

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 5517
OFFERED BY MR. ENGEL OF NEW YORK**

Strike all after the enacting clause and insert the following:

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

1 social injustice in India, the United States, and in
2 other parts of the world.

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

8 (5) Martin Luther King, Jr., who was born on
9 January 15, 1929, was murdered on April 4, 1968,
10 after a life dedicated to peaceful movements against
11 segregation, discrimination, racial injustice, and pov-
12 erty.

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

20 (7) Fifty years after Dr. King’s visit, All India
21 Radio, the national radio station of India, discovered
22 a taped message by Dr. King that emphasized the
23 intellectual harmony between the messages of Dr.
24 King and Mohandas Gandhi on nonviolent social ac-
25 tion.

1 (8) On August 22, 2011, the Dr. Martin Lu-
2 ther King, Jr., National Memorial opened to the
3 public in Washington, DC. This newest memorial on
4 the National Mall pays tribute to Dr. King's na-
5 tional and international contributions to world peace
6 through nonviolent social change.

7 (9) The 116th Congress coincides with both the
8 150th birth anniversary of Mohandas Gandhi and
9 the 90th birth anniversary of Dr. Martin Luther
10 King, Jr.

11 (10) Mohandas Gandhi, who employed the prin-
12 ciple of satyagraha, or "fighting with peace", has
13 come to represent the moral force inspiring many
14 civil and social rights movement around the world.

15 (11) Dr. King's effective use of Gandhi's prin-
16 ciples was instrumental to the American civil rights
17 movement.

18 (12) There is a long history of civil and social
19 rights movements in the United States and in India.
20 As the relationship between the United States and
21 India evolves, a binational foundation through which
22 the governments of each country can work together
23 and catalyze private investment toward development
24 objectives would provide an ongoing, productive in-
25 stitution and symbol of the friendship and common

1 ideals of the respective governments and their peo-
2 ples.

3 (13) There is a global goal of ending tuber-
4 culosis by 2030, the United States and India seek a
5 TB-Free India by 2025, and the United States-India
6 Gandhi-King Foundation will help address gaps
7 across the TB value chain in prevention, detection,
8 diagnosis, and treatment, and would catalyze mar-
9 ket-based strategies to bridge the service gap for the
10 “last mile”.

11 (14) Leaders in both countries belonging to
12 both major political parties have prioritized the
13 United States-India relationship and on a bipartisan
14 basis continue to support a strengthened United
15 States-India partnership, recognizing that it will be
16 one of the defining partnerships of the 21st century.

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

18 In order to further the shared ideals and values of
19 Mohandas Gandhi and Martin Luther King, Jr, the Sec-
20 retary of State shall establish, in cooperation with the ap-
21 propriate representatives of the Government of India, a
22 professional exchange program known as the “Gandhi-
23 King Scholarly Exchange Initiative”. The initiative should
24 be comprised of the following:

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

6 (A) be held alternately in the United
7 States and in India;

8 (B) include representatives from govern-
9 ments, nongovernmental organizations, civic or-
10 ganizations, and educational, cultural, women’s,
11 civil, and human rights groups, including reli-
12 gious and ethnic minorities and marginalized
13 communities; and

14 (C) focus on studying the works of Gandhi
15 and King, and applying their philosophies of
16 nonviolent resistance to addressing current
17 issues, including poverty alleviation, conflict
18 mitigation, human and civil rights challenges,
19 refugee crises, and threats to democracy and
20 democratic norms in countries around the
21 world.

22 (2) An undergraduate, graduate, and post-grad-
23 uate student exchange for students in the United
24 States and India to—

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

3 (B) visit historic sites in India and the
4 United States that were integral to the Amer-
5 ican civil rights movement and the Indian inde-
6 pendence movement; and

7 (C) research and develop papers on the im-
8 portance of peace, nonviolence, and reconcili-
9 ation in current conflict regions.

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

11 (a) IN GENERAL.—The president and chief executive
12 officer of the United States Institute of Peace shall create
13 a professional development training initiative on conflict
14 resolution tools based on the principles of nonviolence.
15 Such training initiative shall be known as the Gandhi-
16 King Global Academy and shall—

17 (1) target representatives from governments,
18 nongovernmental organizations, civic organizations,
19 and educational, cultural, women’s, civil, and human
20 rights groups, including religious and ethnic minori-
21 ties and marginalized communities in countries with
22 ongoing political, social, ethnic, or violent conflict;

23 (2) include a specific focus on the success of
24 nonviolent movements, inclusion, and representation
25 in conflict resolution;

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

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

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

9 **SEC. 5. ESTABLISHMENT OF THE UNITED STATES-INDIA**
10 **GANDHI-KING DEVELOPMENT FOUNDATION.**

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

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

3 (1) shall identify development priorities and ad-
4 minister and oversee competitively-awarded grants to
5 private nongovernmental entities to address such
6 priorities in India, including—

7 (A) health initiatives addressing tuber-
8 culosis (TB), water, sanitation, and health
9 (WASH), and pollution and related health im-
10 pacts (PHI);

11 (B) pollution, plastic waste reduction, and
12 climate-related shocks;

13 (C) education; and

14 (D) empowerment of women;

15 (2) should provide credible platforms and mod-
16 els, including returnable capital to attract and blend
17 public and private capital, which can then be de-
18 ployed efficiently and effectively to address the prior-
19 ities identified in paragraph (1).

20 (c) ADDITIONALITY.—

21 (1) IN GENERAL.—Before an entity within the
22 Foundation makes a grant under subsection (b)(1)
23 to address a priority identified under such sub-
24 section, the Foundation shall ensure that private

1 sector entities are afforded an opportunity to sup-
2 port the projects funded by such grants.

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

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

14 (e) GOVERNING COUNCIL.—

15 (1) PURPOSE.—The Government of the United
16 States and the Government of India shall convene a
17 Governing Council to provide guidance and direction
18 to the Foundation.

19 (2) APPOINTMENT OF MEMBERS.—The Admin-
20 istrator of the United States Agency for Inter-
21 national Development, with the concurrence of the
22 Secretary of State, shall appoint a majority of the
23 Governing Council of the Foundation for a period of
24 five years following the establishment of the Founda-
25 tion.

1 (3) CHARTER.—The Governing Council of the
2 Foundation shall adopt a charter for the operation
3 of the Foundation, which shall include provisions
4 to—

5 (A) identify development priorities or a
6 process to identify development priorities;

7 (B) define criteria for application, merit
8 review, and awarding of grants by the Founda-
9 tion;

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

18 (D) assist in the creation of project spe-
19 cific timetables for each of the projects funded
20 by a grant from the Foundation;

21 (E) establish an oversight role and march-
22 in audit rights for the Administrator of the
23 United States Agency for International Devel-
24 opment and the appropriate Government of
25 India counterpart; and

1 (F) establish an annual report on the ac-
2 tivities of the Foundation to be made publicly
3 available.

4 (f) PUBLICLY AVAILABLE PROJECT INFORMATION.—
5 The Foundation shall maintain a user-friendly, publicly
6 available, machine readable database with detailed project
7 level information, as appropriate and to the extent prac-
8 ticable, including a description of the grants made by the
9 Foundation under this section and project level perform-
10 ance metrics.

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

13 (1) IN GENERAL.—Whenever the Administrator
14 of the United States Agency for International Devel-
15 opment or the Secretary of State determines it to be
16 in furtherance of the purposes of this Act, the Ad-
17 ministrator and the Secretary are authorized to de-
18 tail or assign any officer or employee of the Agency
19 or the Department, respectively, to any position in
20 the Foundation to provide technical, scientific, or
21 professional assistance to the Foundation or, in co-
22 operation with the Foundation, to implementing
23 partners of the Foundation, without reimbursement
24 to the United States Government.

1 (2) STATUS.—Any United States Government
2 officer or employee, while detailed or assigned under
3 this subsection, shall be considered, for the purpose
4 of preserving their allowances, privileges, rights, se-
5 niority, and other benefits as such, an officer or em-
6 ployee of the United States Government and of the
7 agency of the United States Government from which
8 detailed or assigned, and shall continue to receive
9 compensation, allowances, and benefits from pro-
10 gram funds appropriated to that agency or made
11 available to that agency for purposes related to the
12 activities of the detail or assignment, in accordance
13 with authorities related to their employment status
14 and agency policies.

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

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

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

21 (1) the Secretary of State shall submit to the
22 Committee on Foreign Affairs and the Committee on
23 Appropriations of the House of Representatives and
24 the Committee on Foreign Relations and the Com-
25 mittee on Appropriations of the Senate a report on

1 the Secretary of State's plan to establish the initia-
2 tive authorized under section 3;

3 (2) the president and chief executive officer of
4 the United States Institute of Peace shall submit to
5 the Committee on Foreign Affairs and the Com-
6 mittee on Appropriations of the House of Represent-
7 atives and the Committee on Foreign Relations and
8 the Committee on Appropriations of the Senate a re-
9 port on the president and chief executive officer's
10 plan to establish the initiative authorized under sec-
11 tion 4; and

12 (3) the Administrator of the United States
13 Agency for International Development shall submit
14 to the Committee on Foreign Affairs and the Com-
15 mittee on Appropriations of the House of Represent-
16 atives and the Committee on Foreign Relations and
17 the Committee on Appropriations of the Senate a re-
18 port on the Administrator's plan to establish, not
19 later than 180 days after the date of the enactment
20 of this Act, the organization authorized under sec-
21 tion 5.

22 (b) PERIODIC UPDATES.—Upon the request of the
23 committees specified in subsection (a), the Secretary of
24 State, president and chief executive officer of the United
25 States Institute of Peace, and Administrator of the United

1 States Agency for International Development shall submit
2 to such committees an update on the progress in imple-
3 menting each of the initiatives or establishing the organi-
4 zation referred to in such subsection.

5 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

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

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

11 (2) section 4, up to \$2,000,000 for fiscal year
12 2021 to the United States Institute of Peace;

13 (3) section 5, up to \$30,000,000 for fiscal year
14 2021 to the Administrator of the United States
15 Agency for International Development; and

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

20 (c) SENSE OF CONGRESS ON FOREIGN ASSISTANCE
21 FUNDS.—It is the sense of Congress that the authoriza-
22 tion of appropriations under subsection (a) should be re-
23 newable for one or more periods of not more than 5 years
24 if the Secretary of State, in consultation with the Adminis-
25 trator of the United States Agency for International De-

1 velopment, determines that the Foundation's work is suc-
2 cessful in addressing the priorities identified in section
3 5(b)(1) and that the private sector in India has committed
4 funds to the Foundation in accordance with subsection
5 (a)(4).

