SEC. ___. DEPARTMENT OF DEFENSE SUPPORT TO STABILIZATION ACTIVITIES IN THE NATIONAL SECURITY INTEREST OF THE UNITED STATES.

(a) IN GENERAL.—The Secretary of Defense may, with the concurrence of the Secretary of State and in consultation with the Administrator of the United States Agency for International Development and the Director of the Office of Management and Budget, designate a foreign area under subsection (b), provide support for the stabilization activities of other Federal agencies under subsection (c), or carry out transitional stabilization activities under subsection (d).

(b) DESIGNATION OF FOREIGN AREAS.—Amounts authorized to be provided pursuant to this section shall be available only for stabilization activities—

(1) in a foreign area designated by the Secretary of Defense as being necessary to address conflict and instability; and

(2) that are in the national security interest of the United States.

(c) SUPPORT TO OTHER AGENCIES.—The Secretary of Defense may provide logistic support, supplies, and services and training on a reimbursable or non-reimbursable basis to the Department of State, the United States Agency for International Development, or other Federal agencies to support stabilization in foreign areas designated under subsection (b).

(d) TRANSITIONAL STABILIZATION ACTIVITIES.—

(1) IN GENERAL.—The Secretary of Defense may carry out transitional stabilization activities if such activities are in the national security interest of the United States.

(2) COMPLEMENTARY ACTIVITIES.—Transitional stabilization activities carried out under this section should complement, and should not duplicate, any other form of social

or economic assistance which may be provided to the country concerned by any other department or agency of the United States.

(e) WAIVER AUTHORITY.—The Secretary of Defense may, with the concurrence of the Secretary of State, waive sections 40 and 40A of the Arms Export Control Act (22 U.S.C. 2780 and 2785) if the Secretary of Defense determines that such provision of law would prohibit, restrict, delay, or otherwise limit the provision of assistance under this section and a notice of and justification for such waiver is submitted to the appropriate committees of Congress.

(f) AUTHORITY IN ADDITION TO OTHER AUTHORITIES.—The authority to provide assistance under this section is in addition to any other authority to provide assistance to foreign nations.

(g) USE OF FUNDS.—

(1) SOURCE OF FUNDS.—Amounts for activities carried out under this section in a fiscal year shall be derived only from amounts authorized to be appropriated for such fiscal year for the Department of Defense for Operation and Maintenance, Defense-wide.

(2) LIMITATION.—Not more than $25,000,000 in each fiscal year is authorized to be used to provide non-reimbursable logistic support, supplies, and services or training under subsection (c) or to carry out transitional stabilization activities under subsection (d) during the period in which this section is in effect.

(h) EXPIRATION.—The authority provided under this section may not be exercised after September 30, 2020. Any program directed under this section before that date may be completed, but only using funds available for fiscal years 2019 through 2020.

(i) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS. — The term “appropriate committees of Congress” means –

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(2) LOGISTIC SUPPORT, SUPPLIES, AND SERVICES.—The term "logistic support, supplies, and services" has the meaning given the term in section 2350(1) of title 10 United States Code.

(3) TRANSITIONAL STABILIZATION ACTIVITIES.—The term "transitional stabilization activities" means transitional activities, excluding humanitarian assistance, conducted to create conditions where legitimate local authorities and systems can peaceably manage conflict and prevent a resurgence of violence, including—

(A) providing, maintaining, or re-establishing security and basic public order;

(B) providing or restoring essential basic services for the immediate needs of the population; and

(C) repairing, restoring, and protecting critical infrastructure.

Section-by-Section Analysis

The United States has a vital national security interest in promoting stability in certain fragile and conflict-affected areas in order to guard against threats that emanate from State weakness, political subversion, or collapse. Stabilization activities are also required to translate combat success into lasting strategic gains. This proposal would establish an authority for the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the U.S. Agency for International Development (USAID) Administrator and the Director of the Office of Management and Budget (OMB), to support designated U.S. Government stabilization efforts by providing logistic support, supplies, and services, and training (as defined in the requested authority) to other U.S. departments and agencies. It would also allow the Secretary of Defense to conduct transitional stabilization activities in the national security interest of the United States only with the concurrence of the Secretary of State and in consultation with the USAID Administrator and the Director of OMB.

This proposal is consistent with the recommendations of the Stabilization Assistance Review (SAR), jointly written and approved by the Department of State (DOS), USAID, and DoD. Stabilization requires an integrated civilian-military approach, and this proposal provides authority for DoD to perform its supporting role in stabilization. The Department of State is the overall lead federal agency for U.S. stabilization efforts; USAID is the lead implementing agency for non-security U.S. stabilization assistance; and DoD is a supporting element, providing requisite security and reinforcing civilian efforts where appropriate. Stabilization activities may include efforts to establish civil security, provide access to dispute resolution mechanisms, deliver targeted basic services, and establish a foundation for the voluntary return of displaced people.

DOS and USAID stabilization efforts can be constrained or delayed in less-permissive operating environments, and current DoD authorities are either geographically restrictive or too narrow to address immediate stabilization requirements. DoD's humanitarian assistance authorities address the humanitarian needs of civilian populations, but cannot fund crucial stabilization activities such as minor repairs to electrical, water or sewage lines, supporting local councils or removing rubble so that long-term development efforts can begin. This proposal fills a mission-critical gap by establishing a specific authority for DoD to support other U.S. department and agency stabilization efforts and to conduct transitional, small-scale stabilization activities that pave the way for DOS and USAID stabilization efforts. If authorized, DoD will establish a Defense Support to Stabilization program, capitalizing on already established interagency coordination mechanisms, such as the Overseas Humanitarian Assistance Shared Information System for formal project tracking and approval.

Subject to the concurrence, consultation and designation requirements under subsections (a) and (b), this proposal would authorize DoD to provide responsive and agile logistic support to other U.S. departments' and agencies' stabilization activities under subsection (c). Such support might include training, transportation, medical care, and other enabling and life support services (as defined in the legislation) on a reimbursable or non-reimbursable basis. Subject to the concurrence, consultation and designation requirements under subsections (a) and (b), this proposal would also authorize DoD to execute transitional, small-scale stabilization activities in the national security interest of the United States under subsection (d). DoD would be able to provide up to an annual total of $25,000,000 divided between (1) non-reimbursable and (2) funding for DoD activities, including program management, under this authority. This proposal does not restrict reimbursable activities.

Budget Implications: This proposal requests to establish the "Department of Defense Support to Stabilization in the National Security Interest of the United States" authority. The majority of funds requested in the FY19 President's Budget for this program ($23 million in FY 2019) will use DSCA overseas contingency operations funding to address stabilization requirements (both non-reimbursable and DoD activities) in foreign areas designated by the Secretary of Defense, subject to the concurrence and consultation process under subsection (a).

The remainder of funds for this program ($2 million/year) will use DSCA base funding to establish program management; and to ensure implementation across the DoD. This proposal is funded in the FY 2019 President's Budget request.

RESOURCE REQUIREMENTS ($MILLIONS)									
	FY 2019	**FY 2020**	**FY 2021**	**FY 2022**	**FY 2023**	**Appropriation From**	**Budget Activity**	**Dash-1 Line Item**	**Program Element**
Funds available - OCO	$23					Operation and Maintenance, Defense-wide, OCO	04	4GTD	NA
Funds available - base	$2					Operation and Maintenance, Defense-wide	04	4GTD	NA
Total	$25					--	--	--	--

Changes to Existing Law: None.