



1. [H.R. 3445 – AGOA and MCA Modernization Act](#)
2. [H.R. 3776 – Cyber Diplomacy Act](#)
3. [H.R. 1660 – Global Health Innovation Act](#)

# H.R. 3445 — AGOA and MCA Modernization Act (Rep. Royce, R-CA)

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## FLOOR SCHEDULE:

Scheduled for consideration on January 17, 2018, under suspension of the rules, which requires a 2/3 vote for passage.

### TOPLINE SUMMARY:

[H.R. 3445](#) would highlight and amend U.S. efforts to promote the African Growth and Opportunity Act, ([AGOA](#)), and amend certain authorities of the Millennium Challenge Corporation ([MCC](#)) in order to improve its effectiveness. More information on AGOA can be found [here](#) from the RSC's legislative bulletin on the program's reauthorization in 2015.

### COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing the bill would cost less than \$500,000 over the 2018-2022 period, subject to the availability of appropriated funds. Enacting H.R. 3445 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting H.R. 3445 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

### CONSERVATIVE CONCERNS:

- Expand the Size and Scope of the Federal Government? No.
- Encroach into State or Local Authority? No.
- Delegate Any Legislative Authority to the Executive Branch? No.
- Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits? No.

### DETAILED SUMMARY AND ANALYSIS:

H.R. 3445 would make a statement of policy that it is the policy of the United States to support efforts to improve the rule of law, promote free and fair elections, strengthen and expand the private sector, and fight corruption in sub-Saharan Africa; and promote the role of women in social, political, and economic development in sub-Saharan Africa. The bill would direct the President to establish a publicly available website for the collection and dissemination of information regarding AGOA which would include information and technical assistance provided at United States Agency for International Development (USAID) regional trade hubs; and a link to the websites of United States embassies located in eligible sub-Saharan African countries. After each meeting of the United States–Sub-Saharan Africa Trade and Economic Cooperation Forum, the President would be encouraged to publish on the AGOA Website the outcomes of the meeting of the Forum, including any commitments made by member countries and the private sector, and an assessment of progress made with respect to any commitments made by member countries and the private sector from the previous meeting of the Forum.

The President would be directed to develop and implement policies that encourage and facilitate cross-boundary cooperation among eligible sub-Saharan African countries in order to facilitate

trade; and encourage the provision of technical assistance to eligible sub-Saharan African countries to establish and sustain adequate trade capacity development; provide specific training for businesses in eligible sub-Saharan African countries and government trade officials of such countries on accessing the benefits under AGOA and other trade preference programs; provide capacity building for African entrepreneurs and trade associations on production strategies, quality standards, formation of cooperatives, market research, and market development; provide capacity building training to promote diversification of African products and value added processing; and provide capacity building and technical assistance funding for African businesses and institutions to help such businesses and institutions comply with United States counterterrorism initiatives and policies.

The bill would allow candidate country for purposes of eligibility for MCC assistance if the country has a per capita income not greater than the lower middle income country threshold established by the International Bank for Reconstruction and Development, and is among the 75 countries identified by the International Bank for Reconstruction and Development as having the lowest per capita income. A country qualifying for candidate status with a per capita income that changes during the fiscal year such that the country would be reclassified from a low income country to a lower middle income country or from a lower middle income country to a low income country would retain its candidacy status in its former income classification for that fiscal year and the two subsequent fiscal years.

The bill would modify a reporting requirement to the MCC's board on the treatment of civil society in an eligible country including any relevant laws governing the formation or establishment of a civil society organization, particularly laws intended to curb the activities of foreign civil society organizations. The bill would further authorize the MCC to enter into a concurrent compact with a candidate country if one or both of the compacts are or will be for purposes of regional economic integration, increased regional trade, or cross-border collaborations; and the MCC Board determines that the country is making considerable and demonstrable progress in implementing the terms of the existing compact.

None of the funds authorized to carry out the legislation would be available for assistance to a country that does not qualify as a candidate country for the fiscal year during which such assistance is provided. H.R. 3445 would direct the MCC Board to submit a study to Congress that assesses the feasibility and desirability of developing partnerships at the subnational level within candidate countries that would be complementary to, and, concurrent with, any MCC national-level or regional investments.

The House report (H. Rept. 115-484) accompanying H.R. 3445 can be found [here](#).

#### **COMMITTEE ACTION:**

H.R. 3445 was introduced on July 27, 2017, and was referred to the House Committee on Foreign Affairs. On [September 28, 2017](#), the bill was ordered to be reported by voice vote.

#### **ADMINISTRATION POSITION:**

A Statement of Administration Policy is not available.

#### **CONSTITUTIONAL AUTHORITY:**

According to the sponsor: "Congress has the power to enact this legislation pursuant to the following: Article I, section 8 of the Constitution of the United States." No enumerating clause was listed.

# H.R. 3776 — Cyber Diplomacy Act (Rep. Royce, R-CA)

CONTACT: [Nicholas Rodman](#), 202-226-8576

## FLOOR SCHEDULE:

Scheduled for consideration on January 17, 2018, under suspension of the rules, which requires a 2/3 vote for passage.

### TOPLINE SUMMARY:

[H.R. 3776](#) would codify several Department of State responsibilities related to cyber initiatives and would authorize the establishment of an Office of Cyber Issues within the department.

### COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing the reporting requirements under H.R. 3776 would cost less than \$500,000 over the 2018-2022 period; such spending would be subject to the availability of appropriated funds. Enacting H.R. 3776 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

### CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

## DETAILED SUMMARY AND ANALYSIS:

H.R. 3776 would declare that it is the policy of the United States to work internationally with allies and other partners to promote an open, interoperable, reliable, unfettered, and secure Internet governed by the multi-stakeholder model which promotes human rights, democracy, and rule of law, including freedom of expression, innovation, communication, and economic prosperity, while respecting privacy and guarding against deception, fraud, and theft.

The bill would establish an Office of Cyber Issues within the Department of State. The head of the office would serve as the principal cyber-policy official within the senior management of the Department of State and advisor to the Secretary of State for cyber issues; lead the Department of State's diplomatic cyberspace efforts generally, including relating to international cybersecurity, Internet access, Internet freedom, digital economy, cybercrime, deterrence and international responses to cyber threats; promote an open, interoperable, reliable, unfettered, and secure information and communications technology infrastructure globally; represent the Secretary of State in interagency efforts to develop and advance the United States international cyberspace policy; coordinate within the Department of State and with other components of the United States Government cyberspace efforts and other relevant functions, including countering terrorists' use of cyberspace; and act as liaison to public and private sector entities on relevant cyberspace issues. The head of the office would report to the Under Secretary for Political Affairs or official holding a higher position in the Department of State.

The president would be encouraged to enter into executive arrangements with foreign governments that support the United States international cyberspace policy. The text of any executive arrangement entered into by the United States would be transmitted to Congress not later than five days after such arrangement is signed or otherwise agreed to.

H.R. 3776 would require the Secretary of State, in coordination with the heads of other relevant Federal departments and agencies, to produce a strategy relating to United States international policy with regard to cyberspace, including: a review of actions and activities undertaken to support the United States international cyberspace policy; a plan of action to guide the diplomacy of the Department of State with regard to foreign countries, including conducting bilateral and multilateral activities to develop the norms of responsible international behavior in cyberspace, and a status review of existing efforts in multilateral fora to obtain agreements on international norms in cyberspace. The bill would additionally amend a reporting requirement to the Annual Country Reports on Human Rights Practices to include an assessment of freedom of expression with respect to electronic information in each foreign country, including an assessment of the extent to which government authorities in each country inappropriately attempt to filter, censor, or otherwise block or remove nonviolent expression of political or religious opinion or belief via the internet, including electronic mail, as well as a description of the means by which such authorities attempt to block or remove such expression, as well as other specified data.

**COMMITTEE ACTION:**

H.R. 3776 was introduced on September 14, 2017, and was referred to the House Committee on Foreign Affairs. On [November 15, 2017](#), the bill was ordered to be reported in the nature of a substitute (amended) by voice vote.

**ADMINISTRATION POSITION:**

A Statement of Administration Policy is not available.

**CONSTITUTIONAL AUTHORITY:**

According to the sponsor: "Congress has the power to enact this legislation pursuant to the following: Article I, Section 8." No specific enumerating clause was listed.

# H.R. 1660 — Global Health Innovation Act (Rep. Sires, D-NJ)

CONTACT: [Nicholas Rodman](#), 202-226-8576

## FLOOR SCHEDULE:

Scheduled for consideration on January 17, 2018, under suspension of the rules, which requires a 2/3 vote for passage.

### TOPLINE SUMMARY:

[H.R. 1660](#) would direct the Administrator of the United States Agency for International Development (USAID) to submit a report on the development and use of global health innovations in the agency's programs, projects, and activities.

### COST:

The Congressional Budget Office (CBO) [estimates](#) that implementing the bill would cost less than \$500,000 over the 2018-2022 period; such spending would be subject to the availability of appropriated funds. Enacting H.R. 1660 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting H.R. 1660 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

### CONSERVATIVE CONCERNS:

- **Expand the Size and Scope of the Federal Government?** No.
- **Encroach into State or Local Authority?** No.
- **Delegate Any Legislative Authority to the Executive Branch?** No.
- **Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?** No.

### DETAILED SUMMARY AND ANALYSIS:

H.R. 1660 would require the USAID Administrator to submit a report to Congress on the development and use of global health innovations in the agency's programs, projects, and activities. The report would include a description of the extent to which global health include drugs, diagnostics, devices, vaccines, electronic and mobile health technologies, and related behavior change and service delivery innovations; how innovation has advanced USAID's commitments to achieving an HIV/AIDS-free generation, ending preventable child and maternal deaths, and protecting communities from infectious diseases, as well as furthered by the Global Health Strategic Framework. The report would further include information on how the agency, both independently and with partners, donors, and public-private partnerships, is leveraging United States investments to achieve greater impact in health innovation; as well as descriptions of collaboration and coordination with other Federal departments and agencies, including the Centers for Disease Control and Prevention, in support of global health product development, and of how the agency is coordinating and aligning global health innovation activities between the Global Development Lab, the Center for Accelerating Innovation and Impact, and the Bureau for Global Health.

### COMMITTEE ACTION:

H.R. 1660 was introduced on March 21, 2017, and was referred to the House Committee on Foreign Affairs. On [September 28, 2017](#), the bill was ordered to be reported by voice vote.

**ADMINISTRATION POSITION:**

A Statement of Administration Policy is not available.

**CONSTITUTIONAL AUTHORITY:**

According to the sponsor: "Congress has the power to enact this legislation pursuant to the following: 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."

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