RELEASE IN PART B5

From:

Mills, Cheryl D < MillsCD@state.gov>

Sent:

Monday, April 25, 2011 8:42 PM

To:

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Subject:

Fw: Statutory requirement re: QDDR

See b/I

Nothing that won't keep so will call you tomorrow am.

Cdm

---- Original Message -----From: Thessin, James H

Sent: Monday, April 25, 2011 07:03 PM

To: Mills, Cheryl D

Subject: Statutory requirement re: QDDR

Best, Jim

Deputy Legal Adviser Office of the Legal Adviser U.S. Department of State Washington, DC 20520-6421 202-647-8460

Here is the QDDR provision from the State authorization bill passed by the House in 2009:

10 SEC. 302. QUADRENNIAL REVIEW OF DIPLOMACY AND DE11 VELOPMENT.

- 12 (a) DEVELOPMENT OF NATIONAL STRATEGY ON DI13 PLOMACY AND DEVELOPMENT.—
- 14 (1) IN GENERAL.—Not later than December 1,
- 15 2010, the President shall develop and transmit to
- 16 the appropriate congressional committees a national
- 17 strategy on United States diplomacy and develop18 ment. The strategy shall include the following:
- 19 (A) An identification of key objectives and 20 missions for United States foreign policy and
- 21 foreign assistance policies and programs, in 22cluding a clear statement on United States ob 23jectives for development assistance.
- 24 (B) A description of the roles of civilian

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- 25 agencies and mechanisms for implementing
- 1 such strategy, including interagency coordina 2tion.
- 3 (C) The requirements for overseas infra4 structure necessary to carry out such strategy.
- 5 (D) Plans to adapt such agencies and
- 6 mechanisms to changing circumstances and the
- 7 role of international institutions in such strat 8egy.
- 9 (E) Budget requirements to carry out such 10 strategy.
- 11 (F) Other elements of United States for 12eign policy and foreign assistance policies and
- 13 programs with a view toward determining and
- 14 expressing the strategy of the United States
- 15 and establishing a diplomacy and development
- 16 program for the next 10 years.
- 17 (2) RELATIONSHIP TO NATIONAL SECURITY
- 18 STRATEGY.—The strategy described in paragraph
- 19 (1) shall be consistent with any National Security 20 Strategy prescribed by the President pursuant to
- 21 section 108 of the National Security Act of 1947
- 22 (50 U.S.C. 404a) that has been issued after the date
- 23 of the enactment of this Act.
- 24 (b) REVIEW REQUIRED.—
- 1 (1) IN GENERAL.—Beginning in 2013, the
- 2 President shall every 4 years, during a year fol 3lowing a year evenly divisible by four, conduct a
- 4 comprehensive examination (to be known as a
- 5 "Quadrennial Review of Diplomacy and Develop
- 6ment") of the national strategy for United States di 7plomacy and development described in subsection 8 (a).
- 9 (2) KEY ELEMENTS OF REVIEW.—The review 10 described in paragraph (1) shall include the fol
- 11lowing:
- 12 (A) A review of all elements of the strategy
- 13 described in subsection (a), consistent with the
- 14 most recent National Security Strategy pre 15scribed by the President pursuant to section
- 16 108 of the National Security Act of 1947 (50
- 17 U.S.C. 404a) that has been issued after the
- 18 date of the enactment of this Act.
- 19 (B) A review of the roles and responsibil 20ities of Federal departments and agencies in
- 21 carrying out the strategy described in sub 22 section (a) and the mechanisms for cooperation
- 23 between such departments and agencies, includ 24ing the coordination of such departments and
- 25 agencies and the relationship between the prin
- 1 cipal offices of such departments and agencies
- 2 and offices defining sufficient capacity, re 3sources, overseas infrastructure, budget plan,
- 4 and other elements of United States diplomacy
- 5 and development of the United States that
- 6 would be required to have a high level of con 7fidence that the United States can successfully
- 8 execute the full range of missions called for in
- 9 such strategy.
- 10 (C) Identifying the budget plan that would
- 11 be required to provide sufficient resources to
- 12 execute successfully the full range of missions
- 13 called for in the strategy described in sub 14 section (a) at a high level of success and any
- 15 additional resources required to achieve such a
- 16 level of success.
- 17 (D) Making recommendations that are not
- 18 constrained to comply with the budget sub 19mitted to Congress by the President pursuant 20 to section 1105(a) of title 31, United States

- 21 Code.
- 22 (3) INTERAGENCY COORDINATION AND CONSULTATION.—
- 24 (A) IN GENERAL.—Each Quadrennial Re
- 25view of Diplomacy and Development shall take
- 1 into account the views of the Secretary of State,
- 2 the Administrator of the United States Agency
- 3 for International Development, the Secretary of
- 4 Defense, the Secretary of the Treasury, the
- 5 United States Trade Representative, and the
- 6 head of any other relevant agency.
- 7 (B) DELEGATION.—If the President dele
- 8gates the requirements of this section, the head
- 9 of the Federal department or agency to whom 10 such delegation is made shall consult with each
- 11 official specified in subparagraph (A).
- 12 (c) CONSULTATION WITH OUTSIDE STAKE
- 13HOLDERS.—In developing the strategy required under
- 14 subsection (a) and conducting the review required under
- 15 subsection (b), the President shall consult with private
- 16 businesses, non-governmental organizations involved in di 17plomacy and development, and experts at academic insti 18tutions or institutions involved in the study of foreign pol 19icy or development matters.
- 20 (d) QRDD AND CONGRESSIONAL COMMITTEES.—
- 21 (1) CONSULTATION.—In developing the strat 22egy required under subsection (a) and conducting
- 23 the review required under subsection (b), the Presi 24dent shall consult with the appropriate congressional
- 25 committees.
- 1 (2) REPORT.—The President shall transmit to
- 2 the appropriate congressional committees a report
- 3 on each Quadrennial Review of Diplomacy and De 4velopment. The report shall be submitted in the year
- 5 following the year in which such a Quadrennial Re 6view is conducted, but not later than the date on
- 7 which the President submits the budget for the next
- 8 fiscal year to Congress under section 1105(a) of title
- 9 31, United States Code. The report shall include the 10 following:
- 11 (A) The results of such a Quadrennial Re 12view, including a comprehensive discussion of
- 13 the national strategy for United States foreign
- 14 policy and foreign assistance policies and pro 15 grams, the roles and responsibilities of and
- 16 strategic guidance for civilian agencies and
- 17 mechanisms in implementing such strategy, the
- 18 requirements for overseas infrastructure nec 19essary to carry out such strategy, plans to 20 adapt such agencies and mechanisms to chang 21ing circumstances, and the role of international
- 22 institutions in such strategy.
- 23 (B) The assumed or defined objectives and
- 24 missions that inform the national strategy for
- 1 United States foreign policy and foreign assist 2ance policies and programs.
- 3 (C) The threats to the assumed or defined
- 4 objectives and missions of the United States
- 5 that were examined for the purposes of such a
- 6 Quadrennial Review.
- 7 (D) The assumptions used in such a Quad 8rennial Review, including assumptions relating
- 9 to-
- 10 (i) the capacity of United States dip 11 lomatic and development personnel to re 12 spond to such threats;
- 13 (ii) the cooperation and capacity of al 14lies, other friendly countries, and inter 15national institutions in addressing such
- 16 threats:
- 17 (iii) levels of engagement in oper

- 18ations other than war and smaller-scale
- 19 contingencies and withdrawal from such 20 operations and contingencies; and
- 21 (iv) the intensity, duration, and mili 22tary and political end-states of conflicts
- 23 and smaller-scale contingencies that arise
- 24 in the diplomatic and development context.
- 1 (E) The anticipated roles and missions of
- 2 the reserve components available to civilian
- 3 agencies, including capabilities and resources
- 4 necessary to assure that such reserve compo 5nents can capably discharge such roles and mis 6sions.
- 7 (F) The extent to which diplomatic and de 8velopment personnel need to be shifted to dif 9ferent regions to carry out the national strategy 10 under subsection (a).
- 11 (G) Any other matter the Secretary con 12 siders appropriate.
- 13 (e) INDEPENDENT PANEL ASSESSMENT. -
- 14 (1) IN GENERAL.—Not later than 6 months be 15 fore the date on which the report on a Quadrennial
- 16 Review of Diplomacy and Development is to be
- 17 transmitted under subsection (d), the President shall
- 18 establish a panel to conduct an assessment of such
- 19 a Quadrennial Review.
- 20 (2) REPORT ON ASSESSMENT.—Not later than
- 213 months after the date on which the report on such
- 22 a Quadrennial Review is transmitted under sub 23 section (d), the panel established under paragraph
- 24 (1) shall submit to the appropriate congressional
- 25 committees an assessment of such a Quadrennial
- 1 Review, including an assessment of the recommenda 2tions of such a Quadrennial Review, the stated and
- 3 implied assumptions incorporated in such a Quad 4rennial Review, and the vulnerabilities of the strat 5egy underlying such a Quadrennial Review.
- 6 (f) EXCLUSION.—Any provision in this section relat 7ing to budgets or budget plans shall not be construed to
- 8 require any information on any program that is funded
- 9 from accounts within budget function 050 (National De 10fense).

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