

**Suspend the Rules and Pass the Bill, H. R. 2901, With an  
Amendment**

**(The amendment strikes all after the enacting clause and inserts a  
new text)**

113TH CONGRESS  
2ND SESSION

# H. R. 2901

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.

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 1, 2013

Mr. BLUMENAUER (for himself, Mr. POE of Texas, Mr. COLE, Mr. JONES, Mr. RIBBLE, Mr. ROHRABACHER, Mr. SENSENBRENNER, Mr. SHIMKUS, Mr. SMITH of New Jersey, Mr. TERRY, Mr. HANNA, Mr. SCHOCK, and Ms. EDWARDS) introduced the following bill; which was referred to the Committee on Foreign Affairs

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## A BILL

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 as such, the United States should be a  
11 global leader in helping provide sustainable access to  
12 clean water and sanitation for the world’s most vul-  
13 nerable populations; and

14            (2) the United States Agency for International  
15 Development’s “Water and Development Strategy”,  
16 released in May 2013, improves the Agency’s capac-  
17 ity to provide sustainable water, sanitation, and hy-  
18 giene assistance, advances implementation of por-  
19 tions of the Senator Paul Simon Water for the Poor  
20 Act of 2005 (Public Law 109–121; 119 Stat. 2533),  
21 and should inform the Global Water Strategy re-  
22 quired by section 5(j) of the Senator Paul Simon  
23 Water for the Poor Act of 2005, as added by section  
24 6 of this Act.

1 **SEC. 3. CLARIFICATION OF ASSISTANCE TO PROVIDE SAFE**  
2 **WATER AND SANITATION TO INCLUDE HY-**  
3 **GIENE.**

4 Chapter 1 of part I of the Foreign Assistance Act  
5 of 1961 is amended—

6 (1) by redesignating section 135 (22 U.S.C.  
7 2152h), as added by section 5(a) of the Senator  
8 Paul Simon Water for the Poor Act of 2005 (Public  
9 Law 109–121; 119 Stat. 2536; 22 U.S.C. 2152h  
10 note), as section 136; and

11 (2) in section 136 (as redesignated by para-  
12 graph (1) of this section)—

13 (A) in the section heading, by striking  
14 “**AND SANITATION**” and inserting “**, SANITA-**  
15 **TION, AND HYGIENE**”; and

16 (B) in subsection (b), by striking “and  
17 sanitation” and inserting “, sanitation, and hy-  
18 giene”.

19 **SEC. 4. IMPROVING COORDINATION AND OVERSIGHT OF**  
20 **SAFE WATER, SANITATION AND HYGIENE**  
21 **PROJECTS AND ACTIVITIES.**

22 Section 136 of the Foreign Assistance Act of 1961,  
23 as redesignated and amended by this Act, is further  
24 amended by adding at the end the following subsection:

25 “(e) **COORDINATION AND OVERSIGHT.**—

1           “(1) IN GENERAL.—The Administrator of the  
2           United States Agency for International Development  
3           or the Administrator’s designee and the Secretary of  
4           State or the Secretary’s designee shall provide direc-  
5           tion and guidance, coordinate, and oversee the  
6           projects and programs pursuant to the authority  
7           provided in paragraphs (2) and (3) of this sub-  
8           section, respectively.

9           “(2) USAID GLOBAL WATER COORDINATOR.—

10           “(A) DESIGNATION.—The Administrator  
11           of the United States Agency for International  
12           Development or the Administrator’s designee,  
13           who shall be a current employee of the Agency  
14           serving in a career or non-career position in the  
15           Senior Executive Service or at the level of a  
16           Deputy Assistant Administrator or higher, shall  
17           serve concurrently as the USAID Global Water  
18           Coordinator.

19           “(B) SPECIFIC DUTIES.—The Coordinator  
20           shall, in addition to providing direction and  
21           guidance, coordinating, and overseeing the  
22           projects and programs of the United States  
23           Agency for International Development pursuant  
24           to this section—

1           “(i) lead the implementation and revi-  
2 sion, not less than every 5 years, of the  
3 Agency’s portion of the Global Water  
4 Strategy required under subsection (j);

5           “(ii) seek to expand the capacity of  
6 the Agency, subject to the availability of  
7 appropriations, and including through the  
8 designation of a lead subject matter expert  
9 to be selected from among staff of the  
10 Agency in each high priority country des-  
11 ignated pursuant to subsection (h), to im-  
12 plement such programs and activities, take  
13 advantage of economies of scale, and con-  
14 duct more efficient and effective projects  
15 and programs;

16           “(iii) coordinate with the Department  
17 of State and Agency staff in each high pri-  
18 ority country designated pursuant to sub-  
19 section (h) to ensure that Agency activities  
20 and projects, and Agency program plan-  
21 ning and budgeting documents, and coun-  
22 try development strategies, reflect and seek  
23 to implement—

24                   “(I) the safe water, sanitation,  
25                   and hygiene objectives established in

1 the strategy required by subsection  
2 (j);

3 “(II) including objectives relating  
4 to management of water resources;  
5 and

6 “(III) international best practices  
7 relating to increasing access to safe  
8 water and sanitation, conducting hy-  
9 giene-related activities, and ensuring  
10 appropriate management of water re-  
11 sources; and

12 “(iv) develop appropriate benchmarks,  
13 measurable goals, performance metrics,  
14 and monitoring and evaluation plans for  
15 Agency projects and programs conducted  
16 pursuant to the authority provided in this  
17 section.

18 “(3) STATE DEPARTMENT SPECIAL COORDI-  
19 NATOR FOR WATER RESOURCES.—

20 “(A) DESIGNATION.—The Secretary of  
21 State or the Secretary’s designee, who shall be  
22 a current employee of the Department of State  
23 serving in a career or non-career position in the  
24 Senior Executive Service or at the level of a  
25 Deputy Assistant Secretary or higher, shall

1           serve concurrently as the State Department  
2           Special Advisor for Water Resources.

3           “(B) SPECIFIC DUTIES.—The Special Ad-  
4           visor shall, in addition to providing direction  
5           and guidance, coordinating, and overseeing the  
6           projects and programs of the Department of  
7           State pursuant to this section—

8                   “(i) lead the implementation and revi-  
9                   sion, not less than every 5 years, of the  
10                  Department of State’s portion of the Glob-  
11                  al Water Strategy required under sub-  
12                  section (j);

13                   “(ii) prioritize and coordinate the De-  
14                   partment’s international engagement on  
15                   the allocation, distribution, and access to  
16                   global fresh water resources and policies  
17                   related to such matters;

18                   “(iii) coordinate with United States  
19                   Agency for International Development and  
20                   Department staff in each high priority  
21                   country designated pursuant to subsection  
22                   (h) to ensure that United States diplomatic  
23                   efforts related to safe water, sanitation,  
24                   and hygiene, including efforts related to  
25                   management of water resources and water-

1 sheds and the resolution of intra- and  
2 trans-boundary conflicts over water re-  
3 sources are consistent with United States  
4 national interests; and

5 “(iv) represent the views of the  
6 United States Government on the alloca-  
7 tion, distribution, and access to global  
8 fresh water resources and policies related  
9 to such matters in key international fora,  
10 including key diplomatic, development-re-  
11 lated, and scientific organizations.

12 “(4) ADDITIONAL NATURE OF DUTIES AND RE-  
13 STRICTION ON ADDITIONAL OR SUPPLEMENTAL COM-  
14 PENSATION.—The responsibilities and specific duties  
15 of the Administrator of the United States Agency  
16 for International Development or the Administra-  
17 tor’s designee and the Secretary of State or the Sec-  
18 retary’s designee under paragraphs (2) and (3) of  
19 this subsection, respectively, shall be in addition to  
20 any other responsibilities or specific duties assigned  
21 to such individuals and such individuals shall receive  
22 no additional or supplemental compensation as a re-  
23 sult of carrying out such responsibilities and specific  
24 duties under paragraphs (2) and (3) of this sub-  
25 section, respectively.”.

1 **SEC. 5. PROMOTING THE MAXIMUM IMPACT AND LONG-**  
2 **TERM SUSTAINABILITY OF USAID SAFE**  
3 **WATER, SANITATION, AND HYGIENE-RELATED**  
4 **PROJECTS AND PROGRAMS.**

5 Section 136 of the Foreign Assistance Act of 1961,  
6 as redesignated and amended by this Act, is further  
7 amended by adding at the end the following new sub-  
8 sections:

9 “(f) **PRIORITIES AND CRITERIA FOR MAXIMUM IM-**  
10 **PACT AND LONG TERM SUSTAINABILITY.**—The Adminis-  
11 trator of the United States Agency for International De-  
12 velopment shall ensure that the Agency’s projects and pro-  
13 grams conducted pursuant to the authority provided in  
14 this section are designed to achieve maximum impact and  
15 long-term sustainability by—

16 “(1) prioritizing countries on the basis of the  
17 following clearly defined criteria and indicators,  
18 where sufficient data are available—

19 “(A) the proportion of the population  
20 using an unimproved drinking-water source;

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

23 “(C) the proportion of the population with-  
24 out piped water access;

1           “(D) the proportion of the population  
2 using shared or other unimproved sanitation fa-  
3 cilities;

4           “(E) the total population using shared or  
5 other unimproved sanitation facilities;

6           “(F) the proportion of the population prac-  
7 ticing open defecation;

8           “(G) the proportion of under-five deaths  
9 due to diarrheal disease;

10          “(H) the total number of under-five deaths  
11 due to diarrheal disease;

12          “(I) the national government’s capacity,  
13 capability, and commitment to work with the  
14 United States to improve access to safe water,  
15 sanitation, and hygiene, including the govern-  
16 ment’s capacity and commitment to developing  
17 the indigenous capacity to provide safe water  
18 and sanitation without the assistance of outside  
19 donors and the degree to which such govern-  
20 ment identifies such efforts as a priority and al-  
21 locates resources to such efforts;

22          “(J) the availability of opportunities to le-  
23 verage existing public, private, or other donor  
24 investments in the water, sanitation, and hy-

1 giene sectors, including investments in the man-  
2 agement of water resources;

3 “(K) the likelihood of making significant  
4 improvements on a per capita basis on the  
5 health and educational opportunities available  
6 to women as a result of increased access to safe  
7 water, sanitation, and hygiene, including access  
8 to appropriate facilities at primary and sec-  
9 ondary educational institutions seeking to en-  
10 sure that communities benefiting from such  
11 projects and activities develop the indigenous  
12 capacity to provide safe water and sanitation  
13 without the assistance of outside donors;

14 “(2) prioritizing and measuring, including  
15 through rigorous monitoring and evaluating mecha-  
16 nisms, the extent to which such project or pro-  
17 gram—

18 “(A) furthers the significant improvements  
19 in—

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

22 “(ii) the health and educational op-  
23 portunities available to women as a result  
24 of increased access to safe water, sanita-  
25 tion, and hygiene, including access to ap-

1           appropriate facilities at primary and sec-  
2           ondary educational institutions; and

3                   “(iii) the indigenous capacity of the  
4           host nation or community to provide safe  
5           water and sanitation without the assistance  
6           of outside donors;

7                   “(B) is designed, as part of the provision  
8           of safe water and sanitation to the local com-  
9           munity to—

10                   “(i) be financially independent over  
11           the long term, focusing on local ownership  
12           and sustainability, and is undertaken in  
13           conjunction with relevant public institu-  
14           tions or private enterprises;

15                   “(ii) identify and empower local indi-  
16           viduals or institutions to be responsible for  
17           the effective management and maintenance  
18           of such project or program; and

19                   “(iii) provide safe water or expertise  
20           or capacity building to those identified par-  
21           ties or institutions for the purposes of de-  
22           veloping a plan and clear responsibilities  
23           for the effective management and mainte-  
24           nance of such project or program;

1           “(C) leverages existing public, private, or  
2 other donor investments in the water, sanita-  
3 tion, and hygiene sectors, including investments  
4 in the management of water resources;

5           “(D) avoids duplication of efforts with  
6 other United States government agencies or de-  
7 partments or those of other nations or non-gov-  
8 ernmental organizations;

9           “(E) coordinates such efforts with the ef-  
10 forts of other United States government agen-  
11 cies or departments or those of other nations or  
12 non-governmental organizations directed at as-  
13 sisting refugees and other displaced individuals;  
14 and

15           “(F) involves consultation with appropriate  
16 stakeholders, including communities directly af-  
17 fected by the lack of access to clean water, sani-  
18 tation or hygiene, and other appropriate non-  
19 governmental organizations;

20           “(3) through 2018, seeking to further the  
21 Agency’s ‘Water and Development Strategy’, re-  
22 leased in May 2013; and

23           “(4) after 2018 seeking to further the strategy  
24 required by subsection (j).

1           “(g) USE OF IMPROVED DATA COLLECTION AND RE-  
2 VIEW OF NEW STANDARDIZED INDICATORS.—

3           “(1) IN GENERAL.—The Administrator of the  
4 United States Agency for International Development  
5 is authorized to use improved data collection to meet  
6 the health-based prioritization criteria established  
7 pursuant to subsection (f)(1) and to review new  
8 standardized indicators in evaluating progress to-  
9 wards meeting such criteria.

10           “(2) CONSULTATION AND NOTICE.—The Ad-  
11 ministrator shall regularly consult with the appro-  
12 priate congressional committees and shall notify  
13 such committees not less 30 days in advance of the  
14 use of improved data collection and review of new  
15 standardized indicators under paragraph (1) for the  
16 purposes of carrying out this section.

17           “(h) DESIGNATION OF HIGH PRIORITY COUN-  
18 TRIES.—

19           “(1) INITIAL DESIGNATION.—The President  
20 shall, not later than October 1, 2015, designate on  
21 the basis of the criteria set forth in subsection (f)(1)  
22 and in furtherance of the United States Agency for  
23 International Development’s ‘Water and Develop-  
24 ment Strategy’, released in May 2013, not less than  
25 10 countries as high priority countries to be the pri-

1       mary recipients of United States government assist-  
2       ance authorized pursuant to this section in the fol-  
3       lowing fiscal year and shall inform the appropriate  
4       congressional committees of such designations.

5           “(2) ANNUAL DESIGNATIONS.—The President  
6       shall make new designations pursuant to the criteria  
7       in paragraph (1) annually, except that after 2018  
8       such designations shall be made on the basis of cri-  
9       teria set forth in subsection (f)(1) and in further-  
10      ance of the strategy required by subsection (j).

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

13           “(1) IN GENERAL.—Not later than 15 days  
14      prior to the obligation of any funds for water, sani-  
15      tation, or hygiene projects or programs pursuant to  
16      this section in countries that are not countries  
17      ranked in the top 50 countries based on the WASH  
18      Needs Index, the Administrator of the United States  
19      Agency for International Development shall notify  
20      the appropriate congressional committees of the  
21      planned obligation of such funds.

22           “(2) WASH NEEDS INDEX.—In this subsection,  
23      the term ‘WASH Needs Index’ means the needs  
24      index for water, sanitation, or hygiene projects or  
25      programs pursuant to this section developed using

1 the criteria and indicators described in subpara-  
2 graphs (A) through (H) of subsection (f)(1).”.

3 **SEC. 6. UNITED STATES STRATEGY TO INCREASE APPRO-**  
4 **RIATE LONG-TERM SUSTAINABILITY AND**  
5 **ACCESS TO SAFE WATER, SANITATION, AND**  
6 **HYGIENE.**

7 (a) IN GENERAL.—Section 136 of the Foreign Assist-  
8 ance Act of 1961, as redesignated and amended by this  
9 Act, is further amended by adding at the end the following  
10 new subsections:

11 “(j) GLOBAL WATER STRATEGY.—

12 “(1) IN GENERAL.—Not later than the October  
13 1, 2017, October 1, 2022, and October 1, 2027, the  
14 President, acting through the Secretary of State and  
15 the Administrator of the United States Agency for  
16 International Development and the heads of other  
17 departments and agencies as appropriate, shall sub-  
18 mit to the appropriate congressional committees a  
19 single government-wide Global Water Strategy for  
20 the immediately succeeding five-year period that pro-  
21 vides a detailed description of how the United States  
22 intends—

23 “(A) to increase access to safe water, sani-  
24 tation, and hygiene in high priority countries  
25 designated pursuant to subsection (h), including

1 a summary of the WASH Needs Index (as de-  
2 fined in subsection (i)(2)), including the specific  
3 weighting of data and other assumptions used  
4 to develop such Index and the ranking of coun-  
5 tries on such Index;

6 “(B) to improve management of water re-  
7 sources 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 will—

18 “(i) carry out the duties and respon-  
19 sibilities assigned to the Global Water Co-  
20 ordinator under subsection (e)(2);

21 “(ii) ensure that the Agency’s projects  
22 and programs conducted pursuant to the  
23 authority provided in this section are de-  
24 signed to achieve maximum impact and  
25 long-term sustainability, including by im-

1           plementing the requirements of subsection  
2           (f); and

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

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

10                   “(i) carry out the duties and respon-  
11           sibilities assigned to the Special Coordi-  
12           nator for Water Resources under sub-  
13           section (e)(3); and

14                   “(ii) ensure that the Department’s ac-  
15           tivities conducted pursuant to the author-  
16           ity provided in this section are designed to  
17           improve management of water resources  
18           and watersheds in countries designated  
19           pursuant to subsection (h) and to prevent  
20           and resolve, to the greatest degree possible,  
21           both intra- and trans-boundary conflicts  
22           over water resources in such countries; and

23                   “(C) from other Federal departments and  
24           agencies as appropriate that describes the con-

1           tributions of the departments and agencies to  
2           implementing the Global Water Strategy.

3           “(3) INDIVIDUALIZED PLANS FOR HIGH PRI-  
4           ORITY COUNTRIES.—For each high priority country  
5           designated pursuant to subsection (h), the Adminis-  
6           trator of the United States Agency for International  
7           Development shall develop a costed, evidence-based  
8           and results-oriented plan that seeks to achieve the  
9           purposes of this section and meets the requirements  
10          of subsection (f), and shall include such plans in an  
11          appendix to the Global Water Strategy required by  
12          paragraph (1).

13          “(4) FIRST TIME ACCESS REPORTING REQUIRE-  
14          MENT.—The Global Water Strategy required by  
15          paragraph (1) shall specifically describe the target  
16          percentage of funding for each year covered by such  
17          strategy to be directed toward projects aimed at pro-  
18          viding first-time access to safe water and sanitation.

19          “(5) PERFORMANCE INDICATORS.—The strat-  
20          egy required by this section shall include specific and  
21          measurable goals, benchmarks, performance metrics,  
22          timetables, and monitoring and evaluation plans re-  
23          quired to be developed by the Administrator of the  
24          United States Agency for International Development  
25          pursuant to subsection (e)(2)(B)(iv).

1           “(6) CONSULTATION AND BEST PRACTICES.—

2           The strategy required by paragraph (1) shall be de-  
3           veloped in consultation with the heads of other ap-  
4           propriate Federal departments and agencies and  
5           shall incorporate best practices from the inter-  
6           national development community.

7           “(k) DEFINITION.—In this section, the term ‘appro-  
8           priate congressional committees’ means—

9           “(1) the Committee on Foreign Affairs and the  
10          Committee on Appropriations of the House of Rep-  
11          resentatives; and

12          “(2) the Committee on Foreign Relations and  
13          Committee on Appropriations of the Senate.”.

14          (b) STATE DEPARTMENT AGENCY SPECIFIC PLAN.—

15          Not later than 180 days after the date of enactment of  
16          this Act, the Secretary of State shall submit to the appro-  
17          priate congressional committees an agency-specific plan  
18          that meets the requirements of subparagraph (j)(2)(B) of  
19          section 136 of the Foreign Assistance Act of 1961, as  
20          added by subsection (a).

21          (c) CONFORMING CHANGE.—Section 6 of the Senator  
22          Paul Simon Water for the Poor Act of 2005 (Public Law  
23          109–121; 119 Stat. 2537; 22 U.S.C. 2152h note) is here-  
24          by repealed.