

116TH CONGRESS
1ST SESSION

H. R. 5517

To affirm the friendship of the governments of the United States of America and the Republic of India, and to establish a bilateral partnership for collaboration to advance development and shared values, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 19, 2019

Mr. LEWIS (for himself, Mrs. LAWRENCE, Mr. SHERMAN, Mr. KHANNA, Ms. JAYAPAL, Mr. MCGOVERN, and Mr. BERA) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To affirm the friendship of the governments of the United States of America and the Republic of India, and to establish a bilateral partnership for collaboration to advance development and shared values, 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.**

4 This Act may be cited as the “Gandhi-King Scholarly
5 Exchange Initiative Act”.

6 **SEC. 2. FINDINGS OF CONGRESS.**

7 Congress makes the following findings:

1 (1) The peoples of the United States and India
2 have a long history of friendship and the interests
3 of the peoples of the United States, India, and the
4 world will benefit from a stronger United States-
5 India partnership.

6 (2) Mohandas Karamchand Gandhi and Martin
7 Luther King, Jr., were dedicated leaders fighting for
8 social justice and social change, peace, and civil
9 rights in their respective communities, and countries
10 and in the world.

11 (3) The use of nonviolent civil disobedience is a
12 shared tactic that has played a key role in defeating
13 social injustice in India, the United States, and in
14 other parts of the world.

15 (4) Mohandas Gandhi, who was born on Octo-
16 ber 2, 1869, was murdered on January 30, 1948,
17 after dedicating his life to the peaceful empowerment
18 of the people of India and to their liberation from
19 British occupation.

20 (5) Martin Luther King, Jr., who was born on
21 January 15, 1929, was murdered on April 4, 1968,
22 after a life dedicated to peaceful movements against
23 segregation, discrimination, racial injustice, and pov-
24 erty.

1 (6) In February 1959, Dr. King and his wife,
2 Coretta Scott King, traveled throughout India. By
3 the end of his monthlong visit, Dr. King said, “I am
4 more convinced than ever before that the method of
5 nonviolent resistance is the most potent weapon
6 available to oppressed people in their struggle for
7 justice and human dignity.”.

8 (7) Fifty years after Dr. King’s visit, All India
9 Radio, the national radio station of India, discovered
10 a taped message by Dr. King that emphasized the
11 intellectual harmony between the messages of Dr.
12 King and Mohandas Gandhi on nonviolent social ac-
13 tion.

14 (8) On August 22, 2011, the Dr. Martin Lu-
15 ther King, Jr., National Memorial opened to the
16 public in Washington, DC. This newest memorial on
17 the National Mall pays tribute to Dr. King’s na-
18 tional and international contributions to world peace
19 through nonviolent social change.

20 (9) The year 2019 will mark the 150th birth
21 anniversary of Mohandas Gandhi and the 90th birth
22 anniversary of Dr. Martin Luther King, Jr.

23 (10) Mohandas Gandhi, who employed the prin-
24 ciple of satyagraha, or “fighting with peace”, has

1 come to represent the moral force inspiring many
2 civil and social rights movement around the world.

3 (11) Dr. King’s effective use of Gandhi’s prin-
4 ciples was instrumental to the American civil rights
5 movement.

6 (12) There is a long history of civil and social
7 rights movements in the United States and in India.
8 As the relationship between the United States and
9 India evolves, a binational foundation through which
10 the governments of each country can work together
11 and catalyze private investment toward development
12 objectives would provide an ongoing, productive in-
13 stitution and symbol of the friendship and common
14 ideals of the respective governments and their peo-
15 ples.

16 (13) There is a global goal of ending tuber-
17 culosis by 2030, the United States and India seek a
18 TB-Free India by 2025, and the United States-India
19 Gandhi-King Foundation will help address gaps
20 across the TB value chain in prevention, detection,
21 diagnosis, and treatment, and would catalyze mar-
22 ket-based strategies to bridge the service gap for the
23 “last mile”.

24 (14) Leaders in both countries belonging to
25 both major political parties have prioritized the

1 United States-India relationship and on a bipartisan
2 basis continue to support a strengthened United
3 States-India partnership, recognizing that it will be
4 one of the defining partnerships of the 21st century.

5 **SEC. 3. GANDHI-KING SCHOLARLY EXCHANGE INITIATIVE.**

6 In order to further the shared ideals and values of
7 Mohandas Gandhi and Martin Luther King, Jr., the Sec-
8 retary of State shall establish, in cooperation with the ap-
9 propriate representatives of the Government of India, a
10 professional exchange program known as the “Gandhi-
11 King Scholarly Exchange Initiative”. The initiative should
12 be comprised of the following:

13 (1) An annual educational forum for scholars
14 from the United States and India that focuses on
15 the social justice and human and civil rights legacies
16 of Mohandas Gandhi and Martin Luther King, Jr.,
17 which shall—

18 (A) be held alternately in the United
19 States and in India;

20 (B) include representatives from govern-
21 ments, nongovernmental organizations, civic or-
22 ganizations, and educational, cultural, women’s,
23 civil, and human rights groups, including reli-
24 gious and ethnic minorities and marginalized
25 communities; and

1 (C) focus on studying the works of Gandhi
2 and King, and applying their philosophies of
3 nonviolent resistance to addressing current
4 issues, including poverty alleviation, conflict
5 mitigation, human and civil rights challenges,
6 refugee crises, and threats to democracy and
7 democratic norms in countries around the
8 world.

9 (2) An undergraduate, graduate, and post-grad-
10 uate student exchange for students in the United
11 States and India to—

12 (A) study the history and legacies of Mar-
13 tin Luther King, Jr., and Mohandas Gandhi;

14 (B) visit historic sites in India and the
15 United States that were integral to the Amer-
16 ican civil rights movement and the Indian inde-
17 pendence movement; and

18 (C) research and develop papers on the im-
19 portance of peace, nonviolence, and reconcili-
20 ation in current conflict regions.

21 **SEC. 4. GANDHI-KING GLOBAL ACADEMY.**

22 The president and chief executive officer of the
23 United States Institute of Peace shall develop a profes-
24 sional development training initiative on conflict resolution
25 tools based on the principles of nonviolence. Such training

1 initiative shall be known as the Gandhi-King Global Acad-
2 emy and shall—

3 (1) target representatives from governments,
4 nongovernmental organizations, civic organizations,
5 and educational, cultural, women’s, civil, and human
6 rights groups, including religious and ethnic minori-
7 ties and marginalized communities in countries with
8 ongoing political, social, ethnic, or violent conflict;

9 (2) include a specific focus on the success of
10 nonviolent movements, inclusion, and representation
11 in conflict resolution;

12 (3) develop a curriculum on conflict resolution
13 tools based on the principles of nonviolence; and

14 (4) make the curriculum publicly available on-
15 line, in person, and through a variety of media.

16 **SEC. 5. ESTABLISHMENT OF THE UNITED STATES-INDIA**
17 **GANDHI-KING DEVELOPMENT FOUNDATION.**

18 (a) ESTABLISHMENT.—The Administrator of the
19 United States Agency for International Development
20 (USAID), with the concurrence of the Secretary of State
21 and in coordination with appropriate counterparts in the
22 Government of India, is authorized to establish, on such
23 terms and conditions as are determined necessary and not-
24 withstanding any other provision of law, one or more legal
25 entities to compose the United States-India Gandhi-King

1 Development Foundation (in this section referred to as the
2 “Foundation”). Each such legal entity within the Founda-
3 tion shall be organized under the laws of India and shall
4 not be considered to be an agency or establishment of the
5 United States Government and shall not have the full faith
6 and credit of the United States.

7 (b) FUNCTIONS.—The Foundation, through one or
8 more entities referred to in subsection (a)—

9 (1) shall identify development priorities and ad-
10 minister and oversee competitively awarded grants to
11 private nongovernmental entities to address such
12 priorities in India, including—

13 (A) health initiatives addressing tuber-
14 culosis (TB), water, sanitation, and health
15 (WASH), and pollution and related health im-
16 pacts (PHI);

17 (B) pollution and climate change;

18 (C) education; and

19 (D) empowerment of women; and

20 (2) should provide credible platforms and mod-
21 els, including returnable capital to attract and blend
22 public and private capital, which can then be de-
23 ployed efficiently and effectively to address the prior-
24 ities identified in paragraph (1).

25 (c) ADDITIONALITY.—

1 (1) IN GENERAL.—Before an entity within the
2 Foundation makes a grant under subsection (b)(1)
3 to address a priority identified under such sub-
4 section, the Foundation shall ensure that private
5 sector entities are afforded an opportunity to sup-
6 port the projects funded by such grants.

7 (2) SAFEGUARDS, POLICIES, AND GUIDE-
8 LINES.—The Foundation shall develop appropriate
9 safeguards, policies, and guidelines to ensure that
10 grants made under subsection (b)(1) operate accord-
11 ing to internationally recognized best practices and
12 standards.

13 (d) LIMITATIONS.—No party receiving a grant made
14 under subsection (b)(1) may receive such grant in an
15 amount that is more than five percent of amounts appro-
16 priated or otherwise made available under section 7(a)(3)
17 to the entity in the Foundation making such grant.

18 (e) GOVERNING COUNCIL.—

19 (1) PURPOSE.—The Government of the United
20 States and the Government of India shall convene a
21 Governing Council to provide guidance and direction
22 to the Foundation.

23 (2) APPOINTMENT OF MEMBERS.—The Admin-
24 istrator of the United States Agency for Inter-
25 national Development, with the concurrence of the

1 Secretary of State, shall appoint a majority of the
2 Governing Council of the Foundation for a period of
3 five years following the establishment of the Founda-
4 tion.

5 (3) CHARTER.—The Governing Council of the
6 Foundation shall adopt a charter for the operation
7 of the Foundation, which shall include provisions
8 to—

9 (A) identify development priorities or a
10 process to identify development priorities;

11 (B) define criteria for application, merit
12 review, and awarding of grants by the Founda-
13 tion;

14 (C) establish an annual organization-wide
15 audit by an independent auditor in accordance
16 with generally accepted auditing standards, the
17 results of which shall be made immediately
18 available to the Board, the Administrator of the
19 United States Agency for International Devel-
20 opment, and the appropriate Government of
21 India counterpart;

22 (D) assist in the creation of project spe-
23 cific timetables for each of the projects funded
24 by a grant from the Foundation;

1 (E) establish an oversight role and march-
2 in audit rights for the Administrator of the
3 United States Agency for International Devel-
4 opment and the appropriate Government of
5 India counterpart; and

6 (F) establish an annual report on the ac-
7 tivities of the Foundation to be made publicly
8 available.

9 (f) PUBLICLY AVAILABLE PROJECT INFORMATION.—

10 (1) IN GENERAL.—The Foundation shall main-
11 tain a user-friendly, publicly available, machine read-
12 able database with detailed project level information,
13 as appropriate and to the extent practicable, includ-
14 ing a description of the grants made by the Founda-
15 tion under this section and project level performance
16 metrics.

17 (2) BRIEFINGS.—The Administrator of the
18 United States Agency for International Development
19 shall provide in an unclassified format regular brief-
20 ings to the Committee on Foreign Affairs of the
21 House of Representatives and the Committee on
22 Foreign Relations of the Senate on the status of the
23 Foundation.

24 (g) DETAIL OF UNITED STATES GOVERNMENT PER-
25 SONNEL TO THE FOUNDATION.—

1 (1) IN GENERAL.—Whenever the Administrator
2 of the United States Agency for International Devel-
3 opment or the Secretary of State determines it to be
4 in furtherance of the purposes of this Act, the Ad-
5 ministrator and the Secretary are authorized to de-
6 tail or assign any officer or employee of the Agency
7 or the Department, respectively, to any position in
8 the Foundation to provide technical, scientific, or
9 professional assistance to the Foundation or, in co-
10 operation with the Foundation, to implementing
11 partners of the Foundation, without reimbursement
12 to the United States Government.

13 (2) STATUS.—Any United States Government
14 officer or employee, while detailed or assigned under
15 this subsection, shall be considered, for the purpose
16 of preserving their allowances, privileges, rights, se-
17 niority, and other benefits as such, an officer or em-
18 ployee of the United States Government and of the
19 agency of the United States Government from which
20 detailed or assigned, and shall continue to receive
21 compensation, allowances, and benefits from pro-
22 gram funds appropriated to that agency or made
23 available to that agency for purposes related to the
24 activities of the detail or assignment, in accordance

1 with authorities related to their employment status
2 and agency policies.

3 (3) SUNSET.—The authorities provided under
4 this subsection shall terminate on the date that is
5 five years after the establishment of the Foundation.

6 **SEC. 6. REPORTING REQUIREMENTS.**

7 (a) INITIAL REPORTS.—Not later than 120 days
8 after the date of the enactment of this Act—

9 (1) the Secretary of State shall submit to the
10 Committee on Foreign Affairs and the Committee on
11 Appropriations of the House of Representatives and
12 the Committee on Foreign Relations and the Com-
13 mittee on Appropriations of the Senate a report on
14 the Secretary of State’s plan to establish the initia-
15 tive authorized under section 3;

16 (2) the president and chief executive officer of
17 the United States Institute of Peace shall submit to
18 the Committee on Foreign Affairs and the Com-
19 mittee on Appropriations of the House of Represent-
20 atives and the Committee on Foreign Relations and
21 the Committee on Appropriations of the Senate a re-
22 port on the president and chief executive officer’s
23 plan to establish the initiative authorized under sec-
24 tion 4; and

1 (3) the Administrator of the United States
2 Agency for International Development shall submit
3 to the Committee on Foreign Affairs and the Com-
4 mittee on Appropriations of the House of Represent-
5 atives and the Committee on Foreign Relations and
6 the Committee on Appropriations of the Senate a re-
7 port on the Administrator’s plan to establish the or-
8 ganization authorized under section 5.

9 (b) PERIODIC UPDATES.—Upon the request of the
10 committees specified in subsection (a), the Secretary of
11 State, president and chief executive officer of the United
12 States Institute of Peace, and Administrator of the United
13 States Agency for International Development shall submit
14 to such committees an update on the progress in imple-
15 menting each of the initiatives or establishing the organi-
16 zation referred to in such subsection.

17 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

18 (a) IN GENERAL.—There is authorized to be appro-
19 priated to carry out—

20 (1) section 3, up to \$2,000,000 for each of fis-
21 cal years 2020 through 2025 to the Secretary of
22 State;

23 (2) section 4, up to \$2,000,000 for each of fis-
24 cal years 2020 through 2025 to the United States
25 Institute of Peace; and

1 (3) section 5, up to \$30,000,000 for each of fis-
2 cal years 2020 through 2025 to the Administrator
3 of the United States Agency for International Devel-
4 opment.

5 (b) AVAILABILITY.—Amounts authorized to be appro-
6 priated pursuant to subsection (a) shall be in addition to
7 amounts otherwise available for the purposes referred to
8 in such subsection.

9 (c) SENSE OF CONGRESS ON FOREIGN ASSISTANCE
10 FUNDS.—It is the sense of Congress that the authoriza-
11 tion of appropriations under subsection (a) should be re-
12 newable for one or more periods of not more than 5 years
13 if the Secretary of State, in consultation with the Adminis-
14 trator of the United States Agency for International De-
15 velopment, determines that the Foundation’s work is suc-
16 cessful in addressing the priorities identified in section
17 5(b)(1).

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