

114TH CONGRESS
2D SESSION

H. R. 4481

AN ACT

To amend the Foreign Assistance Act of 1961 to provide assistance for developing countries to promote quality basic education and to establish the goal of all children in school and learning as an objective of the United States foreign assistance policy, 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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Education for All Act of 2016”.

4 (b) TABLE OF CONTENTS.—The table of contents for
5 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Sense of Congress.
- Sec. 3. Assistance to promote sustainable, quality basic education.
- Sec. 4. Comprehensive integrated United States strategy to promote basic education.
- Sec. 5. Improving coordination and oversight.
- Sec. 6. Monitoring and evaluation of programs.
- Sec. 7. Transparency and reporting to Congress.
- Sec. 8. Definitions.

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

7 It is the sense of Congress that—

8 (1) education lays the foundation for increased
9 civic participation, democratic governance, sustained
10 economic growth, and healthier, more stable soci-
11 eties;

12 (2) it is in the national interest of the United
13 States to promote access to sustainable, quality uni-
14 versal basic education in developing countries;

15 (3) United States resources and leadership
16 should be utilized in a manner that best ensures a
17 successful international effort to provide children in
18 developing countries with a quality basic education
19 in order to achieve the goal of quality universal basic
20 education; and

1 (4) promoting gender parity in basic education
2 from childhood through adolescence serves United
3 States diplomatic, economic, and security interests
4 worldwide.

5 **SEC. 3. ASSISTANCE TO PROMOTE SUSTAINABLE, QUALITY**
6 **BASIC EDUCATION.**

7 Section 105 of the Foreign Assistance Act of 1961
8 (22 U.S.C. 2151c) is amended by adding at the end the
9 following:

10 “(c) ASSISTANCE TO PROMOTE SUSTAINABLE, QUAL-
11 ITY BASIC EDUCATION.—

12 “(1) POLICY.—In carrying out this section, it
13 shall be the policy of the United States to work with
14 partner countries, other donors, multilateral institu-
15 tions, the private sector, and nongovernmental and
16 civil society organizations, including faith-based or-
17 ganizations and organizations that represent teach-
18 ers, students, and parents, to promote sustainable,
19 quality basic education through programs and activi-
20 ties that, consistent with Article 26 of the Universal
21 Declaration of Human Rights—

22 “(A) align with and respond to the needs,
23 capacities, and commitment of developing coun-
24 tries to strengthen educational systems, expand
25 access to safe learning environments, ensure

1 continuity of education, measurably improve
2 teacher skills and learning outcomes, and sup-
3 port the engagement of parents in the edu-
4 cation of their children, so that all children, in-
5 cluding marginalized children and other vulner-
6 able groups, may have access to and benefit
7 from quality basic education; and

8 “(B) promote education as a foundation
9 for sustained economic growth and development
10 within a holistic assistance strategy that places
11 partner countries on a trajectory toward grad-
12 uation from assistance provided under this sec-
13 tion and contributes to improved—

14 “(i) early childhood development;

15 “(ii) life skills and workforce develop-
16 ment;

17 “(iii) economic opportunity;

18 “(iv) gender parity;

19 “(v) food and nutrition security;

20 “(vi) water, sanitation, and hygiene;

21 “(vii) health and disease prevention
22 and treatment;

23 “(viii) disaster preparedness;

24 “(ix) conflict and violence reduction,
25 mitigation, and prevention; and

1 “(x) democracy and governance; and

2 “(C) monitor and evaluate the effectiveness
3 and quality of basic education programs.

4 “(2) PRINCIPLES.—In carrying out the policy
5 referred to in paragraph (1), the United States shall
6 be guided by the following principles of aid effective-
7 ness:

8 “(A) ALIGNMENT.—Assistance provided
9 under this section to support programs and ac-
10 tivities under this subsection shall be aligned
11 with and advance United States diplomatic, de-
12 velopment, and national security interests.

13 “(B) COUNTRY OWNERSHIP.—To the
14 greatest extent practicable, assistance provided
15 under this section to support programs and ac-
16 tivities under this subsection should be aligned
17 with and support the national education plans
18 and country development strategies of partner
19 countries, including activities that are appro-
20 priate for and meet the needs of local and in-
21 digenous cultures.

22 “(C) COORDINATION.—

23 “(i) IN GENERAL.—Assistance pro-
24 vided under this section to support pro-
25 grams and activities under this subsection

1 should be coordinated with and leverage
2 the unique capabilities and resources of
3 local and national governments in partner
4 countries, other donors, multilateral insti-
5 tutions, the private sector, and nongovern-
6 mental and civil society organizations, in-
7 cluding faith-based organizations and orga-
8 nizations that represent teachers, students,
9 and parents.

10 “(ii) MULTILATERAL PROGRAMS AND
11 INITIATIVES.—Assistance provided under
12 this section to support programs and ac-
13 tivities under this subsection should be co-
14 ordinated with and support proven multi-
15 lateral education programs and financing
16 mechanisms, which may include the Global
17 Partnership for Education, that dem-
18 onstrate commitment to efficiency, effec-
19 tiveness, transparency, and accountability.

20 “(D) EFFICIENCY.—The President shall
21 seek to improve the efficiency and effectiveness
22 of assistance provided under this section to sup-
23 port programs and activities under this sub-
24 section by coordinating the related efforts of
25 relevant Executive branch agencies and offi-

1 cials, including efforts to increase gender parity
2 and to provide a continuity of basic education
3 activities in humanitarian responses and other
4 emergency settings.

5 “(E) EFFECTIVENESS.—Programs and ac-
6 tivities supported under this subsection shall be
7 designed to achieve specific, measurable goals
8 and objectives and shall include appropriate tar-
9 gets, metrics and indicators that can be applied
10 with reasonable consistency across such pro-
11 grams and activities to measure progress and
12 outcomes.

13 “(F) TRANSPARENCY AND ACCOUNT-
14 ABILITY.—Programs and activities supported
15 under this subsection shall be subject to rig-
16 orous monitoring and evaluation, which may in-
17 clude impact evaluations, the results of which
18 shall be made publically available in a fully
19 searchable, electronic format.

20 “(3) PRIORITY AND OTHER REQUIREMENTS.—

21 The President shall ensure that assistance provided
22 under this section to support programs and activities
23 under this subsection is aligned with the diplomatic,
24 economic, and national security interests of the

1 United States and that priority is given to devel-
2 oping countries in which—

3 “(A) there is the greatest need and oppor-
4 tunity to expand access to basic education and
5 to improve learning outcomes, including for
6 marginalized and vulnerable groups, particu-
7 larly women and girls, or populations affected
8 by conflict or crisis; and

9 “(B) such assistance can produce a sub-
10 stantial, measurable impact on children and
11 educational systems.

12 “(4) DEFINITIONS.—In this subsection:

13 “(A) BASIC EDUCATION.—The term ‘basic
14 education’ includes—

15 “(i) all program and policy efforts
16 aimed at improving early childhood,
17 preprimary education, primary education,
18 and secondary education, which can be de-
19 livered in formal and nonformal education
20 settings, and in programs promoting learn-
21 ing for out-of-school youth and adults;

22 “(ii) capacity building for teachers,
23 administrators, counselors, and youth
24 workers;

1 “(iii) literacy, numeracy, and other
2 basic skills development that prepare an
3 individual to be an active, productive mem-
4 ber of society and the workforce; and

5 “(iv) workforce development, voca-
6 tional training, and digital literacy that is
7 informed by real market needs and oppor-
8 tunities.

9 “(B) PARTNER COUNTRY.—The term
10 ‘partner country’ means a developing country
11 that participates in or benefits from basic edu-
12 cation programs under this subsection pursuant
13 to the prioritization criteria described in para-
14 graph (3), including level of need, opportunity
15 for impact, and the availability of resources.

16 “(C) RELEVANT EXECUTIVE BRANCH
17 AGENCIES AND OFFICIALS.—The term ‘relevant
18 Executive branch agencies and officials’
19 means—

20 “(i) the Department of State, the
21 United States Agency for International
22 Development, the Department of the
23 Treasury, the Department of Labor, the
24 Department of Education, the Department
25 of Health and Human Services, the De-

1 partment of Agriculture, and the Depart-
2 ment of Defense;

3 “(ii) the Chief Executive Officer of
4 the Millennium Challenge Corporation, the
5 Coordinator of United States Government
6 Activities to Combat HIV/AIDS Globally,
7 the National Security Advisor, the Director
8 of the Peace Corps, and the National Eco-
9 nomic Advisor; and

10 “(iii) any other department, agency,
11 or official of the United States Govern-
12 ment that participates in activities to pro-
13 mote quality basic education pursuant to
14 the authorities of such department, agency,
15 or official or pursuant to this Act.

16 “(D) NATIONAL EDUCATION PLAN.—The
17 term ‘national education plan’ means a com-
18 prehensive national education plan developed by
19 partner country governments in consultation
20 with other stakeholders as a means for wide-
21 scale improvement of the country’s education
22 system, including explicit, credible strategies in-
23 formed by effective practices and standards to
24 achieve quality universal basic education.

1 “(E) HIV/AIDS.—The term ‘HIV/AIDS’
2 has the meaning given that term in section
3 104A(h).

4 “(F) MARGINALIZED CHILDREN AND VUL-
5 NERABLE GROUPS.—The term ‘marginalized
6 children and vulnerable groups’ includes girls,
7 children affected by or emerging from armed
8 conflict or humanitarian crises, children with
9 disabilities, children in remote or rural areas
10 (including those who lack access to safe water
11 and sanitation), religious or ethnic minorities,
12 indigenous peoples, orphans and children af-
13 fected by HIV/AIDS, child laborers, married
14 adolescents, and victims of trafficking.

15 “(G) GENDER PARITY IN BASIC EDU-
16 CATION.—The term ‘gender parity in basic edu-
17 cation’ means that girls and boys have equal ac-
18 cess to quality basic education.

19 “(H) NONFORMAL EDUCATION.—The term
20 ‘nonformal education’—

21 “(i) means organized educational ac-
22 tivities outside the established formal sys-
23 tem, whether operating separately or as an
24 important feature of a broader activity,
25 that are intended to serve identifiable

1 learning clienteles and learning objectives;
2 and

3 “(ii) includes youth programs and
4 community training offered by community
5 groups and organizations.

6 “(I) SUSTAINABILITY.—The term ‘sustain-
7 ability’ means, with respect to any basic edu-
8 cation program that receives funding pursuant
9 to this section, the ability of a service delivery
10 system, community, partner, or beneficiary to
11 maintain, over time, such basic education pro-
12 gram.”.

13 **SEC. 4. COMPREHENSIVE INTEGRATED UNITED STATES**
14 **STRATEGY TO PROMOTE BASIC EDUCATION.**

15 (a) STRATEGY REQUIRED.—Not later than October
16 1, 2016, October 1, 2021, and October 1, 2026, the Presi-
17 dent shall submit to the appropriate congressional com-
18 mittees a comprehensive United States strategy to pro-
19 mote quality basic education in partner countries by—

20 (1) seeking to equitably expand access to basic
21 education for all children, particularly marginalized
22 children and vulnerable groups; and

23 (2) measurably improving the quality of basic
24 education and learning outcomes.

1 (b) REQUIREMENT TO CONSULT.—In developing the
2 strategy required by subsection (a), the President shall
3 consult with—

- 4 (1) the appropriate congressional committees;
5 (2) relevant Executive branch agencies and offi-
6 cials;
7 (3) partner country governments; and
8 (4) local and international nongovernmental or-
9 ganizations, including faith-based organizations and
10 organizations representing students, teachers, and
11 parents, and other development partners engaged in
12 basic education assistance programs in developing
13 countries.

14 (c) PUBLIC COMMENT.—The President shall provide
15 an opportunity for public comment on the strategy re-
16 quired by subsection (a).

17 (d) INITIAL STRATEGY.—For the purposes of this
18 section, the strategy entitled “USAID education strat-
19 egy”, as in effect on the day before the date of the enact-
20 ment of this Act, shall be deemed to fulfill the initial re-
21 quirements of subsection (a) for 2016.

22 (e) ELEMENTS.—The strategy required by subsection
23 (a) shall be developed and implemented consistent with the
24 principles set forth in subsection (c) of section 105 of the

1 Foreign Assistance Act of 1961 (as added by section 3
2 of this Act) and shall seek to—

3 (1) build the capacity of relevant actors in part-
4 ner countries, including in government and in civil
5 society, to develop and implement national education
6 plans that are aligned with and advance country de-
7 velopment strategies;

8 (2) identify and replicate successful interven-
9 tions that improve access to and quality of edu-
10 cation;

11 (3) project general levels of resources needed to
12 achieve stated program objectives;

13 (4) leverage United States capabilities, includ-
14 ing through technical assistance, training and re-
15 search; and

16 (5) improve coordination and reduce duplication
17 among relevant Executive branch agencies and offi-
18 cials, other donors, multilateral institutions, non-
19 governmental organizations, and governments in
20 partner countries.

21 (f) ACTIVITIES SUPPORTED.—Assistance provided
22 under section 105 of the Foreign Assistance Act of 1961
23 (as amended by section 3 of this Act) should advance the
24 strategy required by subsection (a), including through ef-
25 forts to—

1 (1) ensure an adequate supply and continued
2 support for trained, effective teachers;

3 (2) design and deliver relevant curricula, uphold
4 quality standards, and supply appropriate teaching
5 and learning materials;

6 (3) build the capacity of basic education sys-
7 tems in partner countries by improving management
8 practices and supporting their ability to collect rel-
9 evant data and monitor, evaluate, and report on the
10 status and quality of education services, financing,
11 and student-learning outcomes;

12 (4) help mobilize domestic resources to elimi-
13 nate or offset fees for educational services, including
14 fees for tuition, uniforms, and materials;

15 (5) support education on human rights and
16 conflict-resolution while ensuring that schools are
17 not incubators for violent extremism;

18 (6) work with communities to help girls over-
19 come relevant barriers to their receiving a safe, qual-
20 ity basic education, including by improving girls'
21 safety in education settings, helping girls to obtain
22 the skills needed to find safe and legal employment
23 upon conclusion of their education, and countering
24 harmful practices such as child, early, and forced
25 marriage and gender-based violence;

1 (7) ensure access to education for the most
2 marginalized children and vulnerable groups, includ-
3 ing through the provision of appropriate infrastruc-
4 ture, flexible learning opportunities, accelerated and
5 second-chance classes, and opportunities that sup-
6 port leadership development;

7 (8) make schools safe and secure learning envi-
8 ronments without threat of physical, psychological,
9 and sexual violence, including by supporting safe
10 passage to and from schools and constructing sepa-
11 rate latrines for boys and girls; and

12 (9) support a communities-of-learning approach
13 that utilizes schools as centers of learning and devel-
14 opment for an entire community, to leverage and
15 maximize the impact of other development efforts,
16 and reduce duplication and waste.

17 (g) ADDITIONAL ACTIVITIES SUPPORTED FOR COUN-
18 TRIES AFFECTED BY CONFLICT AND CRISES.—In addi-
19 tion to the activities supported under subsection (f), as-
20 sistance provided under section 105 of the Foreign Assist-
21 ance Act of 1961 (as amended by section 3 of this Act)
22 to foreign countries or those parts of the territories of for-
23 eign countries that are affected by or emerging from
24 armed conflict, humanitarian crises, or other emergency
25 situations may be used to support efforts to—

1 (1) ensure a continuity of basic education for
2 all children through appropriate formal and non-
3 formal education programs and services;

4 (2) ensure that basic education assistance of
5 the United States to countries in emergency settings
6 shall be informed by the Minimum Standards of the
7 Inter-Agency Network for Education in Emergencies
8 (“INEE Minimum Standards”);

9 (3) coordinate basic education programs with
10 complementary services to protect children from
11 physical harm, psychological and social distress, re-
12 cruitment into armed groups, family separation, and
13 abuses related to their displacement;

14 (4) support, train, and provide professional de-
15 velopment for educators working in emergency set-
16 tings;

17 (5) help build national capacity to coordinate
18 and manage basic education during emergency re-
19 sponse and through recovery;

20 (6) promote the reintegration of teachers and
21 students affected by conflict, whether refugees or in-
22 ternally displaced, into educational systems; and

23 (7) ensure the safety of children in school, in-
24 cluding through support for—

1 (A) the provision of safe learning environ-
2 ments with appropriate facilities, especially for
3 girls;

4 (B) safe passage to and from school, in-
5 cluding landmine awareness, the designation of
6 schools as conflict-free zones, the adoption and
7 support of community-owned protective meas-
8 ures to reduce the incidence of attacks on edu-
9 cational facilities and personnel by local actors,
10 armed groups, and armed forces;

11 (C) out-of-school and flexible-hour edu-
12 cation programs in areas where security condi-
13 tions are prohibitive;

14 (D) safety plans in case of emergency with
15 clearly defined roles for school personnel; and

16 (E) appropriate infrastructure, including
17 emergency communication systems and access
18 to mobile telecommunications with local police
19 and security personnel.

20 **SEC. 5. IMPROVING COORDINATION AND OVERSIGHT.**

21 (a) SENIOR COORDINATOR OF UNITED STATES
22 INTERNATIONAL BASIC EDUCATION ASSISTANCE.—There
23 is established within the United States Agency for Inter-
24 national Development a Senior Coordinator of United
25 States International Basic Education Assistance (referred

1 to in this Act as the “Senior Coordinator”), who shall be
2 appointed by the President.

3 (b) DUTIES.—

4 (1) IN GENERAL.—The Senior Coordinator
5 shall have primary responsibility for the oversight
6 and coordination of all resources and activities of the
7 United States Government relating to the promotion
8 of international basic education programs and activi-
9 ties.

10 (2) SPECIFIC DUTIES.—The Senior Coordinator
11 shall—

12 (A) facilitate program and policy coordina-
13 tion of international basic education programs
14 and activities among relevant Executive branch
15 agencies and officials, partner governments,
16 multilateral institutions, the private sector, and
17 nongovernmental and civil society organizations;

18 (B) develop and revise the strategy re-
19 quired under section 4;

20 (C) monitor, evaluate, and report on activi-
21 ties undertaken pursuant to the strategy re-
22 quired under section 4; and

23 (D) establish due diligence criteria for all
24 recipients of funds provided by the United

1 States to carry out activities under this Act and
2 the amendments made by this Act.

3 (c) OFFSET.—To offset any costs incurred by the
4 United States Agency for International Development to
5 carry out the establishment and appointment of a Senior
6 Coordinator of United States International Basic Edu-
7 cation Assistance in accordance with subsection (a), the
8 President shall eliminate such positions within the United
9 States Agency for International Development, unless oth-
10 erwise authorized or required by law, as the President de-
11 termines to be necessary to fully offset such costs.

12 **SEC. 6. MONITORING AND EVALUATION OF PROGRAMS.**

13 The President shall seek to ensure that programs car-
14 ried out under the strategy required under section 4
15 shall—

16 (1) apply rigorous monitoring and evaluation
17 methodologies to focus on learning and account-
18 ability;

19 (2) include methodological guidance in the im-
20 plementation plan and support systemic data collec-
21 tion using internationally comparable indicators,
22 norms, and methodologies, to the extent practicable
23 and appropriate;

1 (3) disaggregate all data collected and reported
2 by age, gender, marital status, disability, and loca-
3 tion, to the extent practicable and appropriate;

4 (4) be planned and budgeted to include funding
5 for both short- and long-term monitoring and eval-
6 uation to enable assessment of the sustainability and
7 scalability of assistance programs; and

8 (5) support the increased use and public avail-
9 ability of education data for improved decision mak-
10 ing, program effectiveness, and monitoring of global
11 progress.

12 **SEC. 7. TRANSPARENCY AND REPORTING TO CONGRESS.**

13 (a) ANNUAL REPORT ON THE IMPLEMENTATION OF
14 STRATEGY.—Not later than March 31 of each year
15 through 2031, the President shall submit to the appro-
16 priate congressional committees a report on the implemen-
17 tation of the strategy developed pursuant to section 4 and
18 make the report available to the public.

19 (b) MATTERS TO BE INCLUDED.—The report re-
20 quired under subsection (a) shall include—

21 (1) a description of the efforts made by relevant
22 Executive branch agencies and officials to implement
23 the strategy developed pursuant to section 4 with a
24 particular focus on the activities carried out;

1 (2) a description of the extent to which each
2 partner country selected to receive assistance for
3 basic education meets the priority criteria specified
4 in subsection (c) of section 105 of the Foreign As-
5 sistance Act (as added by section 3 of this Act); and

6 (3) a description of the progress achieved over
7 the reporting period toward meeting the goals, objec-
8 tives, benchmarks, and timeframes specified in the
9 strategy developed pursuant to section 4 at the pro-
10 gram level, as developed pursuant to monitoring and
11 evaluation specified in section 6.

12 **SEC. 8. DEFINITIONS.**

13 (a) APPROPRIATE CONGRESSIONAL COMMITTEES.—
14 In this Act, the term “appropriate congressional commit-
15 tees” means—

16 (1) the Committee on Appropriations and the
17 Committee on Foreign Relations of the Senate; and

18 (2) the Committee on Appropriations and the
19 Committee on Foreign Affairs of the House of Rep-
20 resentatives.

21 (b) OTHER DEFINITIONS.—In this Act, the terms
22 “basic education”, “partner country”, “relevant Executive
23 branch agencies and officials”, “national education plan”,
24 “marginalized children and vulnerable groups”, and “gen-
25 der parity in basic education” have the meanings given

- 1 such terms in subsection (c) of section 105 of the Foreign
- 2 Assistance Act of 1961 (as added by section 3 of this Act).

Passed the House of Representatives September 7,
2016.

Attest:

Clerk.

114TH CONGRESS
2D SESSION

H. R. 4481

AN ACT

To amend the Foreign Assistance Act of 1961 to provide assistance for developing countries to promote quality basic education and to establish the goal of all children in school and learning as an objective of the United States foreign assistance policy, and for other purposes.