

113TH CONGRESS
2D SESSION

S. 2946

To provide improved water, sanitation, and hygiene programs for high priority developing countries, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 19, 2014

Mr. DURBIN (for himself, Mr. CORKER, Mr. COONS, and Mr. FLAKE) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To provide improved water, sanitation, and hygiene programs for high priority developing countries, 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;

1 (2) the United States should be a global leader
2 in helping provide sustainable access to clean water
3 and sanitation for the world’s most vulnerable popu-
4 lations; and

5 (3) the “USAID Water and Development Strat-
6 egy, 2013–2018”, which was released by the United
7 States Agency for International Development in May
8 2013—

9 (A) improves USAID’s capacity to provide
10 sustainable water, sanitation, and hygiene as-
11 sistance;

12 (B) advances implementation of portions of
13 the Senator Paul Simon Water for the Poor Act
14 of 2005 (Public Law 109–121; 119 Stat.
15 2533), and

16 (C) should inform the Global Water Strat-
17 egy required under section 136(j) of the For-
18 eign Assistance Act of 1961, as added by sec-
19 tion 6 of this Act.

20 **SEC. 3. CLARIFICATION OF ASSISTANCE TO PROVIDE SAFE**
21 **WATER AND SANITATION TO INCLUDE HY-**
22 **GIENE.**

23 Chapter 1 of part I of the Foreign Assistance Act
24 of 1961 is amended—

1 (1) by redesignating section 135 (22 U.S.C.
2 2152h), as added by section 5(a) of the Senator
3 Paul Simon Water for the Poor Act of 2005 (Public
4 Law 109–121; 22 U.S.C. 2152h note), as section
5 136; and

6 (2) in section 136, as redesignated—

7 (A) in the section heading, by striking
8 “**AND SANITATION**” and inserting “**, SANITA-**
9 **TION, AND HYGIENE**”; and

10 (B) in subsection (b), by striking “and
11 sanitation” and inserting “, sanitation, and hy-
12 giene”.

13 **SEC. 4. IMPROVING COORDINATION AND OVERSIGHT OF**
14 **SAFE WATER, SANITATION AND HYGIENE**
15 **PROJECTS AND ACTIVITIES.**

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

19 “(e) COORDINATION AND OVERSIGHT.—

20 “(1) USAID GLOBAL WATER COORDINATOR.—

21 “(A) DESIGNATION.—The Administrator
22 of the United States Agency for International
23 Development (referred to in this paragraph as
24 ‘USAID’) or the Administrator’s designee, who
25 shall be a current USAID employee serving in

1 a career or non-career position in the Senior
2 Executive Service or at the level of a Deputy
3 Assistant Administrator or higher, shall serve
4 concurrently as the USAID Global Water Coor-
5 dinator (referred to in this subsection as the
6 ‘Coordinator’).

7 “(B) SPECIFIC DUTIES.—The Coordinator
8 shall—

9 “(i) provide direction and guidance to,
10 coordinate, and oversee the projects and
11 programs of USAID authorized under this
12 section;

13 “(ii) lead the implementation and re-
14 vision, not less frequently than once every
15 5 years, of USAID’s portion of the Global
16 Water Strategy required under subsection
17 (j);

18 “(iii) seek—

19 “(I) to expand the capacity of
20 USAID, subject to the availability of
21 appropriations, including through the
22 designation of a lead subject matter
23 expert selected from among USAID
24 staff in each high priority country
25 designated pursuant to subsection (h);

1 “(II) to implement such pro-
2 grams and activities;

3 “(III) to take advantage of
4 economies of scale; and

5 “(IV) to conduct more efficient
6 and effective projects and programs;

7 “(iv) coordinate with the Department
8 of State and USAID staff in each high pri-
9 ority country designated pursuant to sub-
10 section (h) to ensure that USAID activities
11 and projects, USAID program planning
12 and budgeting documents, and USAID
13 country development strategies reflect and
14 seek to implement—

15 “(I) the safe water, sanitation,
16 and hygiene objectives established in
17 the strategy required under subsection
18 (j), including objectives relating to the
19 management of water resources; and

20 “(II) international best practices
21 relating to—

22 “(aa) increasing access to
23 safe water and sanitation;

24 “(bb) conducting hygiene-re-
25 lated activities; and

1 “(cc) ensuring appropriate
2 management of water resources;
3 and

4 “(v) develop appropriate benchmarks,
5 measurable goals, performance metrics,
6 and monitoring and evaluation plans for
7 USAID projects and programs authorized
8 under this section.

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

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

20 “(B) SPECIFIC DUTIES.—The Special Ad-
21 visor shall—

22 “(i) provide direction and guidance to,
23 coordinate, and oversee the projects and
24 programs of the Department of State au-
25 thorized under this section;

1 “(ii) lead the implementation and re-
2 vision, not less than every 5 years, of the
3 Department of State’s portion of the Glob-
4 al Water Strategy required under sub-
5 section (j);

6 “(iii) prioritize and coordinate the De-
7 partment of State’s international engage-
8 ment on the allocation, distribution, and
9 access to global fresh water resources and
10 policies related to such matters;

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

23 “(v) represent the views of the United
24 States Government on the allocation, dis-
25 tribution, and access to global fresh water

1 resources and policies related to such mat-
2 ters in key international fora, including
3 key diplomatic, development-related, and
4 scientific organizations.

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

18 **SEC. 5. PROMOTING THE MAXIMUM IMPACT AND LONG-**
19 **TERM SUSTAINABILITY OF USAID SAFE**
20 **WATER, SANITATION, AND HYGIENE-RELATED**
21 **PROJECTS AND PROGRAMS.**

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:

1 “(f) PRIORITIES AND CRITERIA FOR MAXIMUM IM-
2 PACT AND LONG-TERM SUSTAINABILITY.—The Adminis-
3 trator of the United States Agency for International De-
4 velopment shall ensure that the Agency for International
5 Development’s projects and programs authorized under
6 this section are designed to achieve maximum impact and
7 long-term sustainability by—

8 “(1) prioritizing countries on the basis of the
9 following clearly defined criteria and indicators, to
10 the extent sufficient data are available—

11 “(A) the proportion of the population
12 using an unimproved drinking water source;

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

15 “(C) the proportion of the population with-
16 out piped water access;

17 “(D) the proportion of the population
18 using shared or other unimproved sanitation fa-
19 cilities;

20 “(E) the total population using shared or
21 other unimproved sanitation facilities;

22 “(F) the proportion of the population prac-
23 ticing open defecation;

1 “(G) the total number of children younger
2 than 5 years of age who died from diarrheal
3 disease;

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

7 “(I) the national government’s capacity,
8 capability, and commitment to work with the
9 United States to improve access to safe water,
10 sanitation, and hygiene, including—

11 “(i) the government’s capacity and
12 commitment to developing the indigenous
13 capacity to provide safe water and sanita-
14 tion without the assistance of outside do-
15 nors; and

16 “(ii) the degree to which such govern-
17 ment—

18 “(I) identifies such efforts as a
19 priority; and

20 “(II) allocates resources to such
21 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; and

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 benefitting 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 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—

10 “(i) to be financially independent over
11 the long term, focusing on local ownership
12 and sustainability;

13 “(ii) to be undertaken in conjunction
14 with relevant public institutions or private
15 enterprises;

16 “(iii) to identify and empower local in-
17 dividuals or institutions to be responsible
18 for the effective management and mainte-
19 nance of such project or program; and

20 “(iv) to provide safe water or exper-
21 tise or capacity building to those identified
22 parties or institutions for the purposes of
23 developing a plan and clear responsibilities
24 for the effective management and mainte-
25 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-
8 governmental 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 nongovernmental 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) seeking to further the ‘USAID Water and
21 Development Strategy, 2013–2018’ through 2018;
22 and

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

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—

6 “(A) to meet the health-based
7 prioritization criteria established pursuant to
8 subsection (f)(1); and

9 “(B) to review new standardized indicators
10 in evaluating progress towards meeting such
11 criteria.

12 “(2) CONSULTATION AND NOTICE.—The Ad-
13 ministrator shall—

14 “(A) regularly consult with the appropriate
15 congressional committees; and

16 “(B) notify such committees not later 30
17 days before using improved data collection and
18 review of new standardized indicators under
19 paragraph (1) for the purposes of carrying out
20 this section.

21 “(h) DESIGNATION OF HIGH PRIORITY COUN-
22 TRIES.—

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

1 “(A) designate, on the basis of the criteria
2 set forth in subsection (f)(1) and in furtherance
3 of the ‘USAID Water and Development Strat-
4 egy, 2013–2018’, not fewer than 10 countries
5 as high priority countries to be the primary re-
6 cipients of United States Government assist-
7 ance authorized under this section during fiscal
8 year 2016; and

9 “(B) notify the appropriate congressional
10 committees of such designations.

11 “(2) ANNUAL DESIGNATIONS.—

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

16 “(B) DESIGNATIONS AFTER FISCAL YEAR
17 2018.—Beginning with fiscal year 2019, des-
18 ignations under paragraph (1) shall be made—

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

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

23 “(i) TARGETING OF PROJECTS AND PROGRAMS TO
24 AREAS OF GREATEST NEED.—

1 “(1) IN GENERAL.—Not later than 15 days be-
 2 fore the obligation of any funds for water, sanita-
 3 tion, or hygiene projects or programs pursuant to
 4 this section in countries that are not ranked in the
 5 top 50 countries based upon the WASH Needs
 6 Index, the Administrator of the United States Agen-
 7 cy for International Development shall notify the ap-
 8 propriate congressional committees of the planned
 9 obligation of such funds.

10 “(2) DEFINED TERM.—In this subsection and
 11 in subsection (j), the term ‘WASH Needs Index’
 12 means the needs index for water, sanitation, or hy-
 13 giene projects or programs authorized under this
 14 section that has been developed using the criteria
 15 and indicators described in subparagraphs (A)
 16 through (H) of subsection (f)(1).”.

17 **SEC. 6. UNITED STATES STRATEGY TO INCREASE APPRO-**
 18 **PRIATE LONG-TERM SUSTAINABILITY AND**
 19 **ACCESS TO SAFE WATER, SANITATION, AND**
 20 **HYGIENE.**

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

25 “(j) GLOBAL WATER STRATEGY.—

1 “(1) IN GENERAL.—Not later than October 1,
2 2017, and every 5 years thereafter, the President,
3 acting through the Secretary of State, the Adminis-
4 trator of the United States Agency for International
5 Development, and the heads of other Federal depart-
6 ments and agencies, as appropriate, shall submit a
7 single government-wide Global Water Strategy to the
8 appropriate congressional committees that provides a
9 detailed description of how the United States in-
10 tends—

11 “(A) to increase access to safe water, sani-
12 tation, and hygiene in high priority countries
13 designated pursuant to subsection (h), including
14 a summary of the WASH Needs Index and the
15 specific weighting of data and other assump-
16 tions used to develop and rank countries on the
17 WASH Needs Index;

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

20 “(C) to work to prevent and resolve, to the
21 greatest degree possible, both intra- and trans-
22 boundary conflicts over water resources in such
23 countries.

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

4 “(A) from the United States Agency for
5 International Development that describes spe-
6 cifically how the Agency for International De-
7 velopment will—

8 “(i) carry out the duties and respon-
9 sibilities assigned to the Global Water Co-
10 ordinator under subsection (e)(1);

11 “(ii) ensure that the Agency for Inter-
12 national Development’s projects and pro-
13 grams authorized under this section are
14 designed to achieve maximum impact and
15 long-term sustainability, including by im-
16 plementing the requirements described in
17 subsection (f); and

18 “(iii) increase access to safe water,
19 sanitation, and hygiene in high priority
20 countries designated pursuant to sub-
21 section (h);

22 “(B) from the Department of State that
23 describes specifically how the Department of
24 State will—

1 “(i) carry out the duties and respon-
2 sibilities assigned to the Special Coordi-
3 nator for Water Resources under sub-
4 section (e)(2); and

5 “(ii) ensure that the Department’s ac-
6 tivities authorized under this section are
7 designed—

8 “(I) to improve management of
9 water resources and watersheds in
10 countries designated pursuant to sub-
11 section (h); and

12 “(II) to prevent and resolve, to
13 the greatest degree possible, both
14 intra- and trans-boundary conflicts
15 over water resources in such coun-
16 tries; and

17 “(C) from other Federal departments and
18 agencies, as appropriate, that describes the con-
19 tributions of the departments and agencies to
20 implementing the Global Water Strategy.

21 “(3) INDIVIDUALIZED PLANS FOR HIGH PRI-
22 ORITY COUNTRIES.—For each high priority country
23 designated pursuant to subsection (h), the Adminis-
24 trator of the United States Agency for International
25 Development shall—

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

3 “(i) seeks to achieve the purposes of
4 this section; and

5 “(ii) meets the requirements under
6 subsection (f); and

7 “(B) include such plan in an appendix to
8 the Global Water Strategy required under para-
9 graph (1).

10 “(4) FIRST TIME ACCESS REPORTING REQUIRE-
11 MENT.—The Global Water Strategy shall specifically
12 describe the target percentage of funding for each
13 fiscal year covered by such strategy to be directed
14 toward projects aimed at providing first-time access
15 to safe water and sanitation.

16 “(5) PERFORMANCE INDICATORS.—The Global
17 Water Strategy shall include specific and measurable
18 goals, benchmarks, performance metrics, timetables,
19 and monitoring and evaluation plans required to be
20 developed by the Administrator of the United States
21 Agency for International Development pursuant to
22 subsection (e)(1)(B)(v).

23 “(6) CONSULTATION AND BEST PRACTICES.—
24 The Global Water Strategy shall—

1 “(A) be developed in consultation with the
2 heads of other appropriate Federal departments
3 and agencies; and

4 “(B) incorporate best practices from the
5 international development community.

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

8 “(1) the Committee on Foreign Relations of the
9 Senate;

10 “(2) the Committee on Appropriations of the
11 Senate;

12 “(3) the Committee on Foreign Affairs of the
13 House of Representatives; and

14 “(4) the Committee on Appropriations of the
15 House of Representatives.”.

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

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

○