

H.L.C.

108TH CONGRESS <i>1st Session</i>	HOUSE OF REPRESENTATIVES	REPT. 108-261 Part 1
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TORTURE VICTIMS RELIEF REAUTHORIZATION ACT OF 2003

SEPTEMBER 3, 2003.—Ordered to be printed

Mr. HYDE, from the Committee on International Relations,
submitted the following

R E P O R T

[To accompany H.R. 1813]

[Including cost estimate of the Congressional Budget Office]

The Committee on International Relations, to whom was referred the bill (H.R. 1813) to amend the Torture Victims Relief Act of 1998 to authorize appropriations to provide assistance for domestic and foreign centers and programs for the treatment of victims of torture, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

TABLE OF CONTENTS

	Page
Purpose and Summary	1
Background and Need for the Legislation	2
Hearings	3
Committee Consideration	3
Vote of the Committee	3
Committee Oversight Findings	3
New Budget Authority and Tax Expenditures	3
Congressional Budget Office Cost Estimate	3
Performance Goals and Objectives	5
Constitutional Authority Statement	6
Section-by-Section Analysis	6
New Advisory Committees	6
Congressional Accountability Act	6
Federal Mandates	6
Changes in Existing Law Made by the Bill, as Reported	6

PURPOSE AND SUMMARY

H.R. 1813 amends the Torture Victims Relief Act (TVRA) of 1998 to authorize appropriations for domestic and foreign centers for the

treatment of victims of torture, and to the United Nations Voluntary Fund for Victims of Torture for fiscal years 2004, 2005 and 2006. This bill includes three substantive provisions. The first provision (Sec. 2) authorizes appropriations for domestic treatment centers for torture victims. The second provision (Sec. 3) authorizes appropriations for foreign treatment centers and programs for victims of torture. This provision (Sec. 3) is the primary provision addressed at the July 23, 2003 mark-up by the Committee on International Relations. The final provision (Sec. 4), authorizes appropriations for the U.S contribution to the United Nations Voluntary Fund for Victims of Torture. This final provision (Sec. 4) was included in the Foreign Relations Authorization Act, Fiscal Years 2004 and 2005 (H.R. 1950).

BACKGROUND AND NEED FOR THE LEGISLATION

The authorization of appropriations for domestic treatment centers for victims of torture (Sec. 2) was included in the original act. There has been no increase in funding levels since FY 2001. In spite of this, the number of survivors seeking treatment at U.S. centers funded through the TVRA has significantly increased. The client base at just 14 such centers increased from 935 in 1999 to 1550 in 2000 and to 2579 in 2001. A subsequent survey showed that, during 2002, 23 TVRA-funded centers treated 3664 clients. With the additional funding, it is estimated U.S. centers would have the capacity and ability to serve an additional 2,800 survivors per year. Moreover, there are cities (e.g., Miami, New Orleans, Houston, Dallas, Atlanta, Cleveland, St. Louis, Kansas City, Salt Lake City and Seattle) that have sizable refugee and immigrant communities but no torture treatment service providers. The current level of funding for domestic treatment centers is \$10 million; the reauthorization calls for an increase to \$20 million in FY 2004, \$25 million in FY 2005, and \$30 million in FY 2006.

The authorization of appropriations for foreign treatment centers for victims of torture (Sec. 3) was included in the original act. Since the adoption of the TVRA the USAID program has expanded to 45 treatment programs in 26 countries, in Latin America, the Caribbean, Africa, Asia, the Near East, Europe and Eurasia. Non-governmental organizations that receive this AID funding (1) provide direct services to survivors, their families, and communities; (2) strengthen the capacity of country-based institutions in their delivery of services to survivors; and (3) increase the level of knowledge and understanding about the needs of torture victims. The current level of funding is \$10 million; the reauthorization calls for a \$1 million increase for each fiscal year through FY 2006.

The authorization of appropriations for the United Nations Voluntary Fund for the Victims of Torture (Sec. 4) was included in the original act. In 2002, the Fund provided 169 grants to torture treatment centers in 60 different countries. The Fund assists approximately 80,000 torture victims a year. As the number of treatment centers has grown, the Fund has had to increase the number of grants. The current level of funding is \$5 million. Because of the increasing number of programs that deserve assistance, the reauthorization calls for \$6 million for FY 2004, \$7 million for FY 2005, and \$8 million for FY 2006.

H.L.C.

3

HEARINGS

No hearings were held on H.R. 1813.

COMMITTEE CONSIDERATION

The Committee on International Relations marked up the bill in open session, pursuant to notice on July 23, 2003. The Committee ordered favorably reported the bill H.R. 1813 by voice vote, a quorum being present.

VOTE OF THE COMMITTEE

No recorded votes were taken during the consideration of H.R. 1813.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee reports that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of House Rule XIII is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

In compliance with clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the Committee sets forth, with respect to the bill, H.R. 1813, the following estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 7, 2003.

Hon. HENRY J. HYDE, *Chairman,*
Committee on International Relations,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1813, the Torture Victims Relief Reauthorization Act of 2003.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Joseph C. Whitehill, who can be reached at 226-2840.

Sincerely,

DOUGLAS HOLTZ-EAKIN.

Enclosure

cc: Honorable Tom Lantos,
Ranking Member.

H.R. 1813—Torture Victims Relief Reauthorization Act of 2003

SUMMARY

H.R. 1813 would authorize the appropriation of \$37 million in 2004, \$44 million in 2005, and \$51 million in 2006 for programs to provide assistance for the treatment of victims of torture. The bill would authorize funding for the Department of Health and Human Services and the U.S. Agency for International Development for domestic and international centers and programs for the treatment of victims of torture. The bill would also authorize a contribution to the United Nations Voluntary Fund for Victims of Torture. CBO estimates that implementing H.R. 1813 would cost \$117 million over the 2004–2008 period, assuming the appropriation of the authorized amounts. The bill would not affect direct spending or receipts.

H.R. 1813 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.

ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact of H.R. 1813 is shown in the following table. The estimate assumes the bill will be enacted late in fiscal year 2003; that the amounts authorized for 2004, 2005, and 2006 will be appropriated near the start of each fiscal year; and that spending will follow historical patterns. The costs of this legislation fall within budget functions 150 (international affairs) and 600 (income security).

By fiscal year, in millions of dollars						
	2003	2004	2005	2006	2007	2008
SPENDING SUBJECT TO APPROPRIATION						
Spending Under Current Law for Victims of Torture Relief						
Budget Authority ¹	23	0	0	0	0	0
Estimated Outlays	22	15	7	4	2	2
Proposed Changes						
Authorization Level	0	37	44	51	0	0
Estimated Outlays	0	13	27	38	26	13
Spending Under H.R. 1813 for Victims of Torture Relief						
Authorization Level ¹	23	37	44	51	0	0
Estimated Outlays	22	28	34	42	28	15

¹ The 2003 level is the amount appropriated for that year.

BASIS OF ESTIMATE

Section 2 would authorize appropriations of \$20 million in 2004, \$25 million in 2005, and \$30 million in 2006 for the Department of Health and Human Services to assist in the rehabilitation of victims of torture. These funds would support a variety of assistance programs for torture victims, including physical and psychological rehabilitation services and legal aid.

Section 3 would authorize appropriations of \$11 million in 2004, \$12 million in 2005, and \$13 million in 2006 for international programs for assistance for the rehabilitation of individual victims of torture and for professionals and organizations that provide treat-

ment services to victims of torture, their families, and their communities.

Section 4 would authorize appropriations of \$6 million in 2004, \$7 million in 2005, and \$8 million in 2006 for a contribution to the United Nations Voluntary Fund for Victims of Torture.

INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT

H.R. 1813 contains no intergovernmental or private-sector mandates as defined in UMRA and would not affect the budgets of state, local, or tribal governments.

ESTIMATE PREPARED BY:

Federal Costs: International Affairs Programs—Joseph C. Whitehill (226–2840); Domestic Programs—Michael D. Carson (226–2820); Impact on State, Local, and Tribal Governments—Melissa Merrell (225–3220); Impact on the Private Sector—Paige Piper/Bach (226–2940)

ESTIMATE APPROVED BY:

Peter H. Fontaine
Deputy Assistant Director for Budget Analysis

PERFORMANCE GOALS AND OBJECTIVES

The funding objectives of H.R. 1813 (Sec. 2) are (1) to ensure the availability of treatment programs for torture survivors in the United States and contribute to their rehabilitation so that they may become productive members of our communities; (2) enable specialized treatment centers to train mainstream organizations and personnel in the specialized needs of torture victims (a multiplier effect); and (3) foster the expansion of treatment centers in the United States to areas where there are significant refugee and immigrant communities but currently no service providers.

The funding objective H.R. 1813 (Sec. 3) is to facilitate crucial financial and technical support for the foreign treatment centers and programs to ensure their continuing operations and survival. U.S. Government support also gives the centers necessary political leverage when functioning in an unfriendly or indifferent environment. The legislation provides for support for foreign treatment centers, consistent with the United States' goal of promoting democracy and human rights. Foreign treatment centers (1) influence and train local health care systems so that they become increasingly capable of providing services needed by torture victims; and (2) gather forensic evidence that can be used to improve the capabilities of the legal system to prove when and how torture has been used and to prosecute the perpetrators.

The funding objective of H.R. 1813 (Sec. 4) is to facilitate crucial financial and technical support for foreign treatment centers and programs to ensure their continuing operations and survival. For some centers, receipt of funds directly from the United States would not be politically or otherwise feasible; funds allocated through the United Nations may ensure the existence of centers operating in such precarious circumstances. In addition, the allocation of some U.S. funds through the United Nations encourages

others countries to make similar contributions to torture treatment centers.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in article I, section 8 of the Constitution.

SECTION-BY-SECTION ANALYSIS AND DISCUSSION

Section 1. Short Title

This section contains a short title to the legislation, the “Torture Victims Relief Reauthorization Act of 2003.”

Section 2. Authorization of Appropriations for Domestic Treatment Centers for Victims of Torture

This section authorizes to be appropriated for the Department of Health and Human Services \$20,000,000 for fiscal year 2004; \$25,000,000 for fiscal year 2005; and \$30,000,000 for fiscal year 2006 for assistance relating to domestic centers and programs for the treatment of victims of torture.

Section 3. Authorization of Appropriations for Foreign Treatment Centers for Victims of Torture

This section authorizes to be appropriated through the Foreign Assistance Act 1961 to the President, \$11,000,000 for fiscal year 2004; \$12,000,000 for fiscal year 2005; and \$13,000,000 for fiscal year 2006 for assistance relating to foreign centers and programs for the treatment of torture victims.

Section 4. Authorization of Appropriations for the United States Contribution to the United Nations Voluntary Fund for Victims of Torture

This section authorizes to be appropriated through the Foreign Assistance Act 1961 to the President, \$6,000,000 for fiscal year 2004; 7,000,000 for fiscal year 2005; and \$8,000,000 for fiscal year 2006 for the voluntary contribution to the United Nations Voluntary Fund for Victims of Torture.

NEW ADVISORY COMMITTEES

H.R. 1813 does not establish or authorize any new advisory committees.

CONGRESSIONAL ACCOUNTABILITY ACT

H.R. 1813 does not apply to the legislative branch.

FEDERAL MANDATES

H.R. 1813 provides no Federal mandates.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omit-

ted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

TORTURE VICTIMS RELIEF ACT OF 1998

* * * * *

SEC. 4. FOREIGN TREATMENT CENTERS.

(a) * * *

(b) FUNDING.—

[(1) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated for fiscal years 1999 and 2000 pursuant to chapter 1 of part I of the Foreign Assistance Act of 1961, there are authorized to be appropriated to the President \$5,000,000 for fiscal year 1999 and \$7,500,000 for fiscal year 2000 to carry out section 130 of the Foreign Assistance Act of 1961 (as redesignated by section 6(a) of the Torture Victims Relief Reauthorization Act of 1999).]

(1) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated for fiscal years 2004, 2005, and 2006 pursuant to chapter 1 of part I of the Foreign Assistance Act of 1961, there are authorized to be appropriated to the President to carry out section 130 of such Act (relating to assistance for centers in foreign countries and programs for the treatment of victims of torture) \$11,000,000 for fiscal year 2004, \$12,000,000 for fiscal year 2005, and \$13,000,000 for fiscal year 2006.

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SEC. 5. DOMESTIC TREATMENT CENTERS.

(a) * * *

* * * * *

(b) FUNDING.—

[(1) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated for the Department of Health and Human Services for fiscal years 1999 and 2000, there are authorized to be appropriated to carry out subsection (a) (relating to assistance for domestic centers and programs for the treatment of victims of torture) \$5,000,000 for fiscal year 1999, and \$7,500,000 for fiscal year 2000.]

(1) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated for the Department of Health and Human Services for fiscal years 2004, 2005, and 2006, there are authorized to be appropriated to carry out subsection (a) (relating to assistance for domestic centers and programs for the treatment of victims of torture) \$20,000,000 for fiscal year 2004, \$25,000,000 for fiscal year 2005, and \$30,000,000 for fiscal year 2006.

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