

108TH CONGRESS
1ST SESSION

H. R. 3286

To establish a commission to improve United States development assistance
and food aid around the globe.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 8, 2003

Mr. WOLF (for himself and Mr. HYDE) introduced the following bill; which
was referred to the Committee on International Relations

A BILL

To establish a commission to improve United States
development assistance and food aid around the globe.

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 “HELP Commission
5 Act”.

6 **SEC. 2. PURPOSE.**

7 The Congress finds that, despite the long-standing ef-
8 forts and resources of the United States dedicated to help-
9 ing needy people around the world, despair remains and
10 in many areas is growing. Therefore, a commission should

1 be established to bring together the best minds associated
2 with development and humanitarian assistance to make a
3 comprehensive review of—

4 (1) policy decisions, including why certain devel-
5 opment projects are funded and others are not;

6 (2) delivery obstacles, including the roles of
7 United States agencies and other governmental and
8 nongovernmental organizations;

9 (3) methodology, including whether the delivery
10 of United States development assistance always rep-
11 resents best practices and whether it can be im-
12 proved; and

13 (4) results, including measuring improvements
14 in human capacity instead of in purely economic
15 terms.

16 An examination of these issues should present new ap-
17 proaches and ideas to ensure that United States develop-
18 ment assistance reaches its intended recipients.

19 **SEC. 3. ESTABLISHMENT AND FUNCTIONS OF COMMISSION.**

20 (a) **ESTABLISHMENT.**—There is established the
21 Helping Enhance the Livelihood of People (HELP)
22 Around the Globe Commission (in this Act referred to as
23 the “Commission”).

24 (b) **FUNCTIONS.**—The Commission shall—

1 (1) identify the past and present objectives of
2 United States development assistance, identify cases
3 in which those objectives have been met, identify the
4 beneficiaries of such assistance, and what percentage
5 of the funds provided actually reached the intended
6 beneficiaries;

7 (2) identify cases in which United States devel-
8 opment assistance has been most successful, and
9 analyze why such successes have not been transfer-
10 able to other countries or areas;

11 (3) study ways to expand educational opportu-
12 nities and investments in people, and assess infra-
13 structure needs;

14 (4) because of the difficulty in measuring re-
15 sults in lesser developed countries, study whether ad-
16 ditional resources should be dedicated in order to
17 bring about tangible results;

18 (5) analyze how the United States could place
19 conditions on governments in countries receiving
20 United States development assistance, in light of
21 and notwithstanding the objectives of the Millennium
22 Challenge Account;

23 (6) analyze ways in which the United States
24 can coordinate its development assistance programs

1 with those of other donor countries and international
2 organizations;

3 (7) analyze ways in which the safety of develop-
4 ment assistance workers can be ensured, particularly
5 in the midst of conflicts;

6 (8) compare the effectiveness of increased and
7 open trade with development assistance, and analyze
8 the advantages and disadvantages of such trade and
9 whether such trade could be a more effective alter-
10 native to United States development assistance;

11 (9) analyze ways in which the United States
12 can strengthen the capacity of indigenous non-
13 governmental organizations to be more effective in
14 grassroots development;

15 (10) analyze how political pressures affect the
16 decisionmaking process on providing development as-
17 sistance;

18 (11) analyze ways in which decisions on pro-
19 viding development assistance can involve more of
20 the people of the recipient countries;

21 (12) analyze ways in which results can be meas-
22 ured if United States development assistance is tar-
23 geted to the least developed countries;

1 (13) recommend standards that should be set
2 for “graduating” recipient countries from United
3 States development assistance;

4 (14) analyze whether United States develop-
5 ment assistance should be used as a means to
6 achieve United States foreign policy objectives;

7 (15) analyze how the United States can evalu-
8 ate the performance of its development assistance
9 programs not only against economic indicators, but
10 in other ways, including how to measure the success
11 of United States development assistance in democra-
12 tization efforts; and

13 (16) study any other areas that the Commission
14 considers necessary relating to United States devel-
15 opment assistance.

16 **SEC. 4. MEMBERSHIP.**

17 (a) APPOINTMENT.—The Commission shall be com-
18 posed of 21 members as follows:

19 (1) Six members shall be appointed by the
20 President, of whom at least two shall be representa-
21 tives of nongovernmental organizations.

22 (2) Four members shall be appointed by the
23 majority leader of the Senate, and three members
24 shall be appointed by the minority leader of the Sen-
25 ate.

1 (3) Four members shall be appointed by the
2 Speaker of the House of Representatives, and three
3 members shall be appointed by the minority leader
4 of the House of Representatives.

5 (4) The Administrator of the United States
6 Agency for International Development shall serve as
7 a member of the Commission, *ex officio*.

8 Members under paragraphs (1) through (3) shall be ap-
9 pointed for the life of the Commission.

10 (b) SELECTION.—Members of the Commission shall
11 be selected from among individuals noted for their knowl-
12 edge and experience in foreign assistance, particularly de-
13 velopment and humanitarian assistance.

14 (c) TIME OF APPOINTMENT.—The appointments
15 under subsection (a) shall be made not later than 60 days
16 after the date of the enactment of this Act.

17 (d) CHAIR.—The President shall designate one of the
18 members of the Commission from private life as the Chair
19 of the Commission.

20 (e) REGIONAL SUBCOMMITTEES.—In order to facili-
21 tate the workload of the Commission, the Commission
22 shall divide the membership of the Commission into three
23 subcommittees representing the different regions of the
24 world to which the United States provides development as-
25 sistance, the membership of each subcommittee to be pro-

1 portional to the percentage of United States development
2 assistance provided to the region represented by the sub-
3 committee. Each subcommittee shall elect one of its mem-
4 bers as Chair of the subcommittee.

5 (f) QUORUM AND MEETINGS.—

6 (1) COMMISSION.—Eleven members of the
7 Commission shall constitute a quorum for purposes
8 of transacting the business of the Commission. The
9 Commission shall meet at the call of the Chair.

10 (2) SUBCOMMITTEES.—A majority of the mem-
11 bers of each regional subcommittee shall constitute
12 a quorum for purposes of transacting the business of
13 the subcommittee. Each subcommittee shall meet at
14 the call of the Chair of the subcommittee.

15 (g) VACANCIES.—Any vacancy of the Commission
16 shall not affect its powers, but shall be filled in the manner
17 in which the original appointment was made.

18 (h) ADMINISTRATIVE SUPPORT.—The Administrator
19 of General Services shall provide to the Commission on
20 a reimbursable basis (or, in the discretion of the Adminis-
21 trator, on a nonreimbursable basis) such administrative
22 support services as the Commission may request to carry
23 out this Act.

24 (i) COMPENSATION.—

1 (1) IN GENERAL.—Subject to paragraph (2),
2 members of the Commission shall serve without pay.

3 (2) PROHIBITION ON ADDITIONAL COMPENSA-
4 TION OF FEDERAL EMPLOYEES.—Members of the
5 Commission who are full-time officers or employees
6 of the United States or Members of Congress may
7 not receive additional pay, allowances, or benefits by
8 reason of their service on the Commission.

9 (j) TRAVEL EXPENSES.—Members of the Commis-
10 sion shall be allowed travel expenses, including per diem
11 in lieu of subsistence, at rates authorized for employees
12 of agencies under subchapter I of chapter 57 of title 5,
13 United States Code, while away from their homes or reg-
14 ular places of business in the performance of services for
15 the Commission.

16 (k) STAFF.—

17 (1) IN GENERAL.—The Chairman of the Com-
18 mission may, without regard to the civil service laws
19 and regulations, appoint and terminate an executive
20 director and such other additional personnel as may
21 be necessary to enable the Commission to perform
22 its duties. The employment of an executive director
23 shall be subject to confirmation by the Commission.

1 (2) COMPENSATION.—To the extent or in the
2 amounts provided in advance in appropriations
3 Acts—

4 (A) the executive director shall be com-
5 pensated at the rate payable for level V of the
6 Executive Schedule under section 5316 of title
7 5, United States Code; and

8 (B) the Chairman of the Commission may
9 fix the compensation of other personnel without
10 regard to the provisions of chapter 51 and sub-
11 chapter III of chapter 53 of title 5, United
12 States Code, relating to classification of posi-
13 tions and General Schedule pay rates, except
14 that the rate of pay for such personnel may not
15 exceed the rate payable for level V of the Exec-
16 utive Schedule under section 5316 of such title.

17 **SEC. 5. POWERS OF THE COMMISSION.**

18 (a) HEARINGS AND SESSIONS.—The Commission
19 may, for the purpose of carrying out its functions under
20 this Act, hold hearings, sit and act at times and places
21 in the United States and in countries which receive United
22 States development assistance, take testimony, and receive
23 evidence as the Commission considers advisable to carry
24 out the purposes of this Act.

1 (b) INFORMATION FROM FEDERAL AGENCIES.—The
2 Commission may secure directly from any Federal depart-
3 ment or agency such information as the Commission con-
4 sidered necessary to carry out the provisions of this Act.
5 Upon request of the Chair of the Commission, the head
6 of such department or agency shall furnish such informa-
7 tion to the Commission, subject to applicable law.

8 (c) POSTAL SERVICES.—The Commission may use
9 the United States mails in the same manner and under
10 the same conditions as other departments and agencies of
11 the Federal Government.

12 (d) ADMINISTRATIVE PROCEDURES.—The Commis-
13 sion may adopt such rules and regulations, relating to ad-
14 ministrative procedure, as may be reasonably necessary to
15 enable it to carry out the provisions of this Act.

16 (e) TRAVEL.—

17 (1) IN GENERAL.—The Members of the Com-
18 mission may, with the approval of the Commission,
19 conduct such travel as is necessary to carry out the
20 purposes of this Act. Each trip must be approved by
21 a majority of the Commission.

22 (2) SENSE OF CONGRESS.—It is the sense of
23 the Congress that members of the Commission
24 should, in order to carry out the functions of the
25 Commission most effectively, travel to countries that

1 receive United States development assistance. The
2 Commission is encouraged to invite Members of
3 Congress to accompany members of the Commission
4 on such travel.

5 (f) STAFF AND SERVICES OF OTHER FEDERAL
6 AGENCIES.—Upon the request of the Commission, the
7 head of any Federal department or agency may detail, on
8 a reimbursable or nonreimbursable basis, any of the per-
9 sonnel of that department or agency to the Commission
10 to assist it in carrying out its functions under this Act.
11 The detail of any such personnel shall be without interrup-
12 tion or loss of civil service or Foreign Service status or
13 privilege.

14 **SEC. 6. REPORT OF THE COMMISSION.**

15 (a) IN GENERAL.—Not later than 2 years after the
16 members of the Commission are appointed under section
17 4(a), the Commission shall submit a report to the Presi-
18 dent, the Secretary of State, and the Congress setting
19 forth its findings and recommendations under section
20 3(b).

21 (b) CLASSIFIED FORM OF REPORT.—The report may
22 be submitted in classified form, together with a public
23 summary of recommendations, if the classification of in-
24 formation would further the purposes of this Act.

1 (c) INDIVIDUAL OR DISSENTING VIEWS.—Each
2 member of the Commission may include the individual or
3 dissenting views of the member.

4 **SEC. 7. APPLICABILITY OF OTHER LAWS.**

5 The Federal Advisory Committee Act (5 U.S.C. App.)
6 shall not apply to the Commission.

7 **SEC. 8. DEFINITION.**

8 In this Act, the term “United States development as-
9 sistance” means—

10 (1) assistance provided by the United States
11 under chapters 1, 10, 11, and 12 of part I of the
12 Foreign Assistance Act of 1961; and

13 (2) assistance provided under any other provi-
14 sion of law to carry out purposes comparable to
15 those set forth in the provisions referred to in para-
16 graph (1).

17 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

18 (a) IN GENERAL.—There are authorized to be appro-
19 priated to the Commission such sums as may be necessary
20 to carry out this Act.

21 (b) AVAILABILITY OF FUNDS.—Amounts authorized
22 to be appropriated under subsection (a) are authorized to
23 remain available until expended, but not later than the
24 date of termination of the Commission.

1 **SEC. 10. TERMINATION.**

2 The Commission shall terminate 30 days after the
3 submission of its report under section 6.

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