

17-116-219



USAID GUATEMALA

AGENCY FOR INTERNATIONAL DEVELOPMENT
UNITED STATES AID MISSION TO GUATEMALA



USAID/GUATEMALA or
UNIT 3323
APO AA 34024

c/o American Embassy
Guatemala, City, Guatemala, C.A.

83/01

Telephones: PBX 320202 - 320322
Fax: 311151, 311505, 311506

September 26, 1991

The Center for Democracy
1101 15th Street, N.W., Suite 505
Washington, D.C. 20005

Subject: Cooperative Agreement No. 520-0398-A-00-1312-00

Gentlemen:

Pursuant to the authority contained in the Foreign Assistance Act of 1961, as amended, the Agency for International Development (hereinafter referred to as "A.I.D." or USAID/Guatemala) hereby provides to the Center for Democracy (hereinafter referred to as "CFD" or "Recipient"), the sum of One Hundred Fifty Two Thousand Dollars (\$152,000), to support a Program of Immediate Action to strengthen the Congress of the Republic of Guatemala, Phase I, as more fully described in Attachment 1 entitled "Schedule" and Attachment 2 entitled "Program Description".

This Agreement is effective and obligation is made as of the date of this letter and shall apply to commitments made by the Recipient in furtherance of program objectives during the period beginning September 26, 1991, and ending May 31, 1992.

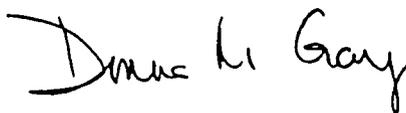
This Agreement is made to the Recipient on the condition that the funds will be administered in accordance with the terms and conditions set forth in Attachment 1, entitled "Schedule," Attachment 2, entitled "Program Description," and Attachment 3, entitled "Standard Provisions for US Non-Governmental Grantees," which have been agreed to by your organization and which are hereby made a part of this Agreement.

.../2

Page 2
520-0398-A-00-1312-00
September 26, 1991

Please sign the original and five (5) copies of the letter to acknowledge your receipt of this Agreement and return the original and four (4) copies to the USAID/Guatemala, Attention: Regional Contracts Office.

Sincerely,



Donna M. Gray
Deputy Regional
Agreement Officer

Attachments:

1. Schedule
2. Program Description
3. Standard Provisions, US Non-Governmental Grantees.

ACKNOWLEDGED:

By: _____

Title: _____

Date: _____

Appropriation No.:	71-111/21037
Budget Plan Code:	LESI-91-25520-KG13
PIO/T No.:	520-0398-3-10124
Project No.:	520-0398
Total Estimated Amount:	\$152,000
Total Obligated Amount:	\$152,000

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ATTACHMENT NO. 1

SCHEDULE

A. Purpose of Agreement:

The purpose of the project is to support a Program of Immediate Action to strengthen the Congress of the Republic of Guatemala, Phase I. Depending upon availability of funds, Phase II may be supported and negotiated at the time a determination is made to carry it out.

B. Period of Agreement:

1. The effective date of this Agreement is September 26, 1991. The expiration date of this Agreement is May 31, 1992.
2. Funds obligated hereunder are available for program expenditures for the estimated period September 26, 1991 through May 31, 1992.

C. Amount of Agreement and Payment:

1. The total estimated amount of this Agreement for the period shown in B.1. above is \$152,000.
2. AID hereby obligates the amount of \$152,000 for program expenditures during the period set forth in B.2 above.
3. The Recipient may not exceed the total estimated amount.
4. Payment shall be made to the Recipient in accordance with procedures set forth in Attachment 3, Optional Standard Provision No. 1, entitled "Payment - Letter of Credit".
5. The Consortium has designated the Center for Democracy as its lead institution. AID grant funds will be disbursed to the CFD under a Federal Reserve Letter of Credit, and the Center will retain primary responsibility for their administration. The Center's cognizant audit agency is AID, and this project will be included under its annual scope of audit accounts.

D. Financial Plan:

The Financial Plan for this Agreement is shown as Exhibit A to Attachment No. 1. Revisions to this Plan shall be made in accordance with the Standard Provision of this Agreement entitled "Revision of Grant Budget".

The Financial Plan is illustrative in nature. The Recipient can adjust individual cost lines by a factor not to exceed 15%. Any adjustment exceeding 15% or any increase in the total Agreement amount requires the prior written approval of the Regional Agreement Officer.

No compensation for personnel will be reimbursed unless their use under this agreement has the advance written approval of the Agreement Officer.

E. Special Provisions

1. The Agreement Officer's Technical Representative (AOTR) for the performance of this Cooperative Agreement is Ms. Bambi Arellano, Chief, Office of Democratic Development and Training, or her designee. This individual shall have the following authority:

a) Certification of work performed on all vouchers submitted.

b) Necessary clarifications of, or minor, non- cost-related adjustments to the program description in Attachment 2.

c) Approval of all reports, plans, timetables or other such technical submissions required under the Program Description.

d) Understanding of Substantial Involvement:

USAID/Guatemala and the Recipient anticipate that USAID/Guatemala will have substantial involvement in assisting the Center for Democracy to carry out its responsibilities hereunder as specified in the Program Description.

F. Local cost financing is authorized per Optional Standard Provision No. 9.

G. Logistic Support:

All logistic support shall be provided or arranged by the Recipient.

H. Authorized Geographic Code

The authorized Geographic Code for procurement of goods and services shall be in accordance with Provision 6 of the Optional Standard Provisions.

I. Reporting

1. Financial Reporting:

a. Financial reporting requirements shall be in accordance with the Standard Provision of this agreement entitled "Payment - Letter of Credit", as shown in Attachment 3.

b. The original and two copies of all financial reports shall be submitted to AID, Office of Financial Management, Cash Management and Payments Division (FM/CMPD), Washington, D.C. 20523. In addition, three copies of all financial reports shall be submitted to the technical office, ODDT, USAID/Guatemala, Unit 3323, APO AA 34024.

4

2. Program Performance Reporting:

The Recipient shall provide an evaluative report for USAID/Guatemala following each specific activity. These reports should (a) assess the effectiveness of planned activities; (b) identify specific outcomes achieved, as well as those that were planned but not accomplished; and (c) based on lessons learned, make recommendations for implementation of future activities. Each activity report shall be submitted within thirty days of implementing the subject activity and shall not exceed five pages in length. Reports shall be submitted to the technical office, ODDT, USAID/Guatemala, Unit 3323, APO AA 34024.

J. Establishment of Indirect Cost Rate

Pursuant to the Optional Standard Provisions of this Agreement entitled "Negotiated Indirect Cost Rates - Provisional" and "Negotiated Indirect Cost Rates - Predetermined" a rate or rates shall be established for each of the Recipient's and Sub-Recipient's accounting periods during the term of the Agreement. Pending establishment of final overhead rates for the initial period, provisional payments on account of allowable indirect costs shall be made on the basis of the following delineated provisional and predetermined rates applied to the base(s) which are set forth below:

SUNY

<u>Type of Rate</u>	<u>Rate(s)</u>	<u>Base</u>	<u>From</u>	<u>Through</u>
Indirect Costs Provisional	31.5%	*	Agreement Effective Date	Until Amended
Fringe Benefits Fixed	26.0%	**	Entire Agreement Period	

(*) MTDC which includes salaries and wages, fringe benefits, materials and supplies, travel and consultant services.

(**) Salaries and wages exclusive of all student compensation.

Treatment of Fringe Benefits: Fringe benefits applicable to direct salaries and wages are treated as direct costs.

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520-0398-A-00-1312-00
Attachment 1
Exhibit A

FINANCIAL PLAN
IN US DOLLARS

CATEGORIES

Strategic Institutionalization	16,000
Organization & Human Resources Dev.	55,000
Improving Institutional Linkages	13,000
Salaries and Fringe	16,500
Other Direct Costs	12,670
Indirect Costs	<u>38,830</u>
TOTAL	152,000 =====

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ASSURANCE OF COMPLIANCE WITH LAWS AND REGULATIONS
GOVERNING NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

_____ (hereinafter called the "Applicant")
(Name of Applicant)

hereby assures that no person in the United States shall, on the bases set forth below, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under, any program of activity receiving financial assistance from AID, and that with respect to the grant for which application is being made, it will comply with the requirements of:

- (1) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-362, 42 U.S.C. 2000-d) which prohibits discrimination on the basis of race, color or national origin, in programs and activities receiving Federal financial assistance.
- (2) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), which prohibits discrimination on the basis of handicap in programs and activities receiving Federal financial assistance,
- (3) The Age Discrimination Act of 1975, as amended (Pub L. 95-478), which prohibits discrimination based on age in the delivery of services and benefits supported with Federal funds,
- (4) Title IX of the Education Amendments of 1972 (20 U.S.C. 1681, et. seq.) which prohibits discrimination on the basis of sex in education programs and activities receiving Federal financial assistance (whether or not the programs or activities are offered or sponsored by an educational institution); and
- (5) AID regulations implementing the above nondiscrimination laws, set forth in Chapter II of Title 22 of the Code of Federal Regulations.

If the Applicant is an institution of higher education, the Assurances given herein extend to admission practices and to all other practices relating to the treatment of students or clients of the institution, or relating to the opportunity to participate in the provision of services or other benefits to such individuals, and shall be applicable to the entire institution unless the Applicant establishes to the satisfaction of the AID Administrator that the institution's practices in designated parts or programs of the institution will in no way affect its practices in the program of the institution for which financial assistance is sought, or the beneficiaries of or participants in such program.

This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property, discounts, or other Federal financial assistance extended after the date hereof to the Applicant by the Agency, including installment payments after such date on account of applications for Federal financial assistance which were approved before such date. The Applicant recognizes and agrees that such Federal financial assistance will be extended in reliance on the representations and agreements made in this Assurance, and that the United States shall have the right to seek judicial enforcement of this Assurance. This Assurance is binding on the Applicant, its successors, transferees, and assignees, and the person or persons whose signature appear below are authorized to sign this Assurance on behalf of the Applicant.

Applicant

BY (Signature _____) TITLE _____

TYPED NAME _____ DATE _____

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PROGRAM DESCRIPTION

A. Objective

The purpose of the Cooperative Agreement is to provide a series of immediate, short-term actions in support of the institutional strengthening of the Guatemalan Congress.

B. Background

USAID Guatemala has approved the Democratic Institutions Project Paper (520-0398), which includes a component proposed to strengthen the legislative capacity of the National Congress. Because the Congress is not yet ready to enter into a full written Project Agreement, Congressional leadership and USAID decided to initiate a limited set of activities critical to the functioning of the Congress during the next six to nine months.

C. Scope of Work

The Consortium for Legislative Development (the Center for Democracy, CFD; The Florida International University, FIU; and the Center for Legislative Development of the University at Albany, SUNY) will undertake a Program of Immediate Action (PIA) with the Guatemalan National Congress. A proposed approach for the PIA was drafted by the Consortium and is attached as a basic reference to this Program Description. Because of timing and funding constraints, the PIA will be divided into two phases. In summary, the component activities of each phase are described below.

1. Phase One; In-Country

a. Institutionalizing the Legislative Development Process

i. Create a special multi-partisan committee for the development and modernization of the National Congress; through a facilitatory process establish their role and function in providing leadership and continuity for the Legislature's institutional development program.

ii. Facilitate the orientation and agenda-setting for the new Junta Directiva and the newly created multi-partisan committee. At minimum, a two-day workshop will

be conducted to: foster the exchange of information between the outgoing and incoming board; develop and prioritize the Legislature's goals for the year; and provide an overview of the role and function of the Congress in the national budgetary process.

b. Organizational and Human Resource Development

i. Plan and implement a "hands-on" workshop for all Deputies on the techniques of legislative budgetary analysis and oversight. Insofar as possible, the actual content and issues of the 1992 National Budget will be used for problem-solving activities.

ii. Improve the efficiency and qualitative utilization of the Congress' current MIS system for both legislative needs and internal management needs. Evaluate the effectiveness of the current system; make recommendations for improved utilization; identify cost-effective improvements for system capability; and train deputies and staff in the effective use of the system.

iii. Provide technical assistance and training in legislative techniques and technologies, including the function and methods of bill analysis, hearings, committee work, bill drafting, and oversight. Activities will be directed to deputies, committee heads, and professional staff.

c. Improving Institutional Linkages

i. Initiate a professional internship program at the National Congress, drawing on students from Guatemalan Universities. The Cooperative Agreement will fund any necessary technical assistance for program development; the National Congress will fund the actual costs of the internships.

ii. As opportunities emerge during this Agreement period, foster the participation of Deputies and staff in professional conferences and associations. Funding will be provided separately from the LAC Regional Legislative Development Project.

iii. Improve the inter-institutional linkages between the Congress and in-country organizations, such as Novadora (a Guatemalan NGO dedicated to the development of the National Legislature) and local Universities. Activities may include limited technical assistance and training to local organizations to enhance their ability to support legislative

development, as well as augmenting the ability of the Congress to access in-country training, information and research resources.

2. Phase Two: Ongoing Organizational Development and External Leadership Development (Pending availability of Funds)

a. Leadership Development

i. Conduct short-term study tour for members of the Junta Directiva and the multi-partisan committee in the United States or in the Central American Region.

ii. Grant graduate degree scholarships for key professional staff at the Congress. Funding will be provided separately from the LAC Regional Legislative Development Project.

b. Organizational Development

i. On-going attention and support will be given to the effective use of the information technology at the Congress, as well as to improving legislative techniques and methods.

D. Implementation Arrangements

1. Substantial Involvement

Management of the PIA will be administered by the Consortium for Legislative Development under the leadership of the Center for Legislative Development, University at Albany, State University of New York (SUNY). Overall direction and guidance of the PIA will be provided by USAID/Guatemala and the political leadership of the Guatemalan National Congress. Prior to the implementation of any specific activity, the Center for Legislative Development at SUNY will submit for USAID approval a detailed plan, including a description of activities to be undertaken, curriculum vitae for proposed technical resources, and a detailed expense budget.

2. In-Country Logistical Support

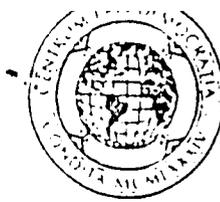
The multi-partisan, non-governmental organization, Novadora, will be used as an in-country liaison for SUNY and will provide logistical support for activities implemented in Guatemala.

3. Phasing and Evaluation

USAID/Guatemala and the Congressional leadership will jointly assess the content and effectiveness of the activities implemented under phase I prior to approving any of the activities listed as a part of phase II.

4. Required Reports

The Consortium for Legislative Development will provide an evaluative report for USAID following each specific activity. These reports should (a) assess the effectiveness of planned activities; (b) identify specific outcomes achieved, as well as those that were planned but not accomplished; and (c) based on lessons learned, make recommendations for implementation of future activities. Each activity report should be submitted within thirty days of implementing the subject activity and should not exceed 5 pages in length.



CONSORTIUM FOR LEGISLATIVE DEVELOPMENT
CONSORCIO PARA EL DESARROLLO LEGISLATIVO ♦ CONSÓRCIO PARA O DESENVOLVIMENTO LEGISLATIVO
♦ CONSORTIUM POUR LE DÉVELOPPEMENT LÉGISLATIF

August 12, 1991

Ms. Bambi Arrellano
USAID/G
Plaza Uno Building, 3rd Floor
1 Calle 7-66, Zona 9
Guatemala City, Guatemala

Dear Bambi:

Enclosed is the initial proposal for a program for immediate action in the area of legislative development. I hope it meets your immediate needs and sets the stage for future cooperation with the legislature in Guatemala.

Please let me know what the next step is so that we can begin to make appropriate plans. Thank you.

Sincerely,

Prof. Abdo Baaklini
Consortium Principal

cc: Maria Mamlok USAID/W
Prof. Allen Weinstein
Dean Allan Rosenbaum

The Center for Democracy
1101 15th St., N.W.
Suite 505
Washington, D.C. 20005
(202) 429-9141
(202) 293-1768 (FAX)

Prof. Allen Weinstein
Consortium Chairman

Mr. Calub McCarry
Consortium Coordinator

Florida International University
Office of the Dean
School of Public Affairs and Services
North Miami Campus
North Miami, Florida 33181
(305) 940-5840
(305) 940-5980 (FAX)

Dean Allan Rosenbaum
Consortium Principal

Mr. Gerald Reed
Program Manager

University at Albany,
State University of New York
Graduate School of Public Affairs
Center for Legislative Development
121 Milne Hall
135 Western Avenue
Albany, New York 12222
(518) 442-5249
(518) 442-5298 (FAX)

Prof. Abdo Baaklini
Consortium Principal

Dr. Charles Dawson
Program Manager

PROPOSAL
TO STRENGTHEN THE CONGRESS OF THE
REPUBLIC OF GUATEMALA

A Program for Immediate Action

Prepared by:

The Center for Legislative Development,
University at Albany, State University of New York

On behalf of
The Consortium for Legislative Development

Submitted to:

The United States Agency for International Development/Guatemala

August 8, 1991

14

PREFACE

THE CONSORTIUM FOR LEGISLATIVE DEVELOPMENT

THE CONSORTIUM FOR LEGISLATIVE DEVELOPMENT consists of three member institutions -- *The Center for Democracy* (Washington, D.C.), the *Florida International University, School of Public Affairs and Services* (Miami, Florida), and *The Center for Legislative Development, University at Albany, the State University of New York*.

The principal representatives of these three institutions and their respective program directors are:

The Center for Democracy

Professor Allen Weinstein, President
Caleb McCarry, Program Director

*Florida International University
School of Public Affairs & Services*

Professor Allan Rosenbaum, Dean,
Gerald G. Reed, M.I.M, Program Manager

*The Center for Legislative Development
University at Albany, State University of New York*

Profesor Abdo I. Baaklini, Director
Dr. Charles S. Dawson, Jr., Deputy Director

The Consortium is the recipient of a three-year grant from the United States Agency for International Development (U.S. AID/W/LAC/DI) to work with legislatures in the Latin America and Caribbean (LAC) region to facilitate their development as democratic institutions.

In addition to its regional legislative development activities, the Consortium has initiated bilateral projects with the national legislatures of Costa Rica, Panama, Nicaragua, El Salvador, Paraguay, Bolivia, and Haiti.

The objectives of the Consortium's work are:

- (1) To help assess and meet the immediate and short-term needs of the participating legislatures in the LAC region. These needs are identified in conjunction with the legislative institution's elected members and their staffs. Among the range of assistance opportunities which can be designed in the near term are training programs in legislative operations;
- (2) To organize and facilitate bilateral and regional exchange opportunities among legislators and legislative staff; and,
- (3) To encourage the development of Latin American and Caribbean legislatures, including the institutional capacity to continuously address their own institutional needs in such areas as staff training, information systems and policy analysis.

The Consortium works with legislatures and all political party groups within them in a completely non-partisan and collaborative fashion. The Consortium's role is to help facilitate development of the legislature's human resources and technical needs and to cooperate with the legislature's leadership and key staff members in their efforts to address those needs. The focus is on establishing a partnership designed to help the legislature build its institutional capacity to effectively perform its constitutionally assigned functions and enhance its role as a principal branch of government in a democratic society. The Consortium also works to develop relationships with in-country universities, professional associations, and organizations so that they will also serve as a continuing resource for the national legislative body.

The concepts and applications reflected in the Consortium's work draws heavily on the "Albany School of Legislative Development." The rationale for a legislative development program espoused in this document draws directly on the ideas and academic research of a lifetime of work in this field by Professor Abdo I. Baaklini and by his colleagues at the University at Albany.

TABLE OF CONTENTS

PROPOSAL
TO STRENGTHEN THE CONGRESS OF THE
REPUBLIC OF GUATEMALA

A Program for Immediate Action

	<u>PAGE</u>
PREFACE: THE CONSORTIUM FOR LEGISLATIVE DEVELOPMENT	i
TABLE OF CONTENTS.....	iii
I. EXECUTIVE SUMMARY	1
II. RATIONALE FOR LEGISLATIVE DEVELOPMENT IN GUATEMALA ...	5
III. PROGRAMS: Introduction	7
A. Institutionalizing Legislative Development	8
1. Development of Institutional Set Up	8
2. Orientation for the new <i>Junta Directiva</i>	9
3. Graduate Study Program	12
B. Organizational and Human Resource Development for Members & Staff	13
1. Conference on the Congress's Budgetary Role	13
2. Legislative Information Technology: Training & Technical Assistance	15
3. Legislative Techniques & Technologies	15
C. Developing Institutional Linkages	16
1. Internship in the National Congress	17
2. Professional Conferences & Associations	17
3. Development of External Legislative Resources (<i>Novadora, Univ. de Guatemala</i>) ...	18
IV. IMPLEMENTATION STRATEGY: FUNDING AND MANAGEMENT	20
V. BUDGET	21
ADDENDA	
A. COMPLEMENTARY USAID-FUNDED ACTIVITIES	23
B. CONSORTIUM CAPABILITY STATEMENT	25

I.

EXECUTIVE SUMMARY

This DRAFT PROGRAM FOR IMMEDIATE ACTION (PIA) TO STRENGTHEN THE CONGRESS OF THE REPUBLIC OF GUATEMALA was prepared at the request of the USAID/Guatemala mission. Funding for the preparation of this draft program document has been provided from the United States AID/W/LAC/DI regional legislative development project.

This Draft PIA was conceived as a framework for addressing the Congress's most critical immediate developmental needs, as those needs have been identified in documents shared with us by the USAID mission and the President of the Congress during a brief field visit, and in conversations with mission personnel, congressional members and staff, and members of Novadora. It represents the inauguration of a process which must eventually include the development of a longer range plan, one not only be embraced by the current *Junta Directiva*, but by those which follow.

The implementation of this Draft PIA will be determined in part by the programs and activities finally chosen in conjunction with the level of funding support available for them. A combination of resources may be provided from the regional LAC legislative development project, from the USIAD mission, by Novadora, and by the Congress itself. The overall Draft PIA has been divided first into separate programmatic components and then into discrete programmatic activities to facilitate this choice process. Based upon the worldwide legislative development experience of the members of The Consortium for Legislative Development, particularly those at the Center for Legislative Development at the University at Albany, SUNY, experience which spans more than twenty years, recommended implementation priorities are also offered for consideration in helping to shape the PIA eventually adopted.

The Draft PIA is based upon a rationale for legislative development that legislatures in presidential systems must be properly informed and institutionally capable of tackling, jointly with the executive branch, complex issues facing their societies. An uninformed legislature is doomed either merely to ratify proposals and decisions initiated by the executive, or to engage in protracted debate and obstructionist strategies. This rationale holds that the way a legislature organizes itself and

its resources directly impacts on its ability to perform its functions.

The Adopted PIA and certainly the longer range plan probably should contain an overview of the structure of the Guatemalan Congress, its functions, the legislative process, and some of its organizational arrangements, such as its staffing configuration. While some documents have been made available to the Consortium [e.g., excerpts from the USAID DI strategy, material prepared in "stage 1," such as, "Staff Structure and Training Needs: Guatemalan National Congress" (1990), "The Committee System of the Guatemalan National Congress," and "Report on the Library and Research Facilities of the Guatemalan National Congress" and material shared by the Congress during the field visit, such as, "*El Congreso Guatemalteco: Historia Y Funcionamiento*" by Hernan Soberanis G., and "*Ley Organica de Regimen Interior del Organismo Legislativo*"], these documents have yet to be fully analyzed. Such information is important to the foundation of the eventual design of an effective implementation plan. Much of this analysis activity may be able to be conducted in conjunction with or as a corollary to the PIA activities.

The programs and activities suggested in this Draft PIA were developed using a systematic approach to strengthening the legislature's organization through a legislative development strategy. The Draft PIA enumerates the critical variables that affect the implementation of this strategy. It is important to note that the Draft PIA presented here is not comprehensive and is only partly prioritized (reflecting the critical variables). The leadership of the Congress, in consultation with the USAID mission, may determine that it needs/prefers certain programs/activities more than others. Choices must be made, in any event, because resources are limited. The programs and activities listed represent a package of possibilities which can be selected, rejected, or reshaped to address the unique needs of the Guatemalan National Congress.

The Draft PIA is divided into three major program components:

- o Institutionalizing the Legislative Development Process
- o Organizational and Human Resources Development
- o Improving Institutional Linkages

Each of these major program components are further divided, when appropriate, into separate, but related activities. All program components and subsidiary activities proposed contain a general description, an enumeration of the targeted audience, the estimated resources required to implement the activities and the projected outputs or work products expected.

In summary, the proposed project components and activities are:

CRITICAL PROGRAM & ACTIVITY COMPONENTS

A. *Institutionalizing the Legislative Development Process*

1. Development of the Institutional Set Up: Creation of a Special Multi-Partisan Committee for the Development and Modernization of the National Congress.
2. Orientation Program for the new Junta Directiva and the Special Multi-Partisan Committee for the Development and Modernization of the National Congress (In-country and Regional/U.S. Orientation Program).
3. Graduate Study Program (Regionally Funded for One Participant if a Scholarship is Available).

B. *Organizational and Human Resource Development: Orientation & Training Programs and Technical Assistance for Members & Staff*

1. Conference on the Congress's Budgetary Role and Techniques of Legislative Budgetary Analysis & Oversight.
2. Legislative Information Technology: Training and Technical Assistance.
3. Legislative Techniques & Technologies (bill analysis, hearings, committee work, bill drafting, oversight).

C. *Developing Institutional Linkages*

1. Internship in the National Congress.

2. Professional Conferences and Associations.
3. Developing External Legislative Resources (*Novadora, Universidad de Guatemala*).

Management of the program will be administered by the Consortium for Legislative Development under the leadership of the Center for Legislative Development, University at Albany, State University of New York. Overall direction and guidance of the PIA will be provided by USAID/G and the political leadership of the Guatemalan National Congress.

Finally, a statement about implementation strategy and a tentative budget for implementation of the Draft PIA are attached. Additionally, a number of addenda are attached, including a discussion of complementary USAID-funded activities and a statement of the Center for Legislative Development's capabilities and those of its Consortium partners.

II.

THE RATIONALE FOR LEGISLATIVE DEVELOPMENT IN GUATEMALA

To play a constructive role in contemporary societies, legislatures in presidential systems must be properly informed and institutionally capable of tackling, jointly with the executive, complex issues facing their societies. An informed legislature is more capable of constructively participating in the evaluation of alternative public policy proposals. An informed legislature also possesses the necessary capabilities to negotiate agreements and avoid fatal confrontations and impasses with the executive.

A legislature that is not equipped to handle the complexities inherent in the various public policy choices facing contemporary societies, is doomed to play one of two roles. Either it ratifies proposals and decisions initiated by the executive without informed debate, or it engages in protracted debate and obstructionist strategies that exacerbate problems without really constructively contributing to a solution. If it ratifies executive initiatives without questions, it relegates itself to a rubber stamp body, loses its legitimacy, and denies the executive an important input into the consideration of public policy. In brief, it forfeits the rationale for its existence.

If it engages in obstructionist strategies without constructively contributing to the solution of the problem at hand, it either risks the prospect of being dissolved or suspended, as has been the case with many Third World legislatures, or it plunges the government into a crisis of ungovernability and paralysis. The challenge that therefore faces contemporary legislatures is how to transform themselves into a constructive partner with the Executive in all the functions associated with governing.

The way legislatures organize themselves and their resources has a direct impact on their ability to perform their various functions. A systematic approach to providing a legislature with resources needed to define or refine its organization is known as a "legislative development strategy." Legislative development is the ability of the legislative institution, acting through its leadership, to study, assess, and identify its needs for resources and information, to formulate plans and programs to acquire those needed resources, and to continuously assess those needs and develop its resources for the purpose of reaching

Consortium for Legislative Development

Draft PIA

August 8, 1991

political agreements with the executive. In an open political system, with fair elections, the final purpose of legislative activities is reaching those agreements in the context of change and competition, without institutional disruption or disintegration. Any program aimed at strengthening democratic institutions in Guatemala through legislative development should seek to achieve the following desired outcomes:

1. Develop within the Congress the institutional capabilities to study and assess its needs and prioritize programs to meet its needs.
2. Help in the acquisition of resources to develop plans to address the needs thus identified through technical assistance, training and education, research and other joint activities.
3. Help in the development of the necessary theories and orientations that marshal resources required to forge and conclude agreements within the context of an evolving and changing society. Agreements, by definition, are temporary answers to perennial questions. Political systems are not designed to permanently solve those questions or problems, because they cannot do so. The questions that the political system deals with are constantly being reformulated, necessitating constant renegotiating of the agreements already reached.

The Draft PIA is intended to strengthen the National Congress of Guatemala as both a political institution and as an administrative organization supporting its political purpose in the democratic government. The programs in the Draft PIA will contribute to this goal by helping the Congress to effectively perform its basic legislative functions such as: analysis, revision, adoption and oversight of the national budget; developing staff resources and staff capabilities; overseeing the work of the executive (legislative oversight); reviewing and initiating public policy proposals; and, developing the legislature's internal budgetary needs.

Legislatures also perform other functions, such as training and socialization of political leadership, incubation of ideas, legitimization and political socialization in general. The role of the legislature in performing these functions will be affected positively by the improvement of the functions described above but will not be the focus of this Draft PIA.

III.

PROGRAMS FOR THE INSTITUTIONAL DEVELOPMENT
OF THE NATIONAL CONGRESS OF GUATEMALA

Introduction

A viable strategy of legislative development involves the interplay of several key elements to insure its success. Often legislative development is confused with legislative modernization. In modernization, the emphasis is placed exclusively on the acquisition of modern equipment and information systems. This is indeed a critical facet of a successful legislative development program. However, only the application of complementary training and technical assistance can make equipment and modern information systems fully relevant to legislative development.

The following critical variables are necessary for the successful implementation of the programmatic recommendations discussed in this Draft PIA:

1. A commitment by the leadership of the Guatemalan National Congress to a strategy of legislative development must be present. The first part of the programmatic recommendations discusses the means of institutionalizing this vision and commitment in the face of ever present change;
2. A successful strategy of legislative development rests on the provision of appropriate structures and relationships within the legislature and on the availability of qualified people to occupy those structures and enrich those relationships. In our judgement, the question that needs to be asked is not whether to have qualified staff, but rather what type of staff (functionally), and more importantly, what type of structures and relationships need to be developed so that staff -- whether it be institutional professional and support staff or partisan professional staff -- is properly utilized by and supports the legitimate decision makers -- the elected members -- rather than becoming an insulated, unresponsive and unaccountable legislative bureaucracy.
3. A legislature is a forum where all public issues relevant to a policy are debated, reformulated and decided. By its nature, a legislature is an open institution with amorphus

August 8, 1991

boundaries. It is constantly interacting with its environment. For a legislative development strategy to succeed, it is important for the legislature to systematize those relationships.

As part of the legislative development strategy articulated in this Draft PIA, two relationships are of specific interest: the relationship with those institutions that may provide the legislature with needed information and those that shape the public's image of the legislature. In many cases, the same institution may perform both functions. This Draft PIA elaborates on the relationships that need to be developed with universities, research institutes, professional associations and the media. The universities and the research centers socialize and train future generations of leaders and the concerned citizenry. Jointly, with professional associations, they generate substantial information relevant to the public debate within the legislature. This is especially relevant in the case of Guatemala as it apparently does not have the staff and organizational resources easily available to develop quickly the capabilities it needs to perform its functions. At the same time there are in Guatemala, non-government organizations, most notably *Novadora*, that have potential to be extremely helpful in providing a bridge for development.

With the above critical variables as a basis, the following outline of programs and activities are recommended in this Draft PIA for developing the legislative power in Guatemala.

A. INSTITUTIONALIZING THE LEGISLATIVE DEVELOPMENT PROCESS

For a legislative development effort to be sustained over the long term, the Congress must have mechanisms in place to ensure continuity and a shared vision of the institution's development.

1. Development of the Institutional Set-Up: Creation of a Special Multi-Partisan Committee for the Development and Modernization of the National Congress.

This activity endeavors to promote a philosophy of legislative development shared by all parties involved. An important ancillary aim is to build a relationship between the Consortium and the National Congress which will have a stable and continuous basis in order to create a common vision for the project.

An agreement needs to be made within the Congress and between the Congress and the Consortium on how to organize the legislative development activities, whether undertaken as part of PIA or subsequently, on a permanent basis for two principal reasons: (1) so that there will be project continuity as the Congress's leadership changes over time and (2) so that there is a clear line of communication between the Congress and the Consortium. Ideally, based upon our experience, a special multi-partisan committee should be created to dedicate its energies to this institution-building activity. Such a special committee, created by the President and possibly ratified by the Congress, would work closely with the *Junta Directiva* and would normally be appointed for the duration of the legislative term rather than for the one year period of the *Junta Directiva*.

Targeted Audience: The National Congress.

Resources: Technical assistance from the regional project.

Outputs: The creation of stable supervisory mechanism to provide leadership and continuity for the Congress's legislative development program.

Timing: Immediate or in conjunction with the election of the new *Junta Directiva*.

2. Orientation Program for the new *Junta Directiva* and Special Multi-Partisan Committee for the Development and Modernization of the National Congress.

- a. In-Country Component.

This activity would occur in Guatemala in January or February, 1992. It would involve both the incoming and the outgoing *Junta Directiva* and the Special Multi-Partisan Committee

for the Development and Modernization of the National Congress (at least part of the time) in a two-day workshop designed to prepare the new board for its responsibilities. The role of the Center for Legislative Development, University at Albany/SUNY during the workshop would be to:

- (1) facilitate the exchange of information between the outgoing and incoming board in order to help process the experience and lessons learned by the outgoing board to help provide continuity to the new board, to help the new board avoid past mistakes, and to help the new board get a headstart on its duties,
- (2) present an orientation to the components of a comprehensive legislative development program, sharing its own expertise and knowledge of the strategies and techniques of a legislative development program acquired over twenty years of working in the field,
- (3) conduct a decision conference to help the new board develop and prioritize its goals for the next year in the form of a plan for the institutional development of the Congress,
- (4) provide technical assistance in the content, formulation, presentation, implementation, and revision of the budget for the Congress.

Targeted Audience: The members of the *Junta Directiva* and the Special Multi-Partisan Committee for the Development and Modernization of the National Congress and, by extension, the entire Congress.

Resources: Technical assistance (experts) for program design and organization; Training; Per Diem; Transportation; Educational materials; Interpreters; In-country logistical support;.

Outputs: (1) Members sharing understanding and philosophy of legislative development and the Congress's role in the system of government. (2) Draft Plan (planning process set in motion) for the Institutional Development of the Congress.

Timing: 1st year, after the new *Junta Directiva* is elected.

b. U.S. Study Tour Training Component.

The principal complementary training activity to the in-country orientation program described above, would be a short term (14 day) study tour conducted in the United States in the summer of 1992, if funding is made available. It is our experience, having conducted many such study tours over the past twenty years, that such a rigorous training experience, while not inexpensive and a major administrative undertaking, offers one of the greatest single pay-offs for the successful inauguration of a long-term legislative development program. This is because this kind of intensive activity initially captures the imagination of the participants (they want to participate), serves to trigger a revelation in the participants about what the potential of their institution could be, and provides them with concrete steps to undertake the realization of the shared vision of legislative development that they acquire on the study tour.

The two-week long study tour would include a one-week residency in Albany, the capital of New York State and the location of the flagship university of the State University of New York. Observational visits and training sessions at the U.S. Congress in Washington, D.C. and in Tallahassee, capital of the State of Florida, would comprise the second week of the training program. Participants would be exposed to the subject of legislative development in comparative perspective. There would be both a theoretical and an applied component to the program. Site visits to the legislatures to observe first-hand the functions and structures described in the academic environment would be scheduled to complement the academic training.

Participants should include members of the Special Multi-Partisan Committee for the Development and Modernization of the National Congress, a multi-partisan cross-section of the current *Junta Directiva* and possibly selected members of the former *Junta Directiva*, key staff, and a representative of *Novadora* to ensure the formation of a nucleus of members and staff who will return to the Congress with a shared vision borne of a shared experience.

It is critical that the study tour training activity occur early in the project.

Consortium for Legislative Development

Draft PIA

August 8, 1991

Targeted Audience: The members of the *Junta Directiva* and the Special Multi-Partisan Committee for the Development and Modernization of the National Congress, *Novadora* and, by extension, the entire Congress.

Resources: Technical assistance (experts) for program design, organization, and implementation; Training; Per Diem; Transportation; Educational materials; Interpreters; Logistical support in Guatemala and in the U.S.

Outputs: (1) Members sharing understanding and philosophy of legislative development and the Congress's role in the system of government. (2) Elaboration of the Plan for the Institutional Development of the Congress based on first hand examination of legislative technologies in operation.

Timing: 1st year, after the new *Junta Directiva* is elected.

3. Graduate Study Program.

An essential component of any legislative development program is the development of staff resources to such a level that the institution as a whole benefits from their advanced knowledge and new techniques. This can be done only through a program to develop human resources at an in-depth level. This activity will enable the participant to master specific skills and develop comprehensive understanding of the nature and processes involved in legislative development and the relationship and rationale among the various components. The participant will acquire an in-depth knowledge of legislative development, of operational theory and working techniques, and of specific professional tools such as policy analysis. It is critical that the Congress secure agreements with the participant to ensure that he or she will return to work in positions of professional responsibility with the Congress.

The regional project can, at this stage, fund one graduate degree scholarship, contingent upon an opening remaining by the time selection is made.

Targeted Audience: The student and, by extension, the Congress as a whole.

Resources: Funding from the LAC regional legislative development project for one graduate degree program participant at the University at Albany, State University of New York.

Outputs: Professional with a Masters degree in Public Administration with a specialization in Legislative Administration.

Timing: 1st year.

B. Organizational and Human Resource Development: Orientation & Training Programs and Technical Assistance for Members & Staff

The institutionalization of the developmental process requires appropriate structures and qualified persons in those structures. The activities proposed below reflect the orientation and training topics requested by the *Junta Directiva* for members and staff of the Congress in the near term (in addition to those incorporated in A above).

1. Conference on the Congress's Budgetary Role and Techniques of Legislative Budgetary Analysis & Oversight.

The budget process lies at the heart of the nation's political process, and it is here that the legislature plays a critical role in helping to shape and determine the nation's priorities. This activity includes the design and implementation of ways and means to strengthen the Congress as an effective and responsible participant in the nation's budgetary process.

A two-to-three day conference in October 1991 is proposed to comprehensively explore all of the dimensions of a fully developed legislature's budgetary powers. Included in the conference will be presentations by top U.S., in-country, and

Consortium for Legislative Development

Draft PIA

August 8, 1991

regional budgetary and fiscal experts on the ways and means of strengthening the Congress's budgetary power. Hand-in-hand with these sessions will be discussions of the accompanying responsibility attendant with increased budgetary power. A workshop about the development of appropriate organizational structures to facilitate an effective budgetary role for the Congress in the national budget process is proposed as is a workshop about the need for and development of a professional legislative budget staff to assist the Congress in the performance of its exercise of the power of the purse. Another workshop about the relationships in the national budgetary process between the executive branch and the Congress, especially at the committee and staff levels is also proposed. Novadora has proposed that face-to-face discussions between executive ministry officials and congressional committee members be conducted as an important part of this workshop activity. Finally, depending upon the availability of an audience, a workshop on budgetary information systems and their use will be conducted for staff.

In a democratic society governed by the rule of law, the legislature and its members are an indispensable political counterweight to the bureaucracy. Legislator-politicians must establish effective control over the bureaucracy which invariably tends to conceal its actions and attempts to usurp the power of other political institutions. It is not enough for a legislature to pass the national budget and to enact programs and policies into law; it must keep a constant vigil to ascertain that the bureaucracy is implementing the legislatively approved programs as intended, and to take corrective actions as necessary. The legislature's power of the purse is a key tool in the exercise of effective oversight, so a special workshop on legislative oversight will also be conducted.

Targeted Audience: Members and staff of the Congress.

Resources: Technical assistance, training, per diem, transportation, educational materials, interpreters.

Outputs: A Congress broadly educated about its national budgetary role and about its institutional needs in support of its budgetary powers and responsibilities.

Timing: 1st year (October, 1991).

2. Legislative Information Technology: Training & Technical Assistance.

A major element in the development of a legislature's capacity to perform its functions, especially the ones related to budget, policy analysis, oversight and law making, is the availability of a comprehensive legislative information systems. These systems are necessary to provide the Congress with the information it needs.

The National Congress is fortunate to have already acquired an MIS infrastructure. To realize the system's full capabilities with respect to both the Congress's legislative needs and its internal management needs, ongoing training and software development is advisable. This activity will include an evaluation of the current system, identification of cost-effective additional capabilities (associated software design and hardware upgrade would have to await other funding), and thorough training of the members and staff in the efficient utilization of the Congress's current MIS (with its cost free expansions). Among the opportunities to be investigated will be utilization of the system for both the Congress's legislative needs and its internal management needs. An example of the latter would be use of the system for the Congress's internal budgetary needs or for personnel and accounting. An example of the former would be its expanded use for bill drafting and bill status needs.

Targeted Audience: Members and staff.

Resources: T.A. for the evaluation of the current MIS, T.A. for the design of additional cost-effective software, and training.

Outputs: Staff trained and a plan for a fully utilized MIS.

Timing: Beginning 1st year.

3. Legislative Techniques & Technologies.

Activities in this component aim to augment the capability of the Congress in its law making function by providing technical assistance and training in the area of public policy making. The role of committees and the importance of professional committee staffing, the role and importance of professional staff

assistance to the party fractions/caucuses, and the availability of legislative reference services will be examined as these impact the Congress's ability to initiate legislation as well as analyze legislation proposed by the executive or judiciary. The activities will be directed at developing the capability of providing policy analysis support for the members and at developing a rationale to organize this new function and to place it in the organizational structure. This will be achieved through technical assistance in the design of the unit and training workshops for members and professional staff in policy/bill analysis.

Targeted Audience: Professional staff and members.

Resources: T.A. for the design and organization of the policy analysis activity; Training in policy/bill analysis techniques and legislative oversight.

Outputs: Policy analysis activity organized and in full operation.

Timing: Beginning 1st year.

C. Developing Institutional Linkages

The development of linkages between a legislature and other institutions in its environment is crucial if for no other reason than that the Congress cannot realistically possess all of the resources it needs internally. This activity will build a mutual understanding and appreciation of the Congress by other institutions through the participation of members of the target institutions in the process of development and modernization of the legislature. It will allow an understanding of the specificities of the legislative process in contrast to the executive branch. To develop this relationship, it is important that organizations such as member's universities, research centers, and professional associations are selectively included among the targeted audience in the activities described above. For example, members of the Bar Association might participate in a bill drafting workshop, university professors might participate in public policy oriented seminars, and staff of selective units

within the executive branch might participate in seminars in their area of specialization. This exposure will enhance the linkages between the Congress and those institutions.

The projects to be carried out under this category are:

1. Legislative Internship in the National Congress.

One way to start building a stable and constructive relationship between a legislature and the academic and professional community is the implementation of an internship program drawing students from the University of Guatemala and other appropriate local academic institutions. In such programs, students typically work for members or committees or the leadership on routine and special projects for one or two academic semesters. Two direct benefits of the program are the provision of educated and motivated staff assistants for the legislature and the provision of practical exposure to democratic processes for the students. Indirect benefits include the program serving as a recruitment device for the legislature and as a mechanism for strengthening the institutional ties between the legislature and the participating universities.

Targeted Audience: Leadership offices, members, professional staff offices, and committee offices.

Resources: Technical assistance to develop and implement the program. Funds provide by the Congress or Novadora.

Outputs: Internship program in operation.

Timing: Beginning 1st year.

2. Participation in Professional Conferences and Associations.

Another activity aimed at improving the institutional ties is the systematic participation of members and staffers in the professional and academic meetings and associations, such as ATELCA, at which subjects of professional or political interest are discussed. These conferences and organizations may provide information and training to the National Congress and help to

promote understanding and mutual appreciation. Regional project funding is available to support some of this participation.

Targeted Audience: Committees, technical staff, academic and professional communities.

Resources: Funded currently by the regional LAC legislative development project.

Outputs: Selected members and staff participating in appropriate organizations and attending relevant conferences.

Timing: Beginning 1st year.

3. Development of External Legislative Resources.

The Guatemalan National Congress has been a fragile institution over the years. Therefore, it did not have the opportunities to develop its own organization to face the problems that it is supposed to confront. A legislative development program in this situation can be developed in two different ways. Either a deliberate approach can be taken to develop a basic core of internal resources, which enable the legislature to start a developmental process, or an external organization can be utilized to kick-off the process by supporting the initial activities of the program. A combination of both approaches can also be used.

The purpose of this activity is to both develop the legislative development capabilities of institutions outside of the Congress and to facilitate the access of the Congress to training, information, support and research provided by these institutions. Some institutions have developed training capabilities, information capabilities, analytical capabilities, linkages inside and outside Guatemala, and have also established their credibility in their respective fields. The Congress can benefit from not only their expertise but also from their public image.

A potentially valuable resource for the Congress is a multi-partisan in-country non-governmental external organization, such as *Novadora*, dedicated to assisting the Congress with its institutional development through the provision of training and technical assistance on a neutral basis. Such organizations also offer potential attractiveness as a channel for multilateral

funding opportunities directed toward the Congress. It is suggested that a part of this PIA include a component for developing the capabilities of Novadora to realize its potential. Among the ingredients of this activity would be training, technical assistance, and support to its staff in connection with its assistance in the organization and delivery of activities conducted as part of this PIA. This could range from graduate degree training, participation in ATELCA activities in the region, active participation in all of the training activities conducted by the Center for Legislative Development on behalf of the Congress including the provision of in-country logistical and organizational support for these activities. (The administrative services component of this activity would be funded from the project core administrative costs budget item.)

Targeted Audience: The key institutions being considered here are the members and staff of Novadora and the University of Guatemala.

Resources: Technical assistance to develop external legislative resources. Funding for travel, per diem, educational materials, and other costs associated with training.

Outputs: External institutions able to support the legislative development project.

Timing: Beginning 1st year.

IV.

IMPLEMENTATION STRATEGY: FUNDING AND MANAGEMENT

The implementation of this PIA will be carried out through a multi-faceted approach. Priority will be given, when possible, to the development of activities which foster local capabilities and allow for a future with little or no foreign interference. In this sense the Center for Legislative Development and the Consortium will try to involve as much as possible, especially in the training activities, the non-governmental organizations already mentioned. They may be involved in two different capacities, as administrators of training activities and as recipients of the training itself, if this is acceptable to the Congress and to USAID/G.

A. Funding

The funding for the activities described is expected to come from a USAID/G grant, from the regional LAC legislative development project, from Novadora, and from the Congress.

B. Management

The management of the PIA eventually adopted will be the joint responsibility of the National Congress, USAID/G, and the Consortium for Legislative Development led by the Center for Legislative Development.

C. Consortium Core Administrative Costs

To enable the Consortium for Legislative Development to fulfill its designated responsibilities under the Adopted PIA, it will require core administrative funding support. Among the budgetary items for which funding will be required are staff support, transportation and per diem, and other administrative expenses. These budgetary items will be more fully detailed in the budget section after further discussions.

ADDENDUM A

COMPLEMENTARY USAID-FUNDED ACTIVITIES

The developmental efforts of the Guatemalan National Congress have the possibility of drawing upon other legislative development efforts funded by USAID in Latin America, most notably the Latin America and Caribbean Regional Legislative Development Project.

LAC/DI initiated a three year regional legislative development project for Latin America and the Caribbean in late 1990. The project is administered and managed by the Consortium for Legislative Development which, as noted in the Preface, is composed of three cooperating institutions -- The Center for Democracy, Florida International University, and the Center for Legislative Development of the University at Albany, State University of New York.

This regional project, developed to support the institutional strengthening of legislatures in Latin America and the Caribbean (LAC), has five interrelated components:

- ♦ Assessments of Needs;
- ♦ Regional Training Seminars;
- ♦ Technical Assistance;
- ♦ Legislative and Management Information Systems; and
- ♦ Graduate Degree and Internship Program.

Participants in the regional project are drawn from interested legislatures in the Latin American and Caribbean region. The criteria for the selection of the participants is based on the degree of interest expressed by the political leadership of the countries and the input of the local USAID Missions. Project activities (for example, needs assessments) are conducted upon request of the local Missions at no cost to those Missions. Other activities (such as the regional seminars) are also offered with regional funding, but it is hoped that the local Missions will provide funding for transportation and per diem costs so that participation can be expanded. The project also offers a range of other services (technical assistance, organization of local seminars, etc.) which local Missions can receive in relation to their bilateral legislative development efforts on a "buy-in" basis.

Draft PIA

Consortium for Legislative Development

August 8, 1991

The USAID/G contribution to the project envisioned in this Plan is approximately \$150,000 to 200,000 USD. The Consortium for Legislative Development, through its U.S. AID/W funding, can provide additional assistance, such as the graduate degree program, the regional seminars on budgeting, proposal development, and public policy. The specifics have yet to be determined.

39

ADDENDUM B

CONSORTIUM CAPABILITY STATEMENT

This PIA will be implemented by the Consortium for Legislative Development. The Center for Legislative Development, University at Albany/SUNY will direct this project with assistance by other professional and academic institutions. Below is a capability statement for the respective member institutions of the Consortium as well as a brief description of the institutions which may be asked to assist the Consortium in the implementation of this PIA.

A. The Consortium for Legislative Development

The Consortium for Legislative Development is a coordinated, three-institution enterprise designed to bring the resources and experience of its principals and their institutions to bear on a serious, non-partisan, legislative development project for the Americas. The capability statements of the Consortium's partners are detailed below.

THE CENTER FOR LEGISLATIVE DEVELOPMENT

Resources and Capabilities

The Center for Legislative Development, University at Albany, State University of New York, is part of the senior campus of the largest system of higher education in the United States. The State University of New York (SUNY) is an interlocking network of sixty-four colleges and universities distributed throughout the State of New York.

The Center for Legislative Development was founded in 1970 with the aim of fostering peaceful social and economic growth in developing countries through the encouragement of democratic institutions, particularly legislatures. Not content with the traditional focus of developing assistance to government executive and judicial bureaucracies, the Center has championed the notion of the legislature as a key, but neglected, component in the social and economic development process. It rejects the view of legislatures as obstructions to development, focusing

Consortium for Legislative Development

Draft PIA

August 8, 1991

instead on crucial policy functions that only legislative institutions can perform.

For the past twenty years, the Center has been in the business of strengthening legislative organizations, at home and abroad, in Central and South America, Africa, the Middle East, and Asia. Since 1990, the Center has been directing a USAID-funded legislative development project in Hungary, and is working with the Consortium for Legislative Development in the Latin America and Caribbean region with the national legislatures of Costa Rica, Panama, Nicaragua, El Salvador, Haiti, Bolivia, Paraguay, Honduras and Guatemala.

Professor Abdo I. Baaklini, Director of the Center, has studied and consulted with more than 50 legislatures around the world. He is the author and co-author of numerous books and articles on legislatures. The Center's Deputy Director, Dr. Charles S. Dawson, Jr., served with the New York State Legislature as a professional staffer for ten years, is a graduate of the University's special graduate degree program in Legislative Administration, is an authority on the legislative power of the purse, and is the co-author with the Director of *The Politics of Legislation in New York State: How A Bill Becomes A Law* (1979).

The Center brings together resources from a wide range of legislative institutions around the world and utilizes an extensive international network of legislators, professional staff, academics, and professional organizations concerned with legislative development. The faculty associated with the Center includes specialists in public administration, political science, economics, public policy, law, decision-making, and systems and information sciences.

More than 700 legislative staff and legislators have graduated from the programs sponsored by the Center, which is the only institution in the world offering academic and/or applied studies in legislative administration, research, and information.

**Rockefeller College and Other Resources of
The University at Albany, State University of New York**

The Center for Legislative Development's programs have been carried out primarily through the Department of Public Administration, within the Nelson A. Rockefeller College of Public Affairs and Policy. Rockefeller College consists of four public policy oriented graduate schools (Public Affairs, Criminal Justice, Social Work, and Information Science and Policy) as well

as the Professional Development Program, which develops and administers a wide array of professional development courses and workshops for state and local government officials. Through its location within the Graduate School of Public Affairs, the Center is able to offer Masters of Public Administration (MPA) and Ph.D. degrees in Public Administration with concentrations in Legislative Administration. The Center also offers non-degree programs, legislative institutes, and short-term professional programs for senior staff who prefer not to pursue a degree program.

Various University at Albany departments have been effectively involved in the Center's projects. For example, while the Department of Public Administration is particularly strong in terms of number and quality of faculty members specializing in the application of computer and information technologies, this strength has been supplemented by resources from both the School of Information Sciences and Policy and the Department of Computer Science. The School of Business has also provided resources in this area, as well as adding to Public Administration's strengths in budgeting and managerial techniques. The departments of Political Science and Sociology contribute in many areas, particularly in regard to enhancing the understanding of the institutional and organizational factors affecting legislative development and operations.

Rockefeller College offers resources which are impressive not only for their depth, but also for their breadth. With a combined faculty of 100 scholars, more than 50 additional researchers and technical specialists, and nearly 1,000 graduate students, Rockefeller College constitutes one of the largest concentrations of expertise in public affairs and policy at any single institution in the United States. The college also shares many resources with the Nelson A. Rockefeller Institute of Government, of which the Provost of Rockefeller College serves as Director. The Rockefeller Institute was established to involve faculty from the 64 campuses of the State University of New York in the task of increasing the knowledge and understanding of government and the varying degrees of effectiveness with which it delivers services to people. A number of other institutes centers also complement the work of Rockefeller College through research opportunities and dissemination of information. In addition to the Center for Legislative Development, these include the Center for Women in Government, the Center for Staff Development, the Institute for Traffic Safety Management and Research, and the Hindelang Criminal Justice Research Center.

August 8, 1991

The Nelson A. Rockefeller Institute of Government

The Nelson A. Rockefeller Institute of Government is the public policy research arm of the State University of New York. Since its establishment in 1982, the Institute has developed a solid reputation for studies on critical governance and public policy issues. It has also been successful in implementing an extensive conference program which has facilitated the sharing of the results of its research (as well as the accumulated knowledge of the University at Albany faculty) with legislators, legislative staff, gubernatorial staff, and other state and local officials.

In addition to making excellent conference and seminars facilities available, the Institute provides the Center for Legislative Development with an effective link to the faculty resources of other SUNY campuses. Also, the Institute's own staff includes individuals with extensive experience in, and knowledge of, legislative and governmental operations in a wide variety of state and local governments, as well as at the national level.

Professional Development Program

The Professional Development Program of Rockefeller College is nationally recognized as a leader in providing high-quality, innovative educational programming for working professionals, managers and executives, as well as special programs across traditional professional, occupational and disciplinary boundaries.

Each year, the Professional Development Program (PDP) uses sophisticated teaching methods and appropriate technologies and formats to provide more than 2,500 instructional activities, including publications, instructional support, research, testing, and development activities that reach over 25,000 participants throughout New York state and other states as well. The Professional Development Program works with the four graduate schools of Rockefeller College, with other components of the University at Albany, with numerous units of the 64-campus State University of New York system, and with many other public and private institutions to develop and administer graduate and undergraduate courses as well as non-credit workshops, conferences, symposia and institutes. Curricula, instructional aids and publications produced by PDP are in use in over 25 countries.

Library Resources

Rockefeller College has its own Graduate Library for Public Affairs, which brings together under one roof collections for public affairs, social welfare, criminal justice, and information and library sciences. As a part of the University at Albany Library, the Graduate Library for Public Affairs is part of a collection of over one million volumes and 7,200 current periodicals and newspaper subscriptions. As a selective depository for U.S. Government publications, the University Library also collects documents of local, state, Federal and international governmental agencies. Membership in the Center for Research Libraries provides access to another three million volumes, while proximity to the New York State Library makes another four-million volume collection available to students, faculty and staff. Membership in the Research Libraries Group provides increasingly sophisticated access to bibliographic and other forms of information from nearly 60 other institutions.

The University Library's information retrieval section formulates computer-produced bibliographies using a number of databases, including those covering government reports, dissertations, chemistry, biology, psychology, and medicine. These databases are particularly useful for searches involving two or more subject areas.

The growth of its own collection and its increasing access to the resources of other institutions makes the Graduate Library for Public Affairs one of the best public affairs libraries in the country and enables it to facilitate and assist cross-disciplinary, doctoral-level research and to function as a base resource for providing both materials and access to information in a variety of formats and locations.

Computer Facilities

Computing and the application of information and communication technologies to policy analysis and policy making are major components of each school's curriculum. Rockefeller College has access to the University's mainframe computer, and is able to interface with a variety of microcomputers and software. The system also has national networking capabilities. This equipment is augmented by college microcomputer laboratories and software for supporting advanced instruction and research related to contemporary policy needs and opportunities.

Consortium for Legislative Development

Draft PIA

August 8, 1991

Location

Located on its own campus in downtown Albany, only minutes from the New York State Capitol Building, the Legislative Office Building, and the principal executive office of the state government, Rockefeller College offers faculty, staff and students a variety of important opportunities to observe or participate in the many processes by which theory and policy are translated into specific methods of delivering services to the people of New York. The learning relationship between Rockefeller College and governmental entities is reciprocal. Much of the specific, commissioned research undertaken by Rockefeller College increases the effectiveness of government agencies. The invaluable by-product of such research is a deeper, broader understanding of institutional organization and behavior.

For further information on the Center for Legislative Development, contact:

Abdo I. Baaklini, Director
Center for Legislative Development
Nelson A. Rockefeller College of Public Affairs and Policy
135 Western Avenue
Albany, NY 12222
(518) 442-5249

THE CENTER FOR DEMOCRACY

The Center for Democracy is a Washington-based, tax-exempt, non profit and non-partisan educational institute incorporated in 1984 with an independent and strongly bipartisan board of directors. The President of the Center is Allen Weinstein who has received a number of national and international awards, including the 1986 United Nations Peace Medal for "his extraordinary efforts to promote peace, dialogue, and free elections in several critical parts of the world," and, in 1990, the Council of Europe's prestigious Silver Medal for meritorious work with the Council's Parliamentary Assembly.

The primary purposes of the Center are to promote the democratic process, encourage dialogue on international conflicts, and work to strengthen democratic institutions in both the United States and abroad. To support these goals, the Center sponsors studies and programs conducted on a non-partisan basis that address the fundamental issues of democratic societies. The Center has won international acclaim for programs conducted on

Consortium for Legislative Development

Draft PIA

August 8, 1991

five continents. It works closely on an informal basis with the United States Congress and with legislatures and political leaders of parliamentary democracies in Latin America, the Caribbean, Western, Central and Eastern Europe, Africa and Asia.

A major commitment of The Center for Democracy's work has been to Latin America, particularly to the process of strengthening political institutions in the developing democracies of Central America. The Center has committed a substantial portion of its financial and staff resources since 1986 (in part with timely and effective support of the Agency for International Development) to organizing a series of forums and seminars in the region. These programs, such as the three-stage Central American Legislative Training Seminars (CALTS), have provided legislative leaders and others from throughout the Americas with an opportunity to meet both formally and informally to discuss regional issues. Several programs provided technical and administrative assistance and training to the legislature of Belize, Costa Rica, El Salvador, Guatemala and Honduras. The programs, conducted in Latin America, the United States and Europe, have led to collaborative relationships with the legislatures and their leaders, both past and present. Similar ties exist with inter-parliamentary organizations in South America, such as the Andean Parliament.

The Center has recently completed a three-and-a-half year democratic support project in Guatemala (1987-1991) funded by a cooperative agreement with USAID/Guatemala. The Center's Consortium program manager, Caleb McCarry, served as the Center's program director in Guatemala designing and implementing this project with the Guatemala National Congress from 1988 to 1990. He has extensive hands-on program experience in legislative and democratic development in Latin America, Europe, Africa and Asia. This technical assistance project, focused on the National Congress, was based on programs developed collaboratively with the leadership of the Congress with substantive collaboration of USAID project officers. The project was a pioneering effort in the current AID-funded legislative development program which began with the Center's CALTS program in 1986. Within the Guatemala project, the Center organized orientation and training programs for the full membership of the Congress and U.S. based instructional visits to state legislatures for key professional staff.

The Center also organized several important legislative training seminars for members and staff of the Congress examining and reinforcing the Congress' role in several critical areas including the budgetary process, press and public relations, and multipartisan cooperation on legislative matters. In 1990-1991,

Consortium for Legislative Development

Draft PIA

August 8, 1991

the Center implemented the installation and training phases of the first major management information system developed in a Central American legislature. This system has automated the Congress' principal legislative functions and components including: its technical legislative department, where bill drafting, indexing and committee support services are performed; its congressional record operation; its administrative services; its accounting department; the Directorio; and the Plenary Chamber.

The Center has continued its work on the regional level with financial and programmatic support for the *Asociación de Técnicos Legislativos Centroamericanos* (ATELCA), a regional association of Central American legislative clerks developed in cooperation with, and modeled after, the American Society of Legislative Clerks and Secretaries.

In addition, following the national elections in Nicaragua, the Center was asked by AID to conduct an assessment of the Nicaraguan National Assembly's needs. This task was implemented as a Consortium for Legislative Development activity in October 1990. In short, the Center enjoys extremely close cooperative relationships with the democratically-elected legislatures of the LAC region and has had concrete experience in the design and implementation of a major legislative development project. Moreover, the Center conducts its programs within the framework of a distinctive non-partisan approach which has engendered relationships of trust with the legislatures with which the Center has collaborated.

FLORIDA INTERNATIONAL UNIVERSITY

Florida International University, a member of the State University System of Florida, opened its doors in 1972. It now enrolls over 20,000 students and expects to add another 10,000 students during this decade. The institution has an explicit mandate of service to the Americas.

The FIU School of Public Affairs and Services is the University's academic unit addressing the needs of public service agencies and other organizations in South Florida, the Region and Latin America. The School, which has been growing significantly in academic excellence (as evidenced by its recent election to the most elite status within the National Association of Schools of Public Affairs and Administration) specializes in professional development, problem assessment, policy formulation and program implementation. Its sixty faculty members are organized in the

Consortium for Legislative Development

Draft PIA

August 8, 1991

Departments of Criminal Justice, Health Services Administration, Social Work, and Public Administration. They offer high quality credit and non-credit programming from the Bachelor's through the Doctoral level. Non credit activities are continuous in Miami and abroad. For five years, the faculty and staff of the School worked with the United Nations Institute for the Prevention of Crime and Treatment of Offenders (ILANUD) through the USAID Administration of Justice Project. Its faculty have delivered ancillary services in Bolivia, Costa Rica, Ecuador, Guatemala, Chile, Argentina and Columbia for USAID and other international donor organizations.

The School is headed by Dean Allan Rosenbaum, who has 25 years of experience researching and working with both state legislatures and the U.S. Congress and in advising state governments on their legislative organization and functioning. The School's Program Manager for the Consortium for Legislative Development, Gerald Reed, has six years of experience working as a state legislative staffer and two years experience working in the Latin American region, including USAID funded activities with both the Costa Rican and Guatemalan legislatures. The Chair of the Department of Public Administration, Harvey Averch, who has held a number of senior and presidential appointments at the National Science Foundation, oversaw all of its technological program activity and its national science and technological policy development activity, including considerable work with the U.S. Congress and senior level foreign government officials. The Public Administration department has successfully delivered a multi-year training program for Mexican government officials and the School itself has a number of faculty with experience in Latin America and U.S. state and federal policy making.

Supporting logistical needs of the University faculty and staff is the University' Division of Continuing Education with four professionals and a dozen para professionals, the Controller's Office which handles six million dollars and year in federal funding, including two to three million in USAID funding; its Center for International Affairs which coordinates all international activities at the University and the Division of Sponsored Research Training, the principal point of contact with USAID contract officers, and the administration of ten million dollars per annum in contracts and grants.

B. Other Institutions

In addition to the resources that the Consortium itself brings to the implementation of this plan, the following organizations with which the Consortium has collaborated

Consortium for Legislative Development

Draft PIA

August 8, 1991

successfully in the past offer potential additional resources for the project.

1. The Asociación de Técnicos Legislativos Centroamericanos (ATELCA) was founded in 1988. It is led by the chief clerks of the national legislatures of Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama. The membership of ATELCA includes the key professional staff of each legislature. ATELCA holds semiannual General Assembly meetings, regular committee working meetings and is currently developing a full program of training and information-exchange activities including the development of a Central American manual on legislative procedure, the regular exchange of key legislation and bills and a budget analysis training program.
2. The National Association of Directors and Legislative Professional of Brazil is a professional staff organization which was established in 1984 to help in the professional development of Brazilian legislatures both at the federal and the state level and was formed in cooperation with the University at Albany's Center for Legislative Development with partial funding from the United States. It is modeled on the U.S. National Conference of State Legislatures (NCSL). ANDAL has sponsored a number of seminars and conferences that included both staff and elected members and has published their proceedings.
3. The National Conference of State Legislatures is a bipartisan organization created to serve the legislators and staffs of the nation's 50 states, its commonwealths and territories. NCSL provides research, technical assistance, and the opportunity to exchange ideas on the most pressing state issues. NCSL also is an effective and respected representative for the interests of state governments before Congress and federal agencies. NCSL's aims are to improve the quality and effectiveness of state legislatures, to foster interstate communication and cooperation, and to ensure legislatures a strong, cohesive voice in the federal system. NCSL produces a monthly magazine, a quarterly newsletter and offers a great many specialized publications, from books to brief summaries of developments, through studies of a number of policy areas.
4. The American Society of Legislative Clerks and Secretaries (ASLCS), founded in 1943, is comprised of chief parliamentary officers and staff involved in the law making and administrative processes of state government. The Society undertakes special projects such as the revision of

Consortium for Legislative Development

Draft PIA

August 8, 1991

Mason's Manual of Legislative Procedure, the reprinting of Cushing's Law and practice and Legislative Assemblies in the United States of America, and conducts surveys on aspects of legislative procedure, parliamentary rulings, data processing, staff training, utilization and compensation. Currently in excess of two hundred members, representing forty-six states plus certain Atlantic and Pacific islands, attend the ASLCS's annual professional development seminars. Other meetings are held throughout the year. Biennially, the Society meets jointly with its Canadian counterparts.

Other useful resource organizations include the Southern Legislative Conference, the State Legislative Leaders Foundation, the Council of State Governments, the Andean Parliament, the Council of Europe and European Parliament's European Centre for Parliamentary Research and Documentation, the Instituto Centroamericano de Administración de Empresas (INCAE) and the Instituto Latinoamericano de las Naciones Unidas para la Prevención de Delito y Tratamiento del Delincuente (ILANUD).