

113TH CONGRESS  
1ST SESSION

# H. R. 2606

To establish the United States Office for Contingency Operations, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 28, 2013

Mr. STOCKMAN introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To establish the United States Office for Contingency Operations, and for other purposes.

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

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Stabilization and Reconstruction Integration Act of  
6 2013”.

7 (b) TABLE OF CONTENTS.—The table of contents is  
8 as follows:

Sec. 1. Short title; table of contents.  
Sec. 2. Definitions.

Sec. 3. Findings and purposes.

Sec. 4. Effective date.

TITLE I—UNITED STATES OFFICE FOR CONTINGENCY  
OPERATIONS

Sec. 101. Establishment of the United States Office for Contingency Operations.

Sec. 102. Responsibilities of the Director, Deputy Director, Inspector General, and other offices.

Sec. 103. Personnel system.

TITLE II—PREPARING AND EXECUTING STABILITY AND  
RECONSTRUCTION OPERATIONS

Sec. 201. Sole control.

Sec. 202. Relation to Department of State and United States Agency for International Development.

Sec. 203. Relation to Department of Defense combatant commands performing military missions.

Sec. 204. Stabilization Federal Acquisition Regulation.

Sec. 205. Stabilization and Reconstruction Fund.

Sec. 206. Sense of Congress.

TITLE III—RESPONSIBILITIES OF THE INSPECTOR GENERAL

Sec. 301. Inspector General.

TITLE IV—RESPONSIBILITIES OF OTHER AGENCIES

Sec. 401. Responsibilities of other Federal agencies for monitoring and evaluation requirements.

TITLE V—AUTHORIZATION OF APPROPRIATIONS

Sec. 501. Authorization of appropriations.

Sec. 502. Offset.

**1 SEC. 2. DEFINITIONS.**

2 In this Act, the following definitions apply:

3 (1) APPROPRIATE CONGRESSIONAL COMMIT-  
4 TEES.—The term “appropriate congressional com-  
5 mittees” means—

6 (A) the Committees on Appropriations,  
7 Armed Services, Foreign Affairs, and Oversight  
8 and Government Reform of the House of Rep-  
9 resentatives; and

1 (B) the Committees on Appropriations,  
2 Armed Services, Foreign Relations, and Home-  
3 land Security and Governmental Affairs of the  
4 Senate.

5 (2) DIRECTOR.—The term “Director” means  
6 the Director of the United States Office for Contin-  
7 gency Operations.

8 (3) FUNCTIONS.—The term “functions” in-  
9 cludes authorities, powers, rights, privileges, immu-  
10 nities, programs, projects, activities, duties, and re-  
11 sponsibilities.

12 (4) IMMINENT STABILIZATION AND RECON-  
13 STRUCTION OPERATION.—The term “imminent sta-  
14 bilization and reconstruction operation” means a  
15 condition in a foreign country which the Director be-  
16 lieves may require in the immediate future a re-  
17 sponse from the United States and with respect to  
18 which preparation for a stabilization and reconstruc-  
19 tion operation is necessary.

20 (5) INTELLIGENCE COMMUNITY.—The term  
21 “intelligence community” has the meaning given  
22 such term in section 3(4) of the National Security  
23 Act of 1947 (50 U.S.C. 3003(4)).

24 (6) OFFICE.—The term “Office” means the  
25 United States Office for Contingency Operations.

1           (7) PERSONNEL.—The term “personnel” means  
2 officers and employees of an executive agency, except  
3 that such term does not include members of the  
4 Armed Forces.

5           (8) STABILIZATION AND RECONSTRUCTION  
6 EMERGENCY.—The term “stabilization and recon-  
7 struction emergency” is a stabilization and recon-  
8 struction operation which is the subject of a Presi-  
9 dential declaration pursuant to section 102.

10          (9) STABILIZATION AND RECONSTRUCTION OP-  
11 ERATION.—The term “stabilization and reconstruc-  
12 tion operation”—

13           (A) means a circumstance in which a com-  
14 bination of security, reconstruction, relief, and  
15 development services, including assistance for  
16 the development of military and security forces  
17 and the provision of infrastructure and essential  
18 services (including services that might be pro-  
19 vided under the authority of chapter 4 of part  
20 II of the Foreign Assistance Act of 1961 (22  
21 U.S.C. 2346 et seq.; relating to the Economic  
22 Support Fund)), should, in the national interest  
23 of the United States, be provided on the terri-  
24 tory of an unstable foreign country;

1 (B) does not include a circumstance in  
2 which such services should be provided pri-  
3 marily due to a natural disaster; and

4 (C) does not include intelligence activities.

5 (10) COVERED CONTRACT.—The term “covered  
6 contract” means a contract entered into by any Fed-  
7 eral department or agency with any public or private  
8 sector entity in any geographic area with regard to  
9 a stabilization or reconstruction operation or where  
10 the Inspector General of the United States Office for  
11 Contingency Operations is exercising its special  
12 audit or investigative authority for the performance  
13 of any of the following:

14 (A) To build or rebuild physical infrastruc-  
15 ture of such area.

16 (B) To establish or reestablish a political  
17 or governmental institution of such area.

18 (C) To provide products or services to the  
19 local population of such area.

20 (11) UNITED STATES.—The term “United  
21 States”, when used in a geographic sense, means  
22 any State of the United States, the District of Co-  
23 lumbia, the Commonwealth of Puerto Rico, the Vir-  
24 gin Islands, Guam, American Samoa, the Common-  
25 wealth of the Northern Mariana Islands, any posses-

1 sion of the United States, and any waters within the  
2 jurisdiction of the United States.

3 **SEC. 3. FINDINGS AND PURPOSES.**

4 (a) FINDINGS.—Congress finds the following:

5 (1) Responsibilities for overseas stability and  
6 reconstruction operations are divided among several  
7 Federal agencies. As a result, lines of responsibility  
8 and accountability are not well-defined.

9 (2) Despite the establishment of the Office of  
10 the Coordinator for Reconstruction and Stabilization  
11 within the Department of State, the reaffirmation of  
12 the Coordinator's mandate by the National Security  
13 Presidential Directive 44, its codification in title  
14 XVI of the Duncan Hunter National Defense Au-  
15 thorization Act for Fiscal Year 2009 (Public Law  
16 110–417), the issuance of the Department of De-  
17 fense Directive 3000.05, and the creation of the Bu-  
18 reau of Conflict and Stabilization by the Department  
19 of State, serious imbalances and insufficient inter-  
20 agency coordination remain.

21 (3) The United States has not effectively or ef-  
22 ficiently managed stabilization and reconstruction  
23 operations during recent decades.

24 (4) Based on recent history, the United States  
25 will likely continue to find its involvement necessary

1 in stabilization and reconstruction operations in for-  
2 eign countries in the wake of violence.

3 (5) The United States has not adequately ap-  
4 plied the lessons of its recent experiences in sta-  
5 bilization and reconstruction operations, and despite  
6 efforts to improve its performance is not yet orga-  
7 nized institutionally to respond appropriately to the  
8 need to perform stabilization and reconstruction op-  
9 erations in foreign countries.

10 (6) The failure to implement the lessons learned  
11 of past stabilization and reconstruction operations  
12 will lead to further inefficiencies, resulting in greater  
13 human and financial costs.

14 (b) PURPOSES.—The purposes of this Act are to—

15 (1) protect the national security interests of the  
16 United States by providing an effective means to  
17 plan for and execute stabilization and reconstruction  
18 operations in foreign countries;

19 (2) provide for unity of command, and thus  
20 achieve unity of effort, in the planning and execution  
21 of stabilization and reconstruction operations;

22 (3) provide accountability for resources dedi-  
23 cated to stabilization and reconstruction operations;

24 (4) maximize the efficient use of resources,  
25 which would lead to budget savings, eliminated re-

1       dundancy in functions, and improvement in the  
2       management of stabilization and reconstruction op-  
3       erations; and

4               (5) establish an entity to plan for stabilization  
5       and reconstruction operations across relevant Fed-  
6       eral departments and agencies, including the De-  
7       partment of Defense, the Department of State, and  
8       the United States Agency for International Develop-  
9       ment, and, when directed by the President, coordi-  
10      nate and execute such operations, eventually return-  
11      ing responsibility for such operations to other Fed-  
12      eral departments and agencies of the United States  
13      Government as the situation at issue becomes nor-  
14      malized.

15 **SEC. 4. EFFECTIVE DATE.**

16       This Act shall take effect on the date that is 60 days  
17      after the date of the enactment of this Act.

18 **TITLE I—UNITED STATES OF-**  
19 **FICE FOR CONTINGENCY OP-**  
20 **ERATIONS**

21 **SEC. 101. ESTABLISHMENT OF THE UNITED STATES OFFICE**  
22 **FOR CONTINGENCY OPERATIONS.**

23       There is established as an independent entity in the  
24      executive branch the United States Office for Contingency  
25      Operations.

1 **SEC. 102. RESPONSIBILITIES OF THE DIRECTOR, DEPUTY**  
2 **DIRECTOR, INSPECTOR GENERAL, AND**  
3 **OTHER OFFICES.**

4 (a) DIRECTOR.—

5 (1) IN GENERAL.—The Office shall be headed  
6 by a Director, who shall be—

7 (A) appointed by the President, by and  
8 with the advice and consent of the Senate; and

9 (B) compensated at the rate of basic pay  
10 for level II of the Executive Schedule under sec-  
11 tion 5313 of title 5, United States Code.

12 (2) SUPERVISION.—

13 (A) IN GENERAL.—The Director shall re-  
14 port directly to, and be under the general su-  
15 pervision of, the Secretary of State and the Sec-  
16 retary of Defense. Such supervision may not be  
17 delegated.

18 (B) POLICY OVERSIGHT.—The Director  
19 shall function under the policy oversight of the  
20 Assistant to the President for National Security  
21 Affairs. On a day-to-day basis, the Director  
22 shall report to and take policy direction from  
23 the Assistant to the President for National Se-  
24 curity Affairs and shall keep the Assistant fully  
25 and continually informed of the activities of the  
26 Director and the Office.

1           (3) FUNCTIONS.—The functions of the Director  
2 shall include the following:

3           (A) Monitoring, in coordination with rel-  
4 evant offices and bureaus of the Department of  
5 Defense, the Department of State, and the  
6 United States Agency for International Devel-  
7 opment, political and economic instability  
8 worldwide in order to anticipate the need for  
9 mobilizing United States and international as-  
10 sistance for the stabilization and reconstruction  
11 of a country or region that is at risk of, in, or  
12 in transition from, conflict or civil strife.

13           (B) Assessing the various types of sta-  
14 bilization and reconstruction crises that could  
15 occur, and cataloging and monitoring the mili-  
16 tary and non-military resources, capabilities,  
17 and functions of Federal agencies that are  
18 available to address such crises.

19           (C) Pre-intervention assessment and plan-  
20 ning, and post-intervention evaluation of strate-  
21 gies to achieve United States interests and ob-  
22 jectives through such activities as demobiliza-  
23 tion, disarmament, capacity building, rebuilding  
24 of civil society, policing and security sector re-  
25 form, and monitoring and strengthening respect

1 for human rights that commonly arise in sta-  
2 bilization and reconstruction crises.

3 (D) Developing, in coordination with all  
4 relevant Federal departments and agencies, sta-  
5 bilization plans and procedures to mobilize and  
6 deploy civilian and military personnel to con-  
7 duct stabilization and reconstruction operations.

8 (E) Coordinating with counterparts in for-  
9 eign governments and international and non-  
10 governmental organizations on stabilization and  
11 reconstruction operations to improve effective-  
12 ness and avoid duplication.

13 (F) Aiding the President, as the President  
14 may request, in preparing such rules and regu-  
15 lations as the President prescribes, for the plan-  
16 ning, coordination, and execution of stabiliza-  
17 tion and reconstruction operations.

18 (G) Advising the Secretary of State and  
19 the Secretary of Defense, as the Secretary of  
20 State or the Secretary of Defense may request,  
21 on any matters pertaining to the planning, co-  
22 ordination, and execution of stabilization and  
23 reconstruction operations.

24 (H) Planning and conducting, in coopera-  
25 tion with the Secretary of State, the Adminis-

1           trator of the United States Agency for Inter-  
2           national Development, the Secretary of De-  
3           fense, and commanders of unified combatant  
4           commands and specified combatant commands  
5           established under section 161 of title 10,  
6           United States Code, a series of exercises to test  
7           and evaluate doctrine relating to stabilization  
8           and reconstruction operations and procedures to  
9           be used in such operations.

10           (I) Executing, administering, and enforce-  
11           ing laws, rules, and regulations relating to the  
12           preparation, coordination, and execution of sta-  
13           bilization and reconstruction operations.

14           (J) Administering such funds as may be  
15           appropriated or otherwise made available for  
16           the preparation, coordination, and execution of  
17           stabilization and reconstruction operations.

18           (K) Planning for the use of contractors  
19           who will be involved in stabilization and recon-  
20           struction operations.

21           (L) Prescribing standards and policies for  
22           project and financial reporting for all Federal  
23           agencies involved in stabilization and recon-  
24           struction operations under the direction of the  
25           Office to ensure that all activities undertaken

1 by such agencies are appropriately tracked and  
2 accounted for.

3 (M) Establishing an interagency training,  
4 preparation, and evaluation framework for all  
5 personnel deployed, or who may be deployed, in  
6 support of stabilization and reconstruction oper-  
7 ations. Such training and preparation shall be  
8 developed and administered in partnership with  
9 such universities, colleges, or other institutions  
10 (whether public, private, or governmental) as  
11 the Director may determine and which agree to  
12 participate.

13 (4) RESPONSIBILITIES OF DIRECTOR FOR AS-  
14 SESSMENT, MONITORING AND EVALUATION RE-  
15 QUIREMENTS.—

16 (A) ASSESSMENT.—The Director shall, to  
17 the greatest extent practicable, draw upon all  
18 sources of information and intelligence within  
19 the Government to develop a common under-  
20 standing of the causes of conflict and the sa-  
21 lient impediments to stabilization as a guide to  
22 planning.

23 (B) MONITORING.—The Director shall es-  
24 tablish, in coordination with the Federal agen-  
25 cies involved in a stabilization and reconstruc-

1           tion operation, measures for determining wheth-  
2           er the programs and activities that are being  
3           implemented are achieving United States objec-  
4           tives.

5           (C) EVALUATIONS.—The Director shall  
6           plan and conduct evaluations of the impact of  
7           stabilization and reconstruction operations car-  
8           ried out by the Office.

9           (D) FUNDING.—The Director shall have  
10          the authority to direct up to five percent of the  
11          amount of program expenditures for assess-  
12          ment, monitoring, and evaluation purposes.

13          (E) REPORTS.—

14           (i) IN GENERAL.—Not later than 30  
15          days after the end of each fiscal-year quar-  
16          ter, the Director shall submit to the appro-  
17          priate congressional committees a report  
18          summarizing all stabilization and recon-  
19          struction operations that are taking place  
20          under the supervision of the Director dur-  
21          ing the period of each such quarter and, to  
22          the extent possible, the period from the  
23          end of each such quarter to the time of the  
24          submission of each such report. Each such  
25          report shall include, for the period covered

1 by each such report, a detailed statement  
2 of all obligations, expenditures, and reve-  
3 nues associated with such stabilization and  
4 reconstruction operations, including the  
5 following:

6 (I) Obligations and expenditures  
7 of appropriated funds.

8 (II) A project-by-project and pro-  
9 gram-by-program accounting of the  
10 costs incurred to date for the sta-  
11 bilization and reconstruction oper-  
12 ations that are taking place, together  
13 with the estimate of any Federal de-  
14 partment or agency that is under-  
15 taking a project in or for the stabiliza-  
16 tion and reconstruction of such coun-  
17 try, as applicable, of the costs to com-  
18 plete each such project and program.

19 (III) Revenues attributable to or  
20 consisting of funds provided by for-  
21 eign countries or international organi-  
22 zations, and any obligations or ex-  
23 penditures of such revenues.

24 (IV) Revenues attributable to or  
25 consisting of foreign assets seized or

1 frozen, and any obligations or expend-  
2 itures of such revenues.

3 (V) An analysis on the impact of  
4 stabilization and reconstruction oper-  
5 ations overseen by the Office, includ-  
6 ing an analysis of civil-military coordi-  
7 nation with respect to the Office.

8 (ii) FORM.—Each report under this  
9 subparagraph may include a classified  
10 annex if the Director determines such is  
11 appropriate.

12 (iii) RULE OF CONSTRUCTION.—Noth-  
13 ing in this subparagraph shall be construed  
14 to authorize the public disclosure of infor-  
15 mation that is specifically prohibited from  
16 disclosure by any other provision of law,  
17 specifically required by Executive order to  
18 be protected from disclosure in the interest  
19 of national defense or national security or  
20 in the conduct of foreign affairs, or a part  
21 of an ongoing criminal investigation or  
22 prosecution.

23 (b) DEPUTY DIRECTOR.—

24 (1) IN GENERAL.—There shall be within the  
25 Office a Deputy Director, who shall be—

1 (A) appointed by the President, by and  
2 with the advice and consent of the Senate; and

3 (B) compensated at the rate of basic pay  
4 for level III of the Executive Schedule under  
5 section 5314 of title 5, United States Code.

6 (2) FUNCTIONS.—The Deputy Director shall  
7 perform such functions as the Director may from  
8 time to time prescribe, and shall act as Director dur-  
9 ing the absence or disability of the Director or in the  
10 event of a vacancy in the Office of the Director.

11 (c) FUNCTIONS OF THE PRESIDENT.—

12 (1) DECLARATION.—The President may, if the  
13 President finds that the circumstances and national  
14 security interests of the United States so require,  
15 declare that a stabilization and reconstruction emer-  
16 gency exists and shall determine the geographic ex-  
17 tent and the date of the commencement of such  
18 emergency. The President may amend the declara-  
19 tion as circumstances warrant.

20 (2) TERMINATION.—If the President deter-  
21 mines that a stabilization and reconstruction emer-  
22 gency declared under paragraph (1) is or will no  
23 longer be in existence, the President may terminate,  
24 immediately or prospectively, a prior declaration that  
25 such an emergency exists.

1           (3) PUBLICATION IN FEDERAL REGISTER.—  
2       Declarations under this subsection shall be published  
3       in the Federal Register.

4           (d) AUTHORITIES OF OFFICE FOLLOWING PRESI-  
5       DENTIAL DECLARATION.—If the President declares a sta-  
6       bilization and reconstruction emergency pursuant to sub-  
7       section (c), the President may delegate to the Director the  
8       authority to coordinate all Federal efforts with respect to  
9       such emergency, including the authority to direct any Fed-  
10      eral agency to support such efforts, with or without reim-  
11      bursement.

12   **SEC. 103. PERSONNEL SYSTEM.**

13           (a) PERSONNEL.—

14           (1) IN GENERAL.—The Director may select, ap-  
15      point, and employ such personnel as may be nec-  
16      essary for carrying out the duties of the Office, sub-  
17      ject to the provisions of title 5, United States Code,  
18      governing appointments in the excepted service, and  
19      the provisions of chapter 51 and subchapter III of  
20      chapter 53 of such title, relating to classification and  
21      General Schedule pay rates, and may exercise the  
22      authorities of subsections (b) through (i) of section  
23      3161 of title 5, United States Code (to the same ex-  
24      tent and in the same manner as such authorities  
25      may be exercised by an organization described in

1 subsection (a) of such section). In exercising the em-  
2 ployment authorities under subsection (b) of such  
3 section 3161, paragraph (2) of such subsection (re-  
4 lating to periods of appointments) shall not apply.

5 (2) SUBDIVISIONS OF OFFICE; DELEGATION OF  
6 FUNCTIONS.—The Director may establish bureaus,  
7 offices, divisions, and other units within the Office.  
8 The Director may from time to time make provision  
9 for the performance of any function of the Director  
10 by any officer or employee, or bureau, office, divi-  
11 sion, or other unit of the Office.

12 (3) REEMPLOYMENT AUTHORITIES.—The provi-  
13 sions of section 9902(g) of title 5, United States  
14 Code, shall apply with respect to the Office. For  
15 purposes of the preceding sentence, such provisions  
16 shall be applied—

17 (A) by substituting “the United States Of-  
18 fice for Contingency Operations” for “the De-  
19 partment of Defense” each place it appears;

20 (B) in paragraph (2)(A), by substituting  
21 “the Stabilization and Reconstruction Integra-  
22 tion Act of 2013” for “the National Defense  
23 Authorization Act for Fiscal Year 2004 (Public  
24 Law 108–136)”; and

1           (C) in paragraph (4), by substituting “the  
2           Director of the United States Office for Contin-  
3           gency Operations” for “the Secretary”.

4           (b) INTERIM OFFICERS.—

5           (1) IN GENERAL.—The President may author-  
6           ize any persons who, immediately prior to the effec-  
7           tive date of this Act, held positions in the executive  
8           branch to act as Director, Deputy Director, and In-  
9           spector General of the Office until such positions are  
10          for the first time filled in accordance with the provi-  
11          sions of this Act.

12          (2) COMPENSATION.—The President may au-  
13          thorize any such person described in paragraph (1)  
14          to receive the compensation attached to the position  
15          in the Office in respect of which such person so  
16          serves, in lieu of other compensation from the  
17          United States.

18          (c) CONTRACTING SERVICES.—

19          (1) IN GENERAL.—The Director may obtain  
20          services of experts and consultants as authorized by  
21          section 3109 of title 5, United States Code.

22          (2) ASSISTANCE.—To the extent and in such  
23          amounts as may be provided in advance by appro-  
24          priations Acts, the Inspector General of the Office  
25          may enter into contracts and other arrangements for

1 audits, studies, analyses, and other services with  
2 public agencies and with private persons, and make  
3 such payments as may be necessary to carry out the  
4 duties of the Inspector General.

5 (d) INCENTIVIZING EXPERTISE IN PERSONNEL  
6 TASKED FOR STABILIZATION AND RECONSTRUCTION OP-  
7 ERATIONS.—

8 (1) STUDY.—The Director shall commission a  
9 study to measure the effectiveness of personnel in  
10 stabilization and reconstruction operations. Such  
11 study shall seek to identify the most appropriate  
12 qualifications for such personnel and incentive strat-  
13 egies for Federal agencies to effectively recruit and  
14 deploy employees to support stabilization and recon-  
15 struction operations.

16 (2) VETERANS PREFERENCE.—The Office shall  
17 apply preferences to promote the employment of vet-  
18 erans and the use of veteran-owned businesses.

19 (3) SENSE OF CONGRESS.—It is the sense of  
20 Congress that, in the selection and appointment of  
21 any individual for a position both within the Office  
22 and other Federal agencies in support of stabiliza-  
23 tion and reconstruction operations, due consideration  
24 should be given to such individual's expertise in such

1 operations and interagency experience and qualifica-  
2 tions.

3 **TITLE II—PREPARING AND EXE-**  
4 **CUTING STABILITY AND RE-**  
5 **CONSTRUCTION OPERATIONS**

6 **SEC. 201. SOLE CONTROL.**

7 The Director shall be responsible for activities relat-  
8 ing to a stabilization and reconstruction operation con-  
9 ducted during a stabilization and reconstruction emer-  
10 gency declared by the President.

11 **SEC. 202. RELATION TO DEPARTMENT OF STATE AND**  
12 **UNITED STATES AGENCY FOR INTER-**  
13 **NATIONAL DEVELOPMENT.**

14 (a) COORDINATION.—

15 (1) IN GENERAL.—The Director shall, to the  
16 greatest degree practicable, coordinate with the Sec-  
17 retary of State and the Administrator of the United  
18 States Agency for International Development re-  
19 garding the Office's plans for relief and reconstruc-  
20 tion activities conducted during stabilization and re-  
21 construction operations. The Director shall give the  
22 greatest possible weight to the views of the Secretary  
23 and the Administrator on matters within their juris-  
24 diction. During a declaration under section 102 of a  
25 stabilization and reconstruction emergency, the Di-

1 rector shall work closely with the Secretary and the  
2 Administrator in planning, executing, and  
3 transitioning operations relevant to the respective ju-  
4 risdictions of the Secretary and the Administrator,  
5 as the case may be.

6 (2) IN-COUNTRY.—During a stabilization and  
7 reconstruction emergency, the Director shall work  
8 closely with the Chief of Mission for the country in  
9 which such emergency exists, or with the most senior  
10 Department of State or Agency for International  
11 Development officials responsible for such country,  
12 to ensure that the actions of the Office and the Fed-  
13 eral agencies involved support the attainment of  
14 United States interests and objectives and do not  
15 conflict with the foreign or development policies of  
16 the United States.

17 (b) DETAILING.—The heads of Federal departments  
18 and agencies (other than the Secretary of Defense) shall  
19 provide for the detail on a reimbursable or nonreimburs-  
20 able basis of such civilian personnel as may be agreed be-  
21 tween such heads and the Director for the purposes of  
22 carrying out this Act. The heads of such departments and  
23 agencies shall provide for appropriate recognition and ca-  
24 reer progress for individuals who are so detailed upon  
25 their return from such details.

1 **SEC. 203. RELATION TO DEPARTMENT OF DEFENSE COM-**  
2 **BATANT COMMANDS PERFORMING MILITARY**  
3 **MISSIONS.**

4 (a) COORDINATION WITH SECRETARY OF DEFENSE  
5 AND COMBATANT COMMANDS.—The Director shall coordi-  
6 nate with the Secretary of Defense and commanders of  
7 unified and specified combatant commands established  
8 under section 161 of title 10, United States Code, regard-  
9 ing the plans or activities of the Office for stabilization  
10 and reconstruction operations.

11 (b) STAFF COORDINATION.—The Director shall de-  
12 tail personnel of the Office to serve on the staff of a uni-  
13 fied or specified combatant command to assist in planning  
14 when a contingency operation (as such term is defined in  
15 section 101(a)(13) of title 10, United States Code) will  
16 involve likely Armed Forces interaction with non-combat-  
17 ant populations, so that plans for a stabilization and re-  
18 construction operation related to a military operation—

19 (1) complement the work of military planners;  
20 and

21 (2) as provided in subsection (c), ease inter-  
22 action between civilian direct-hire employees and  
23 contractors in support of such stabilization and re-  
24 construction operation and the Armed Forces.

25 (c) LIMITATIONS.—

1           (1) DIRECTOR.—The authority of the Director  
2 shall not extend to small-scale programs (other than  
3 economic development programs of more than a de  
4 minimis amount) designated by the Secretary of De  
5 fense as necessary to promote a safe operating envi  
6 ronment for the Armed Forces or other friendly  
7 forces.

8           (2) MILITARY ORDER.—Nothing in this Act  
9 shall be construed as permitting the Director or any  
10 of the personnel of the Office (other than a member  
11 of the Armed Forces assigned to the Office under  
12 subsection (e)) to issue a military order.

13 (d) SUPPORT.—

14           (1) ASSISTANCE REQUIRED.—The commanders  
15 of unified and specified combatant commands shall  
16 provide assistance, to the greatest degree prac  
17 ticable, to the Director and the personnel of the Of  
18 fice as they carry out their responsibilities.

19           (2) PERSONNEL.—The Secretary of Defense  
20 shall provide for the detail or assignment, on a reim  
21 bursable or nonreimbursable basis, to the staff of  
22 the Office of such Department of Defense personnel  
23 as the Secretary and the Director determine nec  
24 essary to carry out the duties of the Office.

1 **SEC. 204. STABILIZATION FEDERAL ACQUISITION REGULA-**  
2 **TION.**

3 (a) IN GENERAL.—The Director, in consultation with  
4 the Director of the Office of Management and Budget,  
5 shall prescribe a Stabilization Federal Acquisition Regula-  
6 tion. Such Regulation shall apply, under such cir-  
7 cumstances as the Director prescribes, in lieu of the Fed-  
8 eral Acquisition Regulation with respect to contracts in-  
9 tended for use in or with respect to stabilization and re-  
10 construction emergencies or in imminent or potential sta-  
11 bilization and reconstruction operations.

12 (b) PREFERENCE TO CERTAIN CONTRACTS.—It is  
13 the sense of Congress that the Stabilization Federal Ac-  
14 quisition Regulation required under subsection (a) should  
15 include provisions requiring a Federal agency to give a  
16 preference to contracts that appropriately, efficiently, and  
17 sustainably implement programs and projects undertaken  
18 in support of a stabilization and reconstruction operation.

19 (c) DEADLINE.—Not later than one year after the  
20 date of the enactment of this Act, the Director shall pre-  
21 scribe the Stabilization Federal Acquisition Regulation re-  
22 quired under subsection (a). If the Director does not pre-  
23 scribe such Regulation by such time, the Director shall  
24 submit to Congress a statement explaining why the dead-  
25 line was not met.

1 **SEC. 205. STABILIZATION AND RECONSTRUCTION FUND.**

2 (a) IN GENERAL.—There is established in the Treas-  
3 ury of the United States a fund, to be known as the “Sta-  
4 bilization and Reconstruction Emergency Reserve Fund”,  
5 to be administered by the Director at the direction of the  
6 President and with the consent of the Secretary of State  
7 and the Secretary of Defense—

8 (1) to prepare for an imminent stabilization and  
9 reconstruction operation;

10 (2) for the conduct of a stabilization and recon-  
11 struction operation;

12 (3) for the operations of the Office as such op-  
13 erations relate to paragraphs (1) and (2); and

14 (4) for any other purpose which the Director  
15 considers essential with respect to such paragraphs.

16 (b) CONGRESSIONAL NOTIFICATION.—

17 (1) PRESIDENTIAL DIRECTION.—At the time  
18 the President directs the Director to carry out or  
19 support an activity described in subsection (a), the  
20 President shall transmit to the appropriate congres-  
21 sional committees a written notification of such di-  
22 rection.

23 (2) ACTIVITIES IN A COUNTRY.—Not less than  
24 15 days before carrying out or supporting an activity  
25 described in subsection (a), the Director shall submit  
26 to the appropriate congressional committees infor-

1 mation related to the budget, implementation  
2 timeline (including milestones), and transition strat-  
3 egy with respect to such activity and the stabiliza-  
4 tion or reconstruction operation at issue.

5 (c) AUTHORIZATION OF APPROPRIATIONS.—There is  
6 authorized to be appropriated to the fund established  
7 under subsection (a) such sums as may be necessary to  
8 carry out the purposes specified in such subsection. Such  
9 sums—

10 (1) shall be available until expended;

11 (2) shall not be made available for obligation or  
12 expenditure until the President declares a stabiliza-  
13 tion and reconstruction emergency pursuant to sec-  
14 tion 102; and

15 (3) shall be in addition to any other funds made  
16 available for such purposes.

17 **SEC. 206. SENSE OF CONGRESS.**

18 It is the sense of Congress that, to the extent pos-  
19 sible, the Director and staff of the Office should partner  
20 with the country in which a stabilization and reconstruc-  
21 tion operation is taking place, other foreign government  
22 partners, international organizations, and local nongovern-  
23 mental organizations throughout the planning, implemen-  
24 tation, and particularly during the transition stages of

1 such operation to facilitate long-term capacity building  
2 and sustainability of initiatives.

3 **TITLE III—RESPONSIBILITIES**  
4 **OF THE INSPECTOR GENERAL**

5 **SEC. 301. INSPECTOR GENERAL.**

6 (a) IN GENERAL.—There shall be within the Office  
7 an Office of the Inspector General, the head of which shall  
8 be the Inspector General of the United States Office for  
9 Contingency Operations (in this Act referred to as the  
10 “Inspector General”), who shall be appointed as provided  
11 in section 3(a) of the Inspector General Act of 1978 (5  
12 U.S.C. App.).

13 (b) TECHNICAL AMENDMENTS AND ADDITIONAL AU-  
14 THORITIES.—The Inspector General Act of 1978 (5  
15 U.S.C. App.) is amended—

16 (1) in section 8J, by striking “8E or 8F” and  
17 inserting “8E, 8F, or 8N”;

18 (2) in section 8L(c), by adding at the end the  
19 following new paragraph:

20 “(4) The Inspector General of the United  
21 States Office for Contingency Operations.”;

22 (3) by inserting after section 8M the following  
23 new section:

1 **“SEC. 8N. SPECIAL PROVISIONS CONCERNING THE INSPEC-**  
2 **TOR GENERAL OF THE UNITED STATES OF-**  
3 **FICE FOR CONTINGENCY OPERATIONS.**

4 “(a) SPECIAL AUDIT AND INVESTIGATIVE AUTHOR-  
5 ITY.—

6 “(1) IN GENERAL.—When directed by the  
7 President, or otherwise provided by law, and in addi-  
8 tion to the other duties and responsibilities specified  
9 in this Act, the Inspector General of the United  
10 States Office for Contingency Operations shall, with  
11 regard to the reconstruction and stabilization oper-  
12 ations under the supervision of the Director of the  
13 United States Office for Contingency Operations,  
14 have audit and investigative authority over all ac-  
15 counts, spending, programs, projects, and activities  
16 undertaken with respect to such operations by Fed-  
17 eral agencies without regard to the agency carrying  
18 out such operations.

19 “(2) ADMINISTRATIVE OPERATIONS.—In any  
20 case in which the Inspector General of the United  
21 States Office for Contingency Operations is exer-  
22 cising or preparing to exercise special audit and in-  
23 vestigative authority under this subsection, the head  
24 of any Federal department or agency undertaking or  
25 preparing to undertake the activities described in  
26 paragraph (1) shall provide the Inspector General

1 with appropriate and adequate office space within  
2 the offices of such department or agency or at ap-  
3 propriate locations overseas of such department or  
4 agency, together with such equipment, office sup-  
5 plies, and communications facilities and services as  
6 may be necessary for the operation of such offices,  
7 and shall provide necessary maintenance services for  
8 such offices and the equipment and facilities located  
9 therein.

10 “(b) ADDITIONAL DUTIES.—

11 “(1) IN GENERAL.—It shall be the duty of the  
12 Inspector General of the United States Office for  
13 Contingency Operations to conduct, supervise, and  
14 coordinate audits and investigations of the treat-  
15 ment, handling, and expenditure of amounts appro-  
16 priated or otherwise made available for activities to  
17 be carried out by or under the direction or super-  
18 vision of the Director of the United States Office for  
19 Contingency Operations, or for activities subject to  
20 the special audit and investigative authority of such  
21 Inspector General under subsection (a), and of the  
22 programs, operations, and contracts carried out uti-  
23 lizing such funds, including—

24 “(A) the oversight and accounting of the  
25 obligation and expenditure of such funds;

1           “(B) the monitoring and review of activi-  
2           ties funded by such funds;

3           “(C) the monitoring and review of con-  
4           tracts funded by such funds;

5           “(D) the monitoring and review of the  
6           transfer of such funds and associated informa-  
7           tion between and among Federal departments,  
8           agencies, and entities, and private and non-  
9           governmental entities; and

10           “(E) the maintenance of records on the  
11           use of such funds to facilitate future audits and  
12           investigations of the use of such funds.

13           “(2) SYSTEMS, PROCEDURES, AND CON-  
14           TROLS.—The Inspector General of the United States  
15           Office for Contingency Operations shall establish,  
16           maintain, and oversee such systems, procedures, and  
17           controls as such Inspector General considers appro-  
18           priate to discharge the duties described in paragraph  
19           (1).

20           “(c) PERSONNEL AUTHORITY.—

21           “(1) IN GENERAL.—The Inspector General of  
22           the United States Office for Contingency Operations  
23           may select, appoint, and employ such officers and  
24           employees as may be necessary for carrying out the  
25           functions, powers, and duties of the Office, subject

1 to the provisions of title 5, United States Code, gov-  
2 erning appointments in the excepted service, and the  
3 provisions of chapter 51 and subchapter III of chap-  
4 ter 53 of such title, relating to classification and  
5 General Schedule pay rates.

6 “(2) EMPLOYMENT AUTHORITY.—The Inspec-  
7 tor General of the United States Office for Contingency  
8 Operations may exercise the authorities of  
9 subsections (b) through (i) of section 3161 of title  
10 5, United States Code (without regard to subsection  
11 (a) of such section). In exercising the employment  
12 authorities under subsection (b) of section 3161 of  
13 title 5, United States Code, paragraph (2) of such  
14 subsection (b) (relating to periods of appointments)  
15 shall not apply.

16 “(3) EXEMPTION.—Section 6(a)(7) shall not  
17 apply with respect to the Inspector General of the  
18 United States Office for Contingency Operations.

19 “(4) REPORTS.—In addition to reports other-  
20 wise required to be submitted under section 5 of this  
21 Act, the Inspector General of the United States Of-  
22 fice for Contingency Operations may issue periodic  
23 reports of a similar nature with respect to activities  
24 subject to the special audit and investigative author-  
25 ity of such Inspector General under subsection (a).

1           “(5) FORM OF SUBMISSION.—Each report  
2 under this subsection may include a classified annex  
3 if the Inspector General of the United States Office  
4 for Contingency Operations considers such nec-  
5 essary.

6           “(6) DISCLOSURE OF CERTAIN INFORMA-  
7 TION.—Nothing in this subsection shall be construed  
8 to authorize the public disclosure of information that  
9 is—

10                   “(A) specifically prohibited from disclosure  
11 by any other provision of law;

12                   “(B) specifically required by Executive  
13 order to be protected from disclosure in the in-  
14 terest of national defense or national security or  
15 in the conduct of foreign affairs; or

16                   “(C) a part of an ongoing criminal inves-  
17 tigation.”; and

18           (4) in section 12—

19                   (A) in paragraph (1), by inserting “, or the  
20 United States Office for Contingency Oper-  
21 ations” after “the Director of the Federal  
22 Housing Finance Agency”; and

23                   (B) in paragraph (2), by inserting “the  
24 United States Office for Contingency Oper-

1           ations,” after “the Federal Housing Finance  
2           Agency,”.

3   **TITLE IV—RESPONSIBILITIES OF**  
4           **OTHER AGENCIES**

5   **SEC. 401. RESPONSIBILITIES OF OTHER FEDERAL AGEN-**  
6           **CIES FOR MONITORING AND EVALUATION RE-**  
7           **QUIREMENTS.**

8           The head of any Federal agency under the authority  
9   of the Director in support of a stabilization and recon-  
10   struction operation pursuant to section 102 shall submit  
11   to the Director—

12           (1) on-going evaluations of the impact of agen-  
13           cy activities on such operation, using the measures  
14           developed by the Director in consultation with the  
15           agencies involved, including an assessment of inter-  
16           agency coordination in support of such operation;

17           (2) any information the Director requests, in-  
18           cluding reports, evaluations, analyses, or assess-  
19           ments, to permit the Director to satisfy the quar-  
20           terly reporting requirement under section  
21           102(a)(4)(E); and

22           (3) an identification, within each such agency,  
23           of all current and former employees skilled in crisis  
24           response, including employees employed by contract,  
25           and information regarding each such agency’s au-

1       thority mechanisms to reassign or reemploy such  
2       employees and mobilize rapidly associated resources  
3       in response to such operation.

4       **TITLE V—AUTHORIZATION OF**  
5       **APPROPRIATIONS**

6       **SEC. 501. AUTHORIZATION OF APPROPRIATIONS.**

7       There are authorized to be appropriated \$25,000,000  
8       to carry out this Act for each of fiscal years 2014 through  
9       2016. Amounts so authorized to be appropriated are—

10           (1) authorized to remain available until ex-  
11       pended; and

12           (2) shall be in addition to amounts available in  
13       the Stabilization and Reconstruction Fund under  
14       section 205.

15       **SEC. 502. OFFSET.**

16       Notwithstanding any other provision of law, under  
17       such regulations as the Director of the Office of Manage-  
18       ment and Budget and the Director of the Office of Per-  
19       sonnel Management may prescribe, the Secretary of State  
20       and the head of each other Federal department or agency  
21       that administers United States foreign assistance, in con-  
22       sultation with the appropriate congressional committees,  
23       shall—

24           (1) eliminate such initiatives, positions, and  
25       programs within the Department of State or such

1 other department or agency that are not otherwise  
2 required by law as the Secretary or the head of such  
3 other department or agency determines to be nec-  
4 essary to entirely offset any and all costs incurred  
5 to carry out the provisions of this Act with respect  
6 to the Department of State or such other depart-  
7 ment or agency;

8 (2) ensure no net increases in personnel are  
9 added to carry out the provisions of this Act, with  
10 any new full- or part-time employees or equivalents  
11 offset by eliminating an equivalent number of exist-  
12 ing staff; and

13 (3) report to Congress not later than 90 days  
14 after the date of the enactment of this Act the ac-  
15 tions taken to ensure compliance with paragraphs  
16 (1) and (2), including the specific initiatives, posi-  
17 tions, and programs within the Department of State  
18 or such other department or agency that have been  
19 eliminated to ensure that the costs of carrying out  
20 this Act will be offset.

○