

Suspend the Rules and Pass the Bill, H.R. 5517, With an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

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,*

1 **SECTION 1. SHORT TITLE.**

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

4 **SEC. 2. FINDINGS.**

5 Congress makes the following findings:

6 (1) The peoples of the United States and India
7 have a long history of friendship and the interests
8 of the peoples of the United States, India, and the
9 world will benefit from a stronger United States-
10 India partnership.

11 (2) Mohandas Karamchand Gandhi and Martin
12 Luther King, Jr., were dedicated leaders fighting for
13 social justice and social change, peace, and civil
14 rights in their respective communities, and countries
15 and in the world.

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

20 (4) Mohandas Gandhi, who was born on Octo-
21 ber 2, 1869, was murdered on January 30, 1948,
22 after dedicating his life to the peaceful empowerment
23 of the people of India and to the end of British colo-
24 nial rule.

25 (5) Martin Luther King, Jr., who was born on
26 January 15, 1929, was murdered on April 4, 1968,

1 after a life dedicated to peaceful movements against
2 segregation, discrimination, racial injustice, and pov-
3 erty.

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

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

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

23 (9) The 116th Congress coincides with both the
24 150th birth anniversary of Mohandas Gandhi and

1 the 90th birth anniversary of Dr. Martin Luther
2 King, Jr.

3 (10) Mohandas Gandhi, who employed the prin-
4 ciple of satyagraha, or “fighting with peace”, has
5 come to represent the moral force inspiring many
6 civil and social rights movement around the world.

7 (11) Dr. King’s effective use of Gandhi’s prin-
8 ciples was instrumental to the American civil rights
9 movement.

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

20 (13) There is a global goal of ending tuber-
21 culosis by 2030, the United States and India seek a
22 TB-Free India by 2025, and the United States-India
23 Gandhi-King Foundation will help address gaps
24 across the TB value chain in prevention, detection,
25 diagnosis, and treatment, and would catalyze mar-

1 ket-based strategies to bridge the service gap for the
2 “last mile”.

3 (14) Leaders in both countries belonging to
4 both major political parties have prioritized the
5 United States-India relationship and on a bipartisan
6 basis continue to support a strengthened United
7 States-India partnership, recognizing that it will be
8 one of the defining partnerships of the 21st century.

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

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

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

22 (A) be held alternately in the United
23 States and in India;

24 (B) include representatives from govern-
25 ments, nongovernmental organizations, civic or-

1 ganizations, and educational, cultural, women’s,
2 civil, and human rights groups, including reli-
3 gious and ethnic minorities and marginalized
4 communities; and

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

13 (2) An undergraduate, graduate, and post-grad-
14 uate student exchange for students in the United
15 States and India to—

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

18 (B) visit historic sites in India and the
19 United States that were integral to the Amer-
20 ican civil rights movement and the Indian inde-
21 pendence movement; and

22 (C) research and develop papers on the im-
23 portance of peace, nonviolence, and reconcili-
24 ation in current conflict regions.

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

2 (a) IN GENERAL.—The president and chief executive
3 officer of the United States Institute of Peace shall create
4 a professional development training initiative on conflict
5 resolution tools based on the principles of nonviolence.
6 Such training initiative shall be known as the Gandhi-
7 King Global Academy and shall—

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

14 (2) include a specific focus on the success of
15 nonviolent movements, inclusion, and representation
16 in conflict resolution;

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

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

21 (b) PROHIBITION.—No funds authorized to be appro-
22 priated by this Act are authorized to be obligated or ex-
23 pended by the United States Institute of Peace for the
24 payment or contracting of any entity to conduct advocacy.

1 **SEC. 5. ESTABLISHMENT OF THE UNITED STATES-INDIA**
2 **GANDHI-KING DEVELOPMENT FOUNDATION.**

3 (a) **ESTABLISHMENT.**—The Administrator of the
4 United States Agency for International Development
5 (USAID), with the concurrence of the Secretary of State
6 and in coordination with appropriate counterparts in the
7 Government of India, is authorized to establish, on such
8 terms and conditions as are determined necessary and not-
9 withstanding any other provision of law, one or more legal
10 entities to compose the United States-India Gandhi-King
11 Development Foundation (in this section referred to as the
12 “Foundation”). Each such legal entity within the Founda-
13 tion shall be organized under the laws of India and shall
14 not be considered to be an agency or establishment of the
15 United States Government and shall not have the full faith
16 and credit of the United States.

17 (b) **FUNCTIONS.**—The Foundation, through one or
18 more entities referred to in subsection (a)—

19 (1) shall identify development priorities and ad-
20 minister and oversee competitively-awarded grants to
21 private nongovernmental entities to address such
22 priorities in India, including—

23 (A) health initiatives addressing tuber-
24 culosis (TB), water, sanitation, and health
25 (WASH), and pollution and related health im-
26 pacts (PHI);

1 (B) pollution, plastic waste reduction, and
2 climate-related shocks;

3 (C) education; and

4 (D) empowerment of women;

5 (2) should provide credible platforms and mod-
6 els, including returnable capital to attract and blend
7 public and private capital, which can then be de-
8 ployed efficiently and effectively to address the prior-
9 ities identified in paragraph (1).

10 (c) ADDITIONALITY.—

11 (1) IN GENERAL.—Before an entity within the
12 Foundation makes a grant under subsection (b)(1)
13 to address a priority identified under such sub-
14 section, the Foundation shall ensure that private
15 sector entities are afforded an opportunity to sup-
16 port the projects funded by such grants.

17 (2) SAFEGUARDS, POLICIES, AND GUIDE-
18 LINES.—The Foundation shall develop appropriate
19 safeguards, policies, and guidelines to ensure that
20 grants made under subsection (b)(1) operate accord-
21 ing to internationally recognized best practices and
22 standards.

23 (d) LIMITATIONS.—No party receiving a grant made
24 under subsection (b)(1) may receive such grant in an
25 amount that is more than five percent of amounts appro-

1 priated or otherwise made available under section 7(a)(3)
2 to the entity in the Foundation making such grant.

3 (e) GOVERNING COUNCIL.—

4 (1) PURPOSE.—The Government of the United
5 States and the Government of India shall convene a
6 Governing Council to provide guidance and direction
7 to the Foundation.

8 (2) APPOINTMENT OF MEMBERS.—The Admin-
9 istrator of the United States Agency for Inter-
10 national Development, with the concurrence of the
11 Secretary of State, shall appoint a majority of the
12 Governing Council of the Foundation for a period of
13 five years following the establishment of the Founda-
14 tion.

15 (3) CHARTER.—The Governing Council of the
16 Foundation shall adopt a charter for the operation
17 of the Foundation, which shall include provisions
18 to—

19 (A) identify development priorities or a
20 process to identify development priorities;

21 (B) define criteria for application, merit
22 review, and awarding of grants by the Founda-
23 tion;

24 (C) establish an annual organization-wide
25 audit by an independent auditor in accordance

1 with generally accepted auditing standards, the
2 results of which shall be made immediately
3 available to the Board, the Administrator of the
4 United States Agency for International Devel-
5 opment, and the appropriate Government of
6 India counterpart;

7 (D) assist in the creation of project spe-
8 cific timetables for each of the projects funded
9 by a grant from the Foundation;

10 (E) establish an oversight role and march-
11 in audit rights for the Administrator of the
12 United States Agency for International Devel-
13 opment and the appropriate Government of
14 India counterpart; and

15 (F) establish an annual report on the ac-
16 tivities of the Foundation to be made publicly
17 available.

18 (f) PUBLICLY AVAILABLE PROJECT INFORMATION.—
19 The Foundation shall maintain a user-friendly, publicly
20 available, machine readable database with detailed project
21 level information, as appropriate and to the extent prac-
22 ticable, including a description of the grants made by the
23 Foundation under this section and project level perform-
24 ance metrics.

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

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

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

1 activities of the detail or assignment, in accordance
2 with authorities related to their employment status
3 and agency policies.

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

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

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

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

17 (2) the president and chief executive officer of
18 the United States Institute of Peace shall submit to
19 the Committee on Foreign Affairs and the Com-
20 mittee on Appropriations of the House of Represent-
21 atives and the Committee on Foreign Relations and
22 the Committee on Appropriations of the Senate a re-
23 port on the president and chief executive officer’s
24 plan to establish the initiative authorized under sec-
25 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, not
8 later than 180 days after the date of the enactment
9 of this Act, the organization authorized under sec-
10 tion 5.

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

19 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

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

22 (1) section 3, up to \$1,000,000 for each of fis-
23 cal years 2021 through 2025 to the Secretary of
24 State

1 (2) section 4, up to \$2,000,000 for fiscal year
2 2021 to the United States Institute of Peace;

3 (3) section 5, up to \$30,000,000 for fiscal year
4 2021 to the Administrator of the United States
5 Agency for International Development; and

6 (4) section 5, up to \$15,000,000 for each of fis-
7 cal years 2022 through 2025, if the private sector
8 in India commits amounts equal to that contributed
9 by the United States.

10 (c) SENSE OF CONGRESS ON FOREIGN ASSISTANCE
11 FUNDS.—It is the sense of Congress that the authoriza-
12 tion of appropriations under subsection (a) should be re-
13 newable for one or more periods of not more than 5 years
14 if the Secretary of State, in consultation with the Adminis-
15 trator of the United States Agency for International De-
16 velopment, determines that the Foundation’s work is suc-
17 cessful in addressing the priorities identified in section
18 5(b)(1) and that the private sector in India has committed
19 funds to the Foundation in accordance with subsection
20 (a)(4).