

Section 131, referred to in subsec. (c)(1), is section 131 of title I of div. J of Pub. L. 116-94, Dec. 20, 2019, 133 Stat. 3034, which is not classified to the Code.

§ 9762. Prohibition on construction of provisions of this chapter as an authorization for the use of military force

Nothing in this chapter may be construed as an authorization for the use of military force.

(Pub. L. 116-94, div. J, title I, §182, Dec. 20, 2019, 133 Stat. 3048.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title I of div. J of Pub. L. 116-94, Dec. 20, 2019, 133 Stat. 3030, known as the Venezuela Emergency Relief, Democracy Assistance, and Development Act of 2019, and also as the VERDAD Act of 2019, which is classified principally to this chapter. For complete classification of title I to the Code, see Short Title note set out under section 9701 of this title and Tables.

§ 9763. Termination

The requirement to impose sanctions under this chapter shall terminate on December 31, 2023.

(Pub. L. 116-94, div. J, title I, §183(b), Dec. 20, 2019, 133 Stat. 3048.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title I of div. J of Pub. L. 116-94, Dec. 20, 2019, 133 Stat. 3030, known as the Venezuela Emergency Relief, Democracy Assistance, and Development Act of 2019, and also as the VERDAD Act of 2019, which is classified principally to this chapter. For complete classification of title I to the Code, see Short Title note set out under section 9701 of this title and Tables.

CHAPTER 105—GLOBAL FRAGILITY

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§ 9801. Appropriate congressional committees defined

In this chapter:

(1) Appropriate congressional committees

The term “appropriate congressional committees” means—

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

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

(2) Relevant Federal department or agency

The term “relevant Federal department or agency” means the Department of State, the United States Agency for International Development, the Department of Defense, the Department of¹ Treasury, and any other Federal department or agency the President determines is relevant to carry out the purposes of this chapter.

(Pub. L. 116-94, div. J, title V, §502, Dec. 20, 2019, 133 Stat. 3060.)

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 116-94, div. J, title V, §501, Dec. 20, 2019, 133 Stat. 3060, provided that: “This title [enacting this chapter] may be cited as the ‘Global Fragility Act of 2019.’”

§ 9802. Statement of policy

It is the policy of the United States to seek to stabilize conflict-affected areas and prevent violence and fragility globally, including by—

(1) ensuring that all relevant Federal departments and agencies coordinate to achieve coherent, long-term goals for programs designed to carry out such policy;

(2) seeking to improve global, regional, and local coordination of relevant international and multilateral development and donor organizations regarding efforts to carry out such policy; and

(3) enhancing the effectiveness of United States foreign assistance programs and activities to carry out such policy, including by improving assessment, monitoring, and evaluation conducted by the relevant Federal departments and agencies.

(Pub. L. 116-94, div. J, title V, §503, Dec. 20, 2019, 133 Stat. 3060.)

§ 9803. Global fragility strategy

(a) Strategy

The President, in coordination with the Secretary of State, the Administrator of the United States Agency for International Development (“USAID”), the Secretary of Defense, and the heads of other relevant Federal departments and agencies, shall establish a comprehensive, integrated, ten-year strategy, to be referred to as the “Global Fragility Strategy”, to contribute to the stabilization of conflict-affected areas, address global fragility, and strengthen the capacity of the United States to be an effective leader of international efforts to prevent extremism and violent conflict. The strategy shall focus on addressing long-term causes of fragility and violence, and shall—

(1) consider the causes of fragility and violence at both the local and national levels, the external actors that reinforce and exploit such conditions, and successful prevention strategies and their key features;

(2) include specific objectives and multisectoral approaches to reduce fragility and the causes of violence, including those that

¹ So in original. Probably should be followed by “the”.

strengthen state-society relations, curb extremist ideology, and make society less vulnerable to the spread of extremism and violence;

(3) encourage and empower local and national actors to address the concerns of their citizens, including those in vulnerable communities, and build community resilience against violence and extremism;

(4) address the long-term underlying causes of fragility and violence through participatory, locally led programs, empowering marginalized groups such as youth and women, inclusive dialogues and conflict resolutions processes, justice sector reform, good governance, inclusive and accountable service delivery, and community policing and civilian security, including by combatting impunity for security forces implicated in violations of internationally recognized human rights and other serious crimes;

(5) describe approaches that ensure national leadership where appropriate and participatory engagement by civil society and local partners in the design, implementation, and monitoring of programs;

(6) assign roles for relevant Federal departments and agencies to avoid duplication of efforts, while ensuring that—

(A) the Department of State is responsible for leading the drafting and execution of the strategy, establishing United States foreign policy, advancing diplomatic and political efforts, and overseeing the planning and implementation of security assistance and related civilian security efforts;

(B) USAID is responsible for overseeing prevention programs, and is the lead implementing agency for development, humanitarian, and related non-security program policy;

(C) activities undertaken or supported by the Department of Defense in relation to the Global Fragility Strategy are established through joint formulation and with the concurrence of the Secretary of State; and

(D) other relevant Federal departments and agencies support the activities of the Department of State and USAID as appropriate, with the concurrence of the Secretary of State and the Administrator of the United States Agency for International Development;

(7) describe programs that relevant Federal departments and agencies will undertake to achieve the stated objectives, including descriptions of existing programs and funding by fiscal year and account;

(8) identify mechanisms to improve coordination between the United States, foreign governments, and international organizations, including the World Bank, the United Nations, regional organizations, and private sector organizations;

(9) address efforts to expand public-private partnerships and leverage private sector resources;

(10) describe the criteria, metrics, and mechanisms for monitoring and evaluation of programs and objectives in the strategy to ensure planning, implementation, and coordination are appropriately executed and updated;

(11) describe how the strategy will ensure that programs are country-led and context-specific; and

(12) identify mechanisms or activities to reduce the risk that the programs, policies, or resources of the United States and its partners will facilitate corruption, empower or abet repressive local actors, or be exploited by extremists to gain support for their cause.

(b) Stakeholder consultation

The Global Fragility Strategy required under this section shall be developed in consultation with representatives of civil society and national and local governance entities in countries and regions described in section 9804 of this title, as well as relevant international development organizations with experience implementing programs in fragile states, multilateral organizations and donors, relevant private, academic, and philanthropic entities, and the appropriate congressional committees.

(c) Report

Not later than 270 days after December 20, 2019, the President shall submit to the appropriate congressional committees a report setting forth the strategy described in subsection (a), which shall be submitted in unclassified form, but may include a classified annex if necessary, and shall include, at a minimum, the following elements:

(1) The objectives, general and specific, of the strategy.

(2) An identification of the relevant Federal departments and agencies that will be involved and the assignment of priorities to such departments and agencies.

(3) A description of the compact-based partnerships that will be established to ensure local leadership of strategies, policy, and programs, as well as mutual accountability for results and resources needed to support such partnerships.

(4) An identification of the authorities, staffing, and other requirements, as necessary and appropriate, needed to effectively implement the Global Fragility Strategy.

(5) A description of the ways in which United States leadership will be used to enhance overall international prevention efforts, including through increasing the engagement of the member states of the Group of Seven and Group of Twenty.

(6) An identification of which officials of the Department of State, USAID, and the Department of Defense, with a rank not lower than Assistant Secretary or Assistant Administrator, will be responsible for leading and overseeing the strategy.

(7) A list of priority countries and regions selected pursuant to section 9804 of this title, including descriptions of the rationale for such selections.

(Pub. L. 116–94, div. J, title V, § 504, Dec. 20, 2019, 133 Stat. 3061.)

Executive Documents

DELEGATION OF CERTAIN FUNCTIONS AND AUTHORITIES UNDER THE GLOBAL FRAGILITY ACT OF 2019

Memorandum of President of the United States, Sept. 4, 2020, 85 F.R. 60349, provided:

Memorandum for the Secretary of State[,] the Secretary of the Treasury[,] the Secretary of Defense[,] the Secretary of Energy[,] the Secretary of Commerce[,] the Director of the Office of Management and Budget[,] the Director of National Intelligence[, and] the Administrator of the United States Agency for International Development

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, I hereby delegate to the Secretary of State, in consultation with the Secretary of the Treasury, the Secretary of Defense, the Secretary of Energy, the Secretary of Commerce, the Director of National Intelligence, the Administrator of the United States Agency for International Development, and the Director of the Office of Management and Budget, the functions and authorities vested in the President by sections 504(a) and (c) of the Global Fragility Act of 2019 ([title V of div. J of] Public Law 116-94) [22 U.S.C. 9803(a) and (c)].

The delegation in this memorandum shall apply to any provisions of any future public laws that are the same or substantially the same as those provisions referenced in this memorandum.

The Secretary of State is authorized and directed to publish this memorandum in the Federal Register.

DONALD J. TRUMP.

§ 9804. Selection of priority countries and regions

(a) In general

The President, in coordination with the Secretary of State, the Administrator of the United States Agency for International Development, and the Secretary of Defense, and in consultation with the appropriate congressional committees specified in subsection (b), shall select certain countries as “priority countries” and certain regions as “priority regions” for the purpose of implementing the Global Fragility Strategy required under section 9803 of this title—

(1) on the basis of—

(A) the national security interests of the United States;

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

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

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

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

(iv) vulnerability to rising sea levels, flooding, drought, wildfires, desertification, deforestation, food insecurity, and human displacement; and

(C) an assessment of—

(i) the commitment and capacity of national and sub-national government enti-

ties and civil society partners in such country or region to work with relevant Federal departments and agencies on the Global Fragility Strategy, including by demonstrating commitment to—

(I) improving inclusive, transparent, and accountable power structures, including effective, legitimate, and resilient national and sub-national institutions; and

(II) ensuring strong foundations for human rights, rule of law, and equal access to justice; and

(ii) the likelihood that United States assistance under the Global Fragility Strategy would measurably help to reduce fragility, prevent the spread of extremism and violence, and stabilize conflict-affected areas in each such country or region; and

(2) in a manner that ensures that not fewer than five countries or regions are selected, including not fewer than two in which the priority will be preventing violent conflict and fragility, rather than stabilizing ongoing conflicts.

(b) Consultation with Congress

Prior to finalization of the selection of priority countries and regions under subsection (a), representatives from the Department of State, USAID, the Department of Defense, and other relevant Federal departments and agencies, as necessary and appropriate, shall brief the appropriate congressional committees on the countries and regions being considered and shall consider congressional input on such prioritization. (Pub. L. 116-94, div. J, title V, § 505, Dec. 20, 2019, 133 Stat. 3063.)

§ 9805. Priority country and regional plans

Not later than one year after December 20, 2019, the President, in coordination with the Secretary of State, the Administrator of the United States Agency for International Development, the Secretary of Defense, and the heads of other relevant Federal departments and agencies, shall submit to the appropriate congressional committees ten-year plans to align and integrate under the Global Fragility Strategy established pursuant to section 9803 of this title all relevant diplomatic, development, and security assistance and activities of the United States Government with respect to each of the countries and regions selected pursuant to section 9804 of this title. Each such country and regional plan shall include the following elements:

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

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

(3) Prioritized descriptions of the goals and objectives for stabilizing conflict-affected areas, reducing fragility, and preventing the spread of extremism and violence in each such country.

(4) Descriptions of how and when the relevant goals, objectives, plans, and benchmarks