations" in *Civilian Surge: Key to Complex Operations*, edited by Hans Binnendijk and Patrick M. Cronin. Center for Technology and National Security Policy, National Defense University. December 2008. p. 7.

⁵⁰ Ibid., p. 9.

⁵¹ Ambassador Thomas Boyatt, et al., *A Foreign Affairs Budget for the Future: Fixing the Crisis in Diplomatic Readiness*, American Academy of Diplomacy and the Henry L. Stimson Center, October 2008, p. 45; (continued...)

Some Members of Congress, however, questioned in authorization and appropriations reports whether the CRC active and standby units were being expanded too rapidly, at the cost of effectiveness. In the Senate Appropriations Committee (SAC) report accompanying its FY2011 Department of State, Foreign Operations, and Related Programs Appropriations Bill, 2011 (S. 3676, S.Rept. 111-237, July 29, 1010),⁵² the SAC expressed its concerns:

The Committee continues to believe that the success of CSI can best be achieved through a gradual stand up and implementation and is concerned that CSI has not been adequately integrated into the overall United States response to crises and disasters, including in Haiti and Kyrgyzstan. The Committee is also concerned that the timelines for hiring, training, and deployment of its civilian corps have been overly ambitious and unrealistic.

The SAC also noted approval that the Administration did not request reserve component funding, stating that it would consider such funding “only after the CSI has established a record of effective operations and can demonstrate programmatic accomplishments.”

Flexible Funding for S&R Operations

For many years, proponents of “operational” civilian capabilities for S&R operations have urged Congress to provide the State Department with a flexible conflict or crisis response fund that would allow U.S. government civilian agencies to respond rapidly to S&R emergencies. The Bush Administration repeatedly requested such a fund, and proposals for a flexible, replenishable fund were included in early versions of the Lugar-Biden legislation and subsequent related legislation.⁵³ But Congress, which has long resisted the provision of “blank check” pots of money as an abdication of constitutional appropriation and oversight powers, turned down several Bush Administration requests for more flexible S&R funding mechanisms in the State Department budget.⁵⁴

The first session of the 111th Congress, on the other hand, took a first step in providing flexible funding by creating a USAID Complex Crises Fund with a \$50 million appropriation in the Department of State, Foreign Operations, and Related Programs appropriations act (Division F of the Consolidated Appropriations Act, 2010, P.L. 111-117), although this is less money than many analysts would argue is necessary. This fund was Congress’s response to the Obama Administration’s FY2010 budget request for a total of \$116 million in flexible funding for S&R purposes: \$40 million for a Stabilization Bridge Fund under the Economic Support Fund account

(...continued)

<http://www.stimson.org>.

⁵² The committee allocated \$50 million for the CSI, some \$134 million below the budget request and \$70 million below the FY2010 level. This cut reflected the elimination of deployment funding, which it stated should come from the Complex Crisis Fund and other crisis and disaster response funds, as well as the acquisition of new space and an additional 14 new positions.

⁵³ A provision for a flexible, replenishable fund was included in early versions of the Lugar-Biden legislation. Most recently, some legislation in the 110th Congress contained provisions for a \$75 million replenishable fund that could be used by the President to respond to crises in countries or regions at risk of, in, or in transition from conflict or civil strife. Of that, some \$25 million could be used for expenses related to the development, training, and operations of the Response Readiness Corps.

⁵⁴ These requests were contained in both annual and supplemental appropriations measures) for no-year funds to be used for conflict emergencies in foreign countries or regions, and proposals in previous iterations of the Lugar/Biden legislation to establish a replenishable fund for conflict response.

(mentioned above), and \$76 million for a Rapid Response fund under the USAID Transition Initiatives (TI) account “to provide flexible funding to respond to emerging opportunities to divert conflict in new and fragile democracies.” As stated by the conferees on the bill, this “new account provides greater flexibility to USAID to prevent or respond to emerging or unforeseen complex crises overseas, and . . . consolidates the budget request for a Rapid Response Fund and a Stabilization Bridge Fund to provide greater efficiency and oversight by the Administration and Congress of these activities.”⁵⁵ (The conferees defined “complex crisis” for the purposes of this account as “a disaster or emergency, usually of long-term duration, that includes a combination of humanitarian, political and security dimensions which hinders the provision of external assistance.”)

Proponents of flexible funding argue that it is needed because many crises that demand a U.S. rapid response cannot be foreseen and thus planned for in annual budget submissions. In addition, they argue, the existing mechanisms for transferring funds to an emergency situation are too time-consuming to provide an immediate response. Some proponents have argued for a mechanism like the automatically replenishable Emergency Refugee and Migration Assistance (ERMA) emergency relief account, funded through foreign operations appropriations. Many proponents suggest that ERMA provides a model for a response fund to be used for conflicts or related crisis situations. Several bills were introduced that would, among other provisions, permanently establish a conflict response fund, but none passed Congress.

In December 2007, the HELP Commission recommended the establishment of two rapid-response crisis funds. One would be a permanent humanitarian crisis response fund to meet the needs of natural disasters. The other would be a foreign crisis fund to meet security challenges. No recommendation was made regarding the agency responsible for these funds.⁵⁶

From 2006 to 2010, the funding for security and stabilization activities that Congress made available through the DOD budget served as a de facto response fund for small S&R projects carried out by personnel from the State Department and USAID. Section 1207 of the conference version of the National Defense Authorization Act (NDAA) for Fiscal Year 2006 (P.L. 109-163, H.R. 1815/S. 1042; signed into law January 6, 2006, and subsequently amended) authorized the Secretary of Defense to provide the Secretary of State with up to \$100 million in services, defense articles, and funding for reconstruction, security, or stabilization assistance to a foreign

⁵⁵ Conferees stated that the Complex Crises Fund is similar to the \$100 Emergency Crises Fund proposed by the Senate Appropriations Committee (SAC). The SAC’s version of the Department of State, Foreign Operations, and Related Programs, 2010, appropriations bill (S. 1434) bill would have established a new \$100 million Emergency Crises Fund to “enable the Secretary of State, in consultation with the USAID Administrator, to respond to unforeseen complex foreign crises, under certain conditions and after consultation with Congress.” (S.Rept. 111-44, to accompany S. 1434, p. 46.) In its report SAC explained that this fund, together with other funds provided under the CSI and TI accounts, would assist with the State Department’s effort to “assume most if not all of the functions currently funded” by Section 1207. (S.Rept. 111-44, p. 46.) “In order to prevent gaps in the U.S. government’s ability to act expeditiously to prevent crises, the Committee emphasizes that funding and authorities provided under the ECF and TI accounts may be utilized to carry out crisis prevention activities including in locations where no CSI deployment is required. The Committee intends the Departments of State and Defense to coordinate formulation and implementation of security and stabilization assistance, as appropriate, whether through the utilization of Section 1207 or the new capabilities within the Department of State.” (S.Rept. 111-44, p. 47.) The HAC, which provided no flexible funding for the State Department in its version of the bill, would nonetheless have provided \$50 million in the USAID TI account for a Rapid Response Fund (RRF), with RRF programs to be implemented by the USAID Office of Transition Initiatives. (H.Rept. 111-187, p. 58.)

⁵⁶ http://www.helpcommission.gov/portals/0/recommendations_final.pdf. Recommendation 3.5.

country per fiscal year.⁵⁷ Although “Section 1207” authority was repeatedly extended, Congress allowed it to expire at the end of FY2010.⁵⁸

Similarly, defense appropriators signaled their expectation that DOD’s Section 1207 funding would not be provided for another year. In their report on the FY2010 Department of Defense Appropriations Act (P.L. 111-118, H.Rept. 111-380), conferees recommended an allocation of \$97.09 million (from the overall Defense Security Cooperation Agency appropriation), but stated that the establishment of the Complex Crises Fund “will enable USAID and the Department of State to meet emergent requirements that fall under their purview without relying on the Department of Defense.” Nevertheless, they argued for continued DOD participation in the planning process for small-scale security and stabilization projects, directing the Secretaries of Defense and State and the Director of USAID “to maintain and strengthen the interagency process created from the section 1207 program when formulating, reviewing, and approving future projects that would have been funded through section 1207.”

In creating the Complex Crises Fund, conferees on the Consolidated Appropriations Act, 2010 (P.L. 111-117) urged the State Department and USAID to develop additional capacity in order to replace Section 1207 DOD funding with additional Complex Crises funding. “USAID and the Department of State should continue to establish and bolster crisis prevention and response capabilities in order to assume most, if not all, of the functions currently funded” by DOD under Section 1207 authority, they wrote. Much like the defense appropriations conferees, the foreign operations conferees also specified that “USAID and the Departments of State and Defense shall continue to consult on the formulation and implementation of stabilization and security assistance, as appropriate, whether through the utilization of section 1207 or funds appropriated by this Act.”

As noted above, the Administration requested \$100 million for the CCF from the FY2011 budget, stating that this will replace funding previously provided under Section 1207 authority. The FY2011 continuing resolutions through March 4 and March 18, 2011, provided FY2011 funding for the CCF at the \$50 million FY2010 level, but the final FY2011 appropriations bill provided no CCF funding. FY2012 appropriations for the CCF totaled \$40 million: \$10 million in the core account in \$30 million in OCO funds.

⁵⁷ For more on Section 1207, see CRS Report RS22871, *Department of Defense “Section 1207” Security and Stabilization Assistance: Background and Congressional Concerns, FY2006-FY2010*.

⁵⁸ Appropriators had earlier signaled their intention to let Section 1207 expire. In action on the FY2010 NDAA (P.L. 111-84, signed into law October 28, 2009), conferees extended the authority through FY2010, but stated that “Congress has always intended for this transfer authority to be temporary and are disappointed that the Department of State has not yet achieved the capacity to fulfill its statutory requirements. The conferees urge the administration to work toward this goal as rapidly as possible. They further recommend that the administration examine ways to maintain this coordination [between DOD and State Department] in the absence of this authority.”

Similarly, both the House and the Senate armed services committees both stressed the temporary nature of Section 1207 authority. HASC wrote: “While the projects undertaken with funds provided by this authority are worthy, the committee is concerned that insufficient progress has been made in building the capacity within the Department of State to assume the statutory and fiscal responsibility necessary to fulfill its statutory requirements.... The committee stresses that it has always been a temporary authority and urges the Administration to develop capacity within the Department of State so that this transfer authority is no longer required.” (H.Rept. 111-166, p. 413) SASC also “reaffirms its view that Section 1207 is a temporary authority.” (S.Rept. 111-35, p. 193.) Under its version of the bill (H.R. 2647), HASC would have reduced FY1207 authority to \$25 million for FY2010, while the SASC version (S. 1390) retained the full \$100 million.

Establishing a Reserve Capability?

The Obama Administration initially planned to implement the Bush Administrations plans for a CRC civilian reserve component, but in the 2010 State Department/USAID QDDR announced plans to proceed instead with the development of a civilian expert roster, from which the U.S. government could select and hire non-federal personnel on a temporary basis to deploy as needed.⁵⁹ A roster system would be quite different from the original proposal for a civilian reserve akin to the U.S. military reserve (which encompasses the National Guard).

Plans for a reserve corps were part of the initial 2004 Lugar-Biden civilian stabilization capability legislation (Title XVI, P.L. 110-417), embraced by the Bush Administration. In his January 23, 2007, State of the Union address, former President Bush pointed to the need for a civilian reserve corps as a tool in the generational struggle against terrorism. “Such a corps would function much like our military reserve,” he said. “It would ease the burden on the armed forces by allowing us to hire civilians with critical skills to serve on missions abroad when America needs them. It would give people across America who do not wear the uniform a chance to serve in the defining struggle of our time.”

In 2008, Congress provided authorization for the establishment of a Civilian Reserve Corps (P.L. 110-417, see above) that could substitute for military troops in a wide variety of state-building activities. The Bush Administration’s 2008 CSI proposal called for the establishment of a CRC reserve component of 2,000; the Obama Administration’s 2009 CSI proposal called for the same.

Nevertheless, Congress did not provide funds to establish a civilian reserve. In considering the Department of State, Foreign Operations, and Related Programs Appropriations Bill, 2010 (H.R. 3081 and S. 1434), House and Senate appropriators denied the Obama Administration’s request for funding for the CSI reserve component. In their respective reports (H.Rept. 111-187 and S.Rept. 111-44), both committees indicated their desire for a gradual build-up of the civilian response corps components, with the focus now on the active and standby components.

Proponents of the creation of a civilian reserve corps have cited a variety of advantages from the creation of such a corps. DOD promoted the concept on the grounds that it would free military personnel from state-building tasks during military operations, thus increasing the personnel available for combat and other more strictly military tasks.⁶⁰ Proponents also view such a corps as

⁵⁹ For an account of the Canadian, German, and United Nations’ roster systems, see archived CRS Report RL33647, *A Civilian Reserve for Stabilization and Reconstruction Abroad: Summary of a Workshop on U.S. Proposals and International Experiences and Related Issues for Congress*, by Nina M. Serafino, January 29, 2008.

⁶⁰ However, DOD Directive 3000.05, *Military Support for Stability, Security, Transition and Reconstruction (SSR) Operations*, issued November 28, 2005, states that many stability operations tasks “are best performed by indigenous, foreign, or U.S. civilian professionals,” but nonetheless “U.S. military forces shall be prepared to perform all tasks necessary to establish or maintain order when civilians cannot do so.” Among the tasks listed are the rebuilding of various types of security forces, correctional facilities, and judicial systems, the revival or building of the private sector, and the development of representative governmental institutions. (Points 4.3, 4.3.1-4.3.3, available at <http://www.dtic.mil/whs/directives/corres/html/300005.htm>.)

Some military analysts argue that at the beginning of an operation or in extremely volatile situations the use of U.S. troops to perform nation-building efforts may be considered highly desirable as they can “multi-task,” performing combat missions in one area while switching quickly to state-building efforts in another. In addition, some believe that it will always be desirable to have trained military civil affairs officers who can deal with civilian leaders and populations involved in state-building efforts at the local level, as a means of demonstrating goodwill toward such populations and enhancing the image of soldiers, especially in counterinsurgency operations.

a means to enhance prospects for success in S&R operations, as the personnel who would be sent to perform such tasks would in general have a much higher level of expertise and depth of experience than soldiers and could, unlike many military personnel assigned to such tasks, perform at peak efficiency from the outset. Many view this as particularly true at the national level, where extensive experience with developing national-level structures is desirable over the long run. (Although military Civil Affairs officers are largely reservists whose civilian jobs are relevant to state-building tasks, many analysts state that there are too few civil affairs personnel to provide the depth needed to deploy the appropriate person in most circumstances.) Many argue that civilian personnel are also preferable for symbolic reasons, as they may signal a greater commitment to the construction of a democratic state.

Skeptics look at the concept of a civilian reserve as untested and potentially unfeasible. Some wonder whether qualified experts would sign up in sufficient quantities to make the corps an effective replacement for military troops in S&R operations. Some question whether the existence of such a corps would provide an incentive to interventions of various types that the United States otherwise would not have undertaken.

Cost may well have been a major factor in the decision to switch to a roster system. In 2008, the Congressional Budget Office (CBO) assembled a cost estimate for the Bush Administration's CSI. Its estimate for the recruiting, screening, enrolling, training, and equipping the 2,000 members contemplated by the CSI was \$87 million in FY2009 and \$47 million in 2010.⁶¹ (The CBO estimate of first-year costs is considerably higher than the Obama Administration's \$63.6 million FY2010 request to establish the reserve.) Although some may view the potential cost of the civilian corps as high, some proponents argue that the costs of deploying civilian personnel would result in a net savings to the military. (It is likely, however, that any possible savings would depend on the circumstances in which such civilian personnel were deployed and the effect of their deployment on the number of military personnel needed.) Proponents also maintain that even if high, the monetary cost to maintain and deploy civilian reservists would still be relatively inexpensive when compared to the multiple costs, both tangible (such as money and lives) and intangible (such as domestic and international political support and loss of strategic leverage) of prolonged or failed military interventions.

QDDR Proposal to Establish an Expert Corps Roster

The QDDR proposed replacing the reserve with "a more cost-effective 'Expert Corps' consisting of an active roster of technical experts."⁶² According to the QDDR, this Expert Corps roster could be composed of current temporary hires who have served successfully in Iraq, Afghanistan, Pakistan, and elsewhere, as well as other civilians with critical skills who have not been previously deployed. Other countries, such as Canada and Germany, and international organizations, such as the United Nations and the Organization for Security and Cooperation in Europe, use roster systems for civilian deployments to nation-building and post-conflict missions.

The roster concept is substantially different from the CSI concept of a reserve corps modeled after the military reserves and National Guard. Under that concept, a reserve component of more

⁶¹ The Congressional Budget Office estimated the cost of implementing the Civilian Reconstruction and Stabilization Management Act, H.R. 1084 (110th Congress),⁶¹ if "employed in a manner consistent with the [President's] Civilian Stabilization Initiative." (The estimate is included in H.Rept. 110-537, 110th Congress.)

⁶² QDDR, see p. 145.

than 2,000 members, civilians from outside government with various types of expertise, would be in reserve status for four years with a required deployment of up to one year. Unlike the concept for a reserve corps, roster members would not be obligated to deploy to critical conflict zones. However, neither would roster members be provided with re-employment rights, as was contemplated for reserve corps members.

The QDDR stated that the Administration would request funding and needed authorities for the Expert Corps. The Administration expects the roster to be less costly than the more elaborate reserve corps. According to the QDDR, the budget would support actual deployments, rather than support and maintenance for a large reserve. Still, some costs, such as equipment acquisition, might remain. And while some savings would most likely accrue from eliminating benefits such as pensions and from the costs of an intensive training regime, some analysts might argue that certain benefits, such as health coverage, should be offered to recruit quality personnel, and that a good training program is essential to effective performance.

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