

113TH CONGRESS
2^D SESSION

H. R. 2901

IN THE SENATE OF THE UNITED STATES

DECEMBER 9, 2014

Received

AN ACT

To strengthen implementation of the Senator Paul Simon Water for the Poor Act of 2005 by improving the capacity of the United States Government to implement, leverage, and monitor and evaluate programs to provide first-time or improved access to safe drinking water, sanitation, and hygiene to the world's poorest on an equitable and sustainable basis, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Senator Paul Simon
5 Water for the World Act of 2014”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

8 (1) water and sanitation are critically important
9 resources that impact many other aspects of human
10 life; and

11 (2) the United States should be a global leader
12 in helping provide sustainable access to clean water
13 and sanitation for the world’s most vulnerable popu-
14 lations.

15 **SEC. 3. CLARIFICATION OF ASSISTANCE TO PROVIDE SAFE**
16 **WATER AND SANITATION TO INCLUDE HY-**
17 **GIENE.**

18 Chapter 1 of part I of the Foreign Assistance Act
19 of 1961 is amended—

20 (1) by redesignating section 135 (22 U.S.C.
21 2152h), as added by section 5(a) of the Senator
22 Paul Simon Water for the Poor Act of 2005 (Public
23 Law 109–121; 22 U.S.C. 2152h note), as section
24 136; and

25 (2) in section 136, as redesignated—

1 (A) in the section heading, by striking
2 “**AND SANITATION**” and inserting “, **SANITA-**
3 **TION, AND HYGIENE**”; and

4 (B) in subsection (b), by striking “and
5 sanitation” and inserting “, sanitation, and hy-
6 giene”.

7 **SEC. 4. IMPROVING COORDINATION AND OVERSIGHT OF**
8 **SAFE WATER, SANITATION AND HYGIENE**
9 **PROJECTS AND ACTIVITIES.**

10 Section 136 of the Foreign Assistance Act of 1961,
11 as redesignated and amended by this Act, is further
12 amended by adding at the end the following:

13 “(e) COORDINATION AND OVERSIGHT.—

14 “(1) USAID GLOBAL WATER COORDINATOR.—

15 “(A) DESIGNATION.—The Administrator
16 of the United States Agency for International
17 Development (referred to in this paragraph as
18 ‘USAID’) or the Administrator’s designee, who
19 shall be a current USAID employee serving in
20 a career or non-career position in the Senior
21 Executive Service or at the level of a Deputy
22 Assistant Administrator or higher, shall serve
23 concurrently as the USAID Global Water Coor-
24 dinator (referred to in this subsection as the
25 ‘Coordinator’).

1 “(B) SPECIFIC DUTIES.—The Coordinator
2 shall—

3 “(i) provide direction and guidance to,
4 coordinate, and oversee the projects and
5 programs of USAID authorized under this
6 section;

7 “(ii) lead the implementation and re-
8 vision, not less frequently than once every
9 5 years, of USAID’s portion of the Global
10 Water Strategy required under subsection
11 (j);

12 “(iii) seek—

13 “(I) to expand the capacity of
14 USAID, subject to the availability of
15 appropriations, including through the
16 designation of a lead subject matter
17 expert selected from among USAID
18 staff in each high priority country
19 designated pursuant to subsection (h);

20 “(II) to implement such pro-
21 grams and activities;

22 “(III) to take advantage of
23 economies of scale; and

24 “(IV) to conduct more efficient
25 and effective projects and programs;

1 “(iv) coordinate with the Department
2 of State and USAID staff in each high pri-
3 ority country designated pursuant to sub-
4 section (h) to ensure that USAID activities
5 and projects, USAID program planning
6 and budgeting documents, and USAID
7 country development strategies reflect and
8 seek to implement—

9 “(I) the safe water, sanitation,
10 and hygiene objectives established in
11 the strategy required under subsection
12 (j), including objectives relating to the
13 management of water resources; and

14 “(II) international best practices
15 relating to—

16 “(aa) increasing access to
17 safe water and sanitation;

18 “(bb) conducting hygiene-re-
19 lated activities; and

20 “(cc) ensuring appropriate
21 management of water resources;
22 and

23 “(v) develop appropriate benchmarks,
24 measurable goals, performance metrics,
25 and monitoring and evaluation plans for

1 USAID projects and programs authorized
2 under this section.

3 “(2) DEPARTMENT OF STATE SPECIAL COORDI-
4 NATOR FOR WATER RESOURCES.—

5 “(A) DESIGNATION.—The Secretary of
6 State or the Secretary’s designee, who shall be
7 a current employee of the Department of State
8 serving in a career or non-career position in the
9 Senior Executive Service or at the level of a
10 Deputy Assistant Secretary or higher, shall
11 serve concurrently as the Department of State
12 Special Advisor for Water Resources (referred
13 to in this paragraph as the ‘Special Advisor’).

14 “(B) SPECIFIC DUTIES.—The Special Ad-
15 visor shall—

16 “(i) provide direction and guidance to,
17 coordinate, and oversee the projects and
18 programs of the Department of State au-
19 thorized under this section;

20 “(ii) lead the implementation and re-
21 vision, not less than every 5 years, of the
22 Department of State’s portion of the Glob-
23 al Water Strategy required under sub-
24 section (j);

1 “(iii) prioritize and coordinate the De-
2 partment of State’s international engage-
3 ment on the allocation, distribution, and
4 access to global fresh water resources and
5 policies related to such matters;

6 “(iv) coordinate with United States
7 Agency for International Development and
8 Department of State staff in each high pri-
9 ority country designated pursuant to sub-
10 section (h) to ensure that United States
11 diplomatic efforts related to safe water,
12 sanitation, and hygiene, including efforts
13 related to management of water resources
14 and watersheds and the resolution of intra-
15 and trans-boundary conflicts over water re-
16 sources, are consistent with United States
17 national interests; and

18 “(v) represent the views of the United
19 States Government on the allocation, dis-
20 tribution, and access to global fresh water
21 resources and policies related to such mat-
22 ters in key international fora, including
23 key diplomatic, development-related, and
24 scientific organizations.

1 “(3) ADDITIONAL NATURE OF DUTIES AND RE-
2 STRICTION ON ADDITIONAL OR SUPPLEMENTAL COM-
3 PENSATION.—The responsibilities and specific duties
4 of the Administrator of the United States Agency
5 for International Development (or the Administra-
6 tor’s designee) and the Secretary of State (or the
7 Secretary’s designee) under paragraph (2) or (3), re-
8 spectively, shall be in addition to any other respon-
9 sibilities or specific duties assigned to such individ-
10 uals. Such individuals shall receive no additional or
11 supplemental compensation as a result of carrying
12 out such responsibilities and specific duties under
13 such paragraphs.”.

14 **SEC. 5. PROMOTING THE MAXIMUM IMPACT AND LONG-**
15 **TERM SUSTAINABILITY OF USAID SAFE**
16 **WATER, SANITATION, AND HYGIENE-RELATED**
17 **PROJECTS AND PROGRAMS.**

18 Section 136 of the Foreign Assistance Act of 1961,
19 as redesignated and amended by this Act, is further
20 amended by adding at the end the following:

21 “(f) PRIORITIES AND CRITERIA FOR MAXIMUM IM-
22 PACT AND LONG-TERM SUSTAINABILITY.—The Adminis-
23 trator of the United States Agency for International De-
24 velopment shall ensure that the Agency for International
25 Development’s projects and programs authorized under

1 this section are designed to achieve maximum impact and
2 long-term sustainability by—

3 “(1) prioritizing countries on the basis of the
4 following clearly defined criteria and indicators, to
5 the extent sufficient empirical data are available—

6 “(A) the proportion of the population
7 using an unimproved drinking water source;

8 “(B) the total population using an unim-
9 proved drinking water source;

10 “(C) the proportion of the population with-
11 out piped water access;

12 “(D) the proportion of the population
13 using shared or other unimproved sanitation fa-
14 cilities;

15 “(E) the total population using shared or
16 other unimproved sanitation facilities;

17 “(F) the proportion of the population prac-
18 ticing open defecation;

19 “(G) the total number of children younger
20 than 5 years of age who died from diarrheal
21 disease;

22 “(H) the proportion of all deaths of chil-
23 dren younger than 5 years of age resulting from
24 diarrheal disease;

1 “(I) the national government’s capacity,
2 capability, and commitment to work with the
3 United States to improve access to safe water,
4 sanitation, and hygiene, including—

5 “(i) the government’s capacity and
6 commitment to developing the indigenous
7 capacity to provide safe water and sanita-
8 tion without the assistance of outside do-
9 nors; and

10 “(ii) the degree to which such govern-
11 ment—

12 “(I) identifies such efforts as a
13 priority; and

14 “(II) allocates resources to such
15 efforts;

16 “(J) the availability of opportunities to le-
17 verage existing public, private, or other donor
18 investments in the water, sanitation, and hy-
19 giene sectors, including investments in the man-
20 agement of water resources; and

21 “(K) the likelihood of making significant
22 improvements on a per capita basis on the
23 health and educational opportunities available
24 to women as a result of increased access to safe
25 water, sanitation, and hygiene, including access

1 to appropriate facilities at primary and sec-
2 ondary educational institutions seeking to en-
3 sure that communities benefitting from such
4 projects and activities develop the indigenous
5 capacity to provide safe water and sanitation
6 without the assistance of outside donors;

7 “(2) prioritizing and measuring, including
8 through rigorous monitoring and evaluating mecha-
9 nisms, the extent to which such project or pro-
10 gram—

11 “(A) furthers significant improvements
12 in—

13 “(i) the criteria set forth in subpara-
14 graphs (A) through (H) of paragraph (1);

15 “(ii) the health and educational op-
16 portunities available to women as a result
17 of increased access to safe water, sanita-
18 tion, and hygiene, including access to ap-
19 propriate facilities at primary and sec-
20 ondary educational institutions; and

21 “(iii) the indigenous capacity of the
22 host nation or community to provide safe
23 water and sanitation without the assistance
24 of outside donors;

1 “(B) is designed, as part of the provision
2 of safe water and sanitation to the local com-
3 munity—

4 “(i) to be financially independent over
5 the long term, focusing on local ownership
6 and sustainability;

7 “(ii) to be undertaken in conjunction
8 with relevant public institutions or private
9 enterprises;

10 “(iii) to identify and empower local in-
11 dividuals or institutions to be responsible
12 for the effective management and mainte-
13 nance of such project or program; and

14 “(iv) to provide safe water or exper-
15 tise or capacity building to those identified
16 parties or institutions for the purposes of
17 developing a plan and clear responsibilities
18 for the effective management and mainte-
19 nance of such project or program;

20 “(C) leverages existing public, private, or
21 other donor investments in the water, sanita-
22 tion, and hygiene sectors, including investments
23 in the management of water resources;

24 “(D) avoids duplication of efforts with
25 other United States Government agencies or de-

1 partments or those of other nations or non-
2 governmental organizations;

3 “(E) coordinates such efforts with the ef-
4 forts of other United States Government agen-
5 cies or departments or those of other nations or
6 nongovernmental organizations directed at as-
7 sisting refugees and other displaced individuals;
8 and

9 “(F) involves consultation with appropriate
10 stakeholders, including communities directly af-
11 fected by the lack of access to clean water, sani-
12 tation or hygiene, and other appropriate non-
13 governmental organizations; and

14 “(3) seeking to further the strategy required
15 under subsection (j) after 2018.

16 “(g) USE OF CURRENT AND IMPROVED EMPIRICAL
17 DATA COLLECTION AND REVIEW OF NEW STANDARDIZED
18 INDICATORS.—

19 “(1) IN GENERAL.—The Administrator of the
20 United States Agency for International Development
21 is authorized to use current and improved empirical
22 data collection—

23 “(A) to meet the health-based
24 prioritization criteria established pursuant to
25 subsection (f)(1); and

1 “(B) to review new standardized indicators
2 in evaluating progress towards meeting such
3 criteria.

4 “(2) CONSULTATION AND NOTICE.—The Ad-
5 ministrators shall—

6 “(A) regularly consult with the appropriate
7 congressional committees; and

8 “(B) notify such committees not later than
9 30 days before using current or improved em-
10 pirical data collection for the review of any new
11 standardized indicators under paragraph (1) for
12 the purposes of carrying out this section.

13 “(h) DESIGNATION OF HIGH PRIORITY COUN-
14 TRIES.—

15 “(1) INITIAL DESIGNATION.—Not later than
16 October 1, 2015, the President shall—

17 “(A) designate, on the basis of the criteria
18 set forth in subsection (f)(1) not fewer than 10
19 countries as high priority countries to be the
20 primary recipients of United States Government
21 assistance authorized under this section during
22 fiscal year 2016; and

23 “(B) notify the appropriate congressional
24 committees of such designations.

25 “(2) ANNUAL DESIGNATIONS.—

1 “(A) IN GENERAL.—Except as provided in
2 subparagraph (B), the President shall annually
3 make new designations pursuant to the criteria
4 set forth in paragraph (1).

5 “(B) DESIGNATIONS AFTER FISCAL YEAR
6 2018.—Beginning with fiscal year 2019, des-
7 ignations under paragraph (1) shall be made—

8 “(i) based upon the criteria set forth
9 in subsection (f)(1); and

10 “(ii) in furtherance of the strategy re-
11 quired under subsection (j).

12 “(i) TARGETING OF PROJECTS AND PROGRAMS TO
13 AREAS OF GREATEST NEED.—

14 “(1) IN GENERAL.—Not later than 15 days be-
15 fore the obligation of any funds for water, sanita-
16 tion, or hygiene projects or programs pursuant to
17 this section in countries that are not ranked in the
18 top 50 countries based upon the WASH Needs
19 Index, the Administrator of the United States Agen-
20 cy for International Development shall notify the ap-
21 propriate congressional committees of the planned
22 obligation of such funds.

23 “(2) DEFINED TERM.—In this subsection and
24 in subsection (j), the term ‘WASH Needs Index’
25 means the needs index for water, sanitation, or hy-

1 giene projects or programs authorized under this
2 section that has been developed using the criteria
3 and indicators described in subparagraphs (A)
4 through (H) of subsection (f)(1).”.

5 **SEC. 6. UNITED STATES STRATEGY TO INCREASE APPRO-**
6 **PRIATE LONG-TERM SUSTAINABILITY AND**
7 **ACCESS TO SAFE WATER, SANITATION, AND**
8 **HYGIENE.**

9 (a) IN GENERAL.—Section 136 of the Foreign Assist-
10 ance Act of 1961, as redesignated and amended by this
11 Act, is further amended by adding at the end the fol-
12 lowing:

13 “(j) GLOBAL WATER STRATEGY.—

14 “(1) IN GENERAL.—Not later than October 1,
15 2017, October 1, 2022, and October 1, 2027, the
16 President, acting through the Secretary of State, the
17 Administrator of the United States Agency for
18 International Development, and the heads of other
19 Federal departments and agencies, as appropriate,
20 shall submit a single government-wide Global Water
21 Strategy to the appropriate congressional commit-
22 tees that provides a detailed description of how the
23 United States intends—

24 “(A) to increase access to safe water, sani-
25 tation, and hygiene in high priority countries

1 designated pursuant to subsection (h), including
2 a summary of the WASH Needs Index and the
3 specific weighting of empirical data and other
4 definitions used to develop and rank countries
5 on the WASH Needs Index;

6 “(B) to improve the management of water
7 resources and watersheds in such countries; and

8 “(C) to work to prevent and resolve, to the
9 greatest degree possible, both intra- and trans-
10 boundary conflicts over water resources in such
11 countries.

12 “(2) AGENCY-SPECIFIC PLANS.—The Global
13 Water Strategy shall include an agency-specific
14 plan—

15 “(A) from the United States Agency for
16 International Development that describes spe-
17 cifically how the Agency for International De-
18 velopment will—

19 “(i) carry out the duties and respon-
20 sibilities assigned to the Global Water Co-
21 ordinator under subsection (e)(1);

22 “(ii) ensure that the Agency for Inter-
23 national Development’s projects and pro-
24 grams authorized under this section are
25 designed to achieve maximum impact and

1 long-term sustainability, including by im-
2 plementing the requirements described in
3 subsection (f); and

4 “(iii) increase access to safe water,
5 sanitation, and hygiene in high priority
6 countries designated pursuant to sub-
7 section (h);

8 “(B) from the Department of State that
9 describes specifically how the Department of
10 State will—

11 “(i) carry out the duties and respon-
12 sibilities assigned to the Special Coordi-
13 nator for Water Resources under sub-
14 section (e)(2); and

15 “(ii) ensure that the Department’s ac-
16 tivities authorized under this section are
17 designed—

18 “(I) to improve management of
19 water resources and watersheds in
20 countries designated pursuant to sub-
21 section (h); and

22 “(II) to prevent and resolve, to
23 the greatest degree possible, both
24 intra- and trans-boundary conflicts

1 over water resources in such coun-
2 tries; and

3 “(C) from other Federal departments and
4 agencies, as appropriate, that describes the con-
5 tributions of the departments and agencies to
6 implementing the Global Water Strategy.

7 “(3) INDIVIDUALIZED PLANS FOR HIGH PRI-
8 ORITY COUNTRIES.—For each high priority country
9 designated pursuant to subsection (h), the Adminis-
10 trator of the United States Agency for International
11 Development shall—

12 “(A) develop a costed, evidence-based, and
13 results-oriented plan that—

14 “(i) seeks to achieve the purposes of
15 this section; and

16 “(ii) meets the requirements under
17 subsection (f); and

18 “(B) include such plan in an appendix to
19 the Global Water Strategy required under para-
20 graph (1).

21 “(4) FIRST TIME ACCESS REPORTING REQUIRE-
22 MENT.—The Global Water Strategy shall specifically
23 describe the target percentage of funding for each
24 fiscal year covered by such strategy to be directed

1 toward projects aimed at providing first-time access
2 to safe water and sanitation.

3 “(5) PERFORMANCE INDICATORS.—The Global
4 Water Strategy shall include specific and measurable
5 goals, benchmarks, performance metrics, timetables,
6 and monitoring and evaluation plans required to be
7 developed by the Administrator of the United States
8 Agency for International Development pursuant to
9 subsection (e)(1)(B)(v).

10 “(6) CONSULTATION AND BEST PRACTICES.—
11 The Global Water Strategy shall—

12 “(A) be developed in consultation with the
13 heads of other appropriate Federal departments
14 and agencies; and

15 “(B) incorporate best practices from the
16 international development community.

17 “(k) DEFINITIONS.—In this section—

18 “(1) the term ‘appropriate congressional com-
19 mittees’ means—

20 “(A) the Committee on Foreign Relations
21 of the Senate;

22 “(B) the Committee on Appropriations of
23 the Senate;

24 “(C) the Committee on Foreign Affairs of
25 the House of Representatives; and

1 “(D) the Committee on Appropriations of
2 the House of Representatives; and

3 “(2) the term ‘long-term sustainability’ refers
4 to the ability of a service delivery system, commu-
5 nity, partner, or beneficiary to maintain, over time,
6 any water, sanitation, or hygiene project that re-
7 ceives funding pursuant to the amendments made by
8 the Senator Paul Simon Water for the World Act of
9 2014.”.

10 (b) DEPARTMENT OF STATE AGENCY-SPECIFIC
11 PLAN.—Not later than 180 days after the date of enact-
12 ment of this Act, the Secretary of State shall submit an
13 agency-specific plan to the appropriate congressional com-
14 mittees (as defined in section 136(k) of the Foreign As-
15 sistance Act of 1961, as added by subsection (a)) that
16 meets the requirements of section 136(j)(2)(B) of such
17 Act, as added by subsection (a).

18 (c) CONFORMING AMENDMENT.—Section 6 of the
19 Senator Paul Simon Water for the Poor Act of 2005 (Pub-
20 lic Law 109–121; 22 U.S.C. 2152h note) is repealed.

Passed the House of Representatives December 8,
2014.

Attest:

KAREN L. HAAS,

Clerk.