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(Original Signature of Member)

111TH CONGRESS
1ST SESSION

H. R. _____

To direct the President to develop and implement a comprehensive national strategy to further the United States foreign policy objective of promoting global development, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. BERMAN (for himself and Mr. KIRK) introduced the following bill; which was referred to the Committee on _____

A BILL

To direct the President to develop and implement a comprehensive national strategy to further the United States foreign policy objective of promoting global development, 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 “Initiating Foreign As-
5 sistance Reform Act of 2009”.

1 **SEC. 2. NATIONAL STRATEGY FOR GLOBAL DEVELOPMENT.**

2 (a) FINDINGS.—Congress makes the following find-
3 ings:

4 (1) Poverty, lack of opportunity, gender in-
5 equality and other violations of human rights, and
6 environmental degradation are recognized as signifi-
7 cant contributors to socioeconomic and political in-
8 stability, as well as to the exacerbation of disease
9 pandemics and other global health threats.

10 (2) The 2002 National Security Strategy of the
11 United States notes: “[A] world where some live in
12 comfort and plenty, while half of the human race
13 lives on less than \$2 per day, is neither just nor sta-
14 ble. Including all of the world’s poor in an expanding
15 circle of development and opportunity is a moral im-
16 perative and one of the top priorities of United
17 States international policy.”.

18 (3) The 2006 National Security Strategy of the
19 United States notes: “America’s national interests
20 and moral values drive us in the same direction: to
21 assist the world’s poor citizens and least developed
22 nations and help integrate them into the global econ-
23 omy”.

24 (4) Poverty reduction is in the United States
25 national security interest, in that it improves United
26 States security by mitigating the underlying causes

1 of violence and extremism, addresses threats like cli-
2 mate change and disease that know no borders, ex-
3 pands economic opportunities for United States pro-
4 ducers and consumers, shows the best face of the
5 United States to the world, and represents the val-
6 ues, kindness, and generosity of the American peo-
7 ple.

8 (5) Elevating the United States’ standing in the
9 world represents a critical and essential element of
10 any strategy to improve national and global security
11 by mitigating the root causes of conflict and multi-
12 national terrorism, strengthening diplomatic and
13 economic relationships, preventing global climate
14 change, curbing weapons proliferation, and fostering
15 peace and cooperation among all nations.

16 (6) Secretary of State Hillary Clinton has stat-
17 ed that “robust diplomacy and effective development
18 are the best long-term tools for securing America’s
19 future”.

20 (7) A National Strategy for Global Develop-
21 ment, as required under subsection (b), would bring
22 such departments, agencies, and offices together to
23 develop a comprehensive strategy laying out the
24 principal objectives, approaches, and basic frame-
25 work for global development policies and programs—

1 bilateral and multilateral—as part of broader poli-
2 cies of the United States for engaging in the world.

3 (b) STRATEGY REQUIRED.—The President shall de-
4 velop and implement, on an interagency basis, a com-
5 prehensive national strategy to further the United States
6 foreign policy objective of reducing poverty and contrib-
7 uting to broad-based economic growth in developing coun-
8 tries, including responding to humanitarian crises. The
9 strategy required under this subsection shall be known as
10 the “National Strategy for Global Development”.

11 (c) ELEMENTS OF STRATEGY.—The strategy re-
12 quired under subsection (b) shall support United States
13 engagement with developing countries in order to reduce
14 poverty and contribute to broad-based economic growth in
15 developing countries and therefore further the achieve-
16 ment of United States long-term foreign policy and na-
17 tional security interests. The strategy shall further—

18 (1) define the role of United States Government
19 departments and agencies in carrying out global de-
20 velopment policies and programs, such as trade poli-
21 cies, debt relief, climate change, and other polices
22 and programs to reduce poverty and contribute to
23 broad-based economic growth in developing coun-
24 tries, and create a process to enhance the inter-
25 agency coordination among such departments and

1 agencies to ensure policy and program coherence
2 and avoid duplication and counterproductive out-
3 comes among such policies and programs;

4 (2) establish development objectives for global
5 development policies and programs described in
6 paragraph (1) to reduce poverty and contribute to
7 broad-based economic growth in developing countries
8 consistent with internationally-recognized develop-
9 ment goals and host country priorities, including
10 cross-cutting principles and best practices to ensure
11 that efforts are as effective as possible;

12 (3) review and improve coordination among
13 United States Government departments and agen-
14 cies carrying out global development policies and
15 programs described in paragraph (1) and other
16 countries and organizations, including multilateral,
17 bilateral, and international organizations, host coun-
18 try governments, and civil society organizations, car-
19 rying out similar policies and programs to reduce
20 poverty and contribute to broad-based economic
21 growth;

22 (4) address the continuum of activities relating
23 to poverty reduction in developing countries, includ-
24 ing activities to address humanitarian needs through

1 urgent humanitarian assistance and rehabilitation,
2 reconstruction, and long-term development;

3 (5) establish development goals for each geo-
4 graphic region of the world based on the specific
5 needs of each such region; and

6 (6) include budget requirements to carry out
7 the strategy.

8 (d) CHARACTER OF STRATEGY.—In developing the
9 strategy required under subsection (b), the President
10 should, to the maximum extent practicable, ensure that
11 the strategy is flexible so as to respond to changing objec-
12 tives, approaches, and needs of developing countries and
13 changing United States foreign policy and national secu-
14 rity interests.

15 (e) CONSULTATION.—In developing and imple-
16 menting the strategy required under subsection (b), the
17 President should consult with the Committee on Foreign
18 Affairs of the House of Representatives and the Com-
19 mittee on Foreign Relations of the Senate, nongovern-
20 mental stakeholders, international financial institutions,
21 other international organizations involved in humanitarian
22 assistance and development efforts, and developing coun-
23 tries.

24 (f) TRANSMISSION TO CONGRESS.—

1 (1) IN GENERAL.—Not later than 90 days after
2 the date of the enactment of this Act, the President
3 shall transmit to the Committee on Foreign Affairs
4 of the House of Representatives and the Committee
5 on Foreign Relations of the Senate a copy of the
6 strategy required under subsection (b). The strategy
7 shall be transmitted in unclassified form, but may
8 contain a classified annex if necessary.

9 (2) AVAILABILITY TO PUBLIC.—Upon trans-
10 mission of the strategy to Congress under paragraph
11 (1), the President shall publish the strategy (other
12 than the classified annex, if any) on the White
13 House website.

14 **SEC. 3. MONITORING AND EVALUATION OF UNITED STATES**
15 **FOREIGN ASSISTANCE.**

16 Chapter 1 of part III of the Foreign Assistance Act
17 of 1961 (22 U.S.C. 2351 et seq.) is amended by inserting
18 after section 608 the following new section:

19 **“SEC. 609. MONITORING AND EVALUATION OF UNITED**
20 **STATES FOREIGN ASSISTANCE.**

21 “(a) IN GENERAL.—The President shall develop and
22 implement a rigorous system to monitor and evaluate the
23 effectiveness and efficiency of United States foreign assist-
24 ance. The system shall include a method of coordinating
25 the evaluation activities of each Federal department or

1 agency primarily responsible for carrying out United
2 States foreign assistance programs with evaluation activi-
3 ties carried out by other such Federal departments and
4 agencies, and when possible with other international bilat-
5 eral and multilateral agencies and entities.

6 “(b) REQUIREMENTS.—In carrying out subsection
7 (a), the President shall ensure that the head of each Fed-
8 eral department or agency described in subsection (a)—

9 “(1) establishes measurable performance goals,
10 including gender-sensitive goals, for United States
11 foreign assistance programs carried out by the Fed-
12 eral department or agency;

13 “(2) establishes criteria for selection of such
14 United States foreign assistance programs to be sub-
15 ject to various evaluation methodologies, with par-
16 ticular emphasis on criteria for selection of programs
17 and projects to be subject to impact evaluation;

18 “(3) establishes an organization unit with ade-
19 quate staff and funding to budget, plan, and conduct
20 appropriate performance monitoring and improve-
21 ment and evaluation activities with respect to such
22 United States foreign assistance programs;

23 “(4) establishes a process for applying the les-
24 sons learned and results from evaluation activities,
25 including the use and results of impact evaluation

1 research, into future budgeting, planning, program-
2 ming, design and implementation of such United
3 States foreign assistance programs; and

4 “(5) establishes a policy to publish all evalua-
5 tion plans and reports relating to such United States
6 foreign assistance programs.

7 “(c) ANNUAL EVALUATION PLAN.—

8 “(1) IN GENERAL.—In carrying out subsection
9 (a), the President shall ensure that the head of each
10 Federal department or agency described in sub-
11 section (a) develops an annual evaluation plan of
12 United States foreign assistance programs carried
13 out by the department or agency stating how the de-
14 partment or agency will meet the requirements of
15 this section.

16 “(2) CONSULTATION.—In preparing the evalua-
17 tion plan, the head of each Federal department or
18 agency described in subsection (a) shall consult with
19 the heads of other appropriate Federal departments
20 and agencies, governments of host countries, inter-
21 national and indigenous nongovernmental organiza-
22 tions, and other relevant stakeholders.

23 “(3) SUBMISSION TO CONGRESS.—Not later
24 than 180 days after the date of the enactment of
25 this section, and annually thereafter, the head of

1 each Federal department or agency described in sub-
2 section (a) shall submit to the appropriate congres-
3 sional committees and the United States foreign as-
4 sistance evaluation advisory council established
5 under subsection (h) a copy of the evaluation plan.

6 “(d) CAPACITY BUILDING.—

7 “(1) FOR FEDERAL DEPARTMENTS AND AGEN-
8 CIES.—The President shall enhance the performance
9 monitoring and improvement and evaluation capacity
10 of each Federal department and agency described in
11 subsection (a) by increasing and improving training
12 and education opportunities, including adopting best
13 practices and up-to-date evaluation methodologies to
14 provide the best evidence available for assessing the
15 results of United States foreign assistance programs.

16 “(2) FOR RECIPIENT COUNTRIES.—The Presi-
17 dent is authorized to provide assistance to increase
18 the capacity of the governments of countries receiv-
19 ing United States foreign assistance to design and
20 conduct performance monitoring and improvement
21 and evaluation activities.

22 “(e) BUDGETARY PLANNING.—The head of each
23 Federal department or agency described in subsection (a)
24 shall include in the annual budget of the department or
25 agency a funding amount to conduct performance moni-

1 toring and improvement and evaluations of United States
2 foreign assistance programs, projects, or activities.

3 “(f) UNITED STATES FOREIGN ASSISTANCE EVAL-
4 UATION ADVISORY COUNCIL.—

5 “(1) IN GENERAL.—The President shall estab-
6 lish a United States foreign assistance evaluation
7 advisory council to—

8 “(A) provide guidance on the conduct of
9 evaluations for United States foreign assistance
10 programs, projects, and activities;

11 “(B) facilitate publication of common indi-
12 cators to be used for measuring the outcomes
13 and impacts of United States foreign assist-
14 ance;

15 “(C) facilitate publication of best practices
16 reports for different types of United States for-
17 eign assistance; and

18 “(D) provide advice in the planning and
19 coordination of United States foreign assistance
20 evaluation to avoid duplication of efforts.

21 “(2) MEMBERSHIP.—The advisory council shall
22 be composed of not less than 7 members appointed
23 by the President from among private individuals who
24 are familiar and experienced in monitoring and eval-
25 uating foreign assistance programs, with at least 2

1 members having specialized expertise in outcome and
2 impact evaluation methodologies.

3 “(3) CHAIRPERSON.—The chairperson of the
4 advisory council shall be designated by the President
5 at the time of appointment.

6 “(4) TERM.—

7 “(A) IN GENERAL.—Each member shall be
8 appointed for a term of 4 years, except as pro-
9 vided in subparagraph (B).

10 “(B) VACANCIES.—Any member appointed
11 to fill a vacancy occurring prior to the expira-
12 tion of the term for which the member’s prede-
13 cessor was appointed shall be appointed for the
14 remainder of that term and may be appointed
15 for an additional term of 4 years.

16 “(5) MEETINGS.—The advisory council shall
17 meet not less than four times each year. The chair-
18 person of the advisory council shall call a meeting of
19 the advisory council upon request by four or more
20 members of the advisory council. The meetings of
21 the advisory council shall be made open to the public
22 and minutes, comments, reports and other related
23 documents shall be published in the Federal Register
24 in a timely fashion.

1 “(6) TERMINATION.—Section 14(a)(2) of the
2 Federal Advisory Committee Act (5 U.S.C. App.; re-
3 lating to the termination of advisory committees)
4 shall not apply to the advisory council.

5 “(7) REPORT.—Not later than two years after
6 the date of the enactment of this section, and every
7 two years thereafter, the advisory council shall pre-
8 pare and submit to the President and the appro-
9 priate congressional committees a report that sum-
10 marizes the activities of the advisory council, includ-
11 ing the advisory council’s assessment of the perform-
12 ance monitoring and improvement and evaluation
13 programs of each Federal department or agency de-
14 scribed in subsection (a).

15 “(g) REPORT.—

16 “(1) IN GENERAL.—Not later than one year
17 after the date of the enactment of this section, and
18 annually thereafter, the President shall transmit to
19 the appropriate congressional committees a report
20 on—

21 “(A) the use of funds to carry out evalua-
22 tions under this section;

23 “(B) the status and results of evaluations
24 under this section; and

1 “(C) the use of results and lessons learned
2 from evaluations under this section, including
3 actions taken in response to recommendations
4 included in current and previous evaluations,
5 such as the improvement or continuation of a
6 program, project, or activity.

7 “(2) PUBLICATION.—The report shall also be
8 published in the Federal Register and made avail-
9 able on the public website of each Federal depart-
10 ment or agency described in subsection (a).

11 “(h) DEFINITIONS.—In this section:

12 “(1) APPROPRIATE CONGRESSIONAL COMMIT-
13 TEES.—The term ‘appropriate congressional com-
14 mittees’ means the Committee on Foreign Affairs of
15 the House of Representatives and the Committee on
16 Foreign Relations of the Senate.

17 “(2) EVALUATION; OUTCOME AND IMPACT
18 EVALUATION.—

19 “(A) EVALUATION.—The term ‘evaluation’
20 means the systematic and objective determina-
21 tion and assessment of the design, implementa-
22 tion, and results of an on-going or completed
23 program, project, or activity.

24 “(B) OUTCOME AND IMPACT EVALUA-
25 TION.—The term ‘outcome and impact evalua-

1 tion’ means an assessment of the impact and
2 outcome of the outputs of a program, project,
3 or activity.

4 “(3) IMPACT EVALUATION RESEARCH.—The
5 term ‘impact evaluation research’ means the applica-
6 tion of research methods and statistical analysis to
7 measure the extent to which change in a population-
8 based outcome or impact can be attributed to United
9 States program, project, or activity intervention in-
10 stead of other environmental factors, including
11 change in political climate and other donor assist-
12 ance.

13 “(4) IMPACTS.—The term ‘impacts’ means the
14 positive and negative, direct and indirect, intended
15 and unintended long-term effects produced by a pro-
16 gram, project, or activity.

17 “(5) OUTCOMES.—The term ‘outcomes’ means
18 the likely or achieved immediate and intermediate ef-
19 fects of the outputs of a program, project, or activ-
20 ity.

21 “(6) OUTPUTS.—The term ‘outputs’ means—

22 “(A) the products, capital, goods, and serv-
23 ices that result from a program, project, or ac-
24 tivity; or

1 “(B) the changes resulting from the pro-
2 gram, project, or activity that are relevant to
3 the achievement of outcomes.

4 “(7) RESULTS.—The term ‘results’ means the
5 positive or negative, direct or indirect, intended or
6 unintended outputs, outcomes, and impacts of a pro-
7 gram, project, or activity.

8 “(8) PERFORMANCE MONITORING AND IM-
9 PROVEMENT.—The term ‘performance monitoring
10 and improvement’ means a continuous process of
11 collecting, analyzing, and using data to compare how
12 well a program, project, or activity is being imple-
13 mented against expected results and program costs
14 and to make appropriate improvements accordingly.

15 “(9) UNITED STATES FOREIGN ASSISTANCE.—
16 The term ‘United States foreign assistance’ means—

17 “(A) assistance authorized under this Act;
18 and

19 “(B) assistance authorized under any other
20 provision of law that is classified under budget
21 function 150 (International Affairs).

22 “(i) AUTHORIZATION OF APPROPRIATIONS.—

23 “(1) IN GENERAL.—Of the amounts authorized
24 to be appropriated for each United States foreign
25 assistance program for each of the fiscal years 2010

1 and 2011, not less than 5 percent of such amounts
2 are authorized to be appropriated to carry out this
3 section for such fiscal year.

4 “(2) AVAILABILITY.—Amounts authorized to be
5 appropriated to carry out this section for a fiscal
6 year are in addition to amounts otherwise available
7 for such purposes.”.

8 **SEC. 4. TRANSPARENCY OF UNITED STATES FOREIGN AS-**
9 **SISTANCE.**

10 (a) SENSE OF CONGRESS.—It is the sense of Con-
11 gress that the American taxpayers and recipients of
12 United States foreign assistance should, to the maximum
13 extent practicable, have full access to information on
14 United States foreign assistance.

15 (b) INFORMATION AVAILABLE TO PUBLIC.—

16 (1) IN GENERAL.—The President shall publish
17 in the Federal Register and make publicly available
18 on the websites of appropriate Federal departments
19 and agencies comprehensive, timely, comparable, and
20 accessible information on United States foreign as-
21 sistance a detailed program-by-program basis and
22 country-by-country basis.

23 (2) SCOPE.—To ensure transparency, account-
24 ability, and effectiveness of United States foreign as-
25 sistance, the information on United States foreign

1 assistance published and made available under para-
2 graph (1) shall include planning, allocations and dis-
3 bursement, terms, contracting, monitoring, and eval-
4 uation elements with respect to activities carried out
5 under such United States foreign assistance.

6 (3) AVAILABILITY TO BE IN TIMELY MANNER.—

7 The President shall direct the head of each Federal
8 department and agency providing United States for-
9 eign assistance to ensure that the information re-
10 quired under this subsection shall be made available
11 in a timely manner.

12 (c) MULTILATERAL EFFORTS.—In order to best as-

13 sess the use and impact of United States foreign assist-
14 ance in relation to funding provided by other donor na-
15 tions and recipient countries, the President should fully
16 engage with and participate in the International Aid
17 Transparency Initiative, established on September 4,
18 2008, at the Accra High Level Forum on Aid Effective-
19 ness.

20 (d) DEFINITION.—In this section, the term “United

21 States foreign assistance” has the meaning given the term
22 in section 609(h) of the Foreign Assistance Act of 1961
23 (as added by section 3 of this Act).

1 **SEC. 5. REPEALS OF OBSOLETE AUTHORIZATIONS OF AS-**
2 **SISTANCE; CONFORMING AMENDMENTS.**

3 (a) REPEALS.—The following provisions of the For-
4 eign Assistance Act of 1961 are hereby repealed:

5 (1) Section 125 (22 U.S.C. 2151w; relating to
6 general development assistance).

7 (2) Section 219 (22 U.S.C. 2179; relating to
8 prototype desalting plant).

9 (3) Title V of chapter 2 of part I (22 U.S.C.
10 2201; relating to disadvantaged children in Asia).

11 (4) Section 466 (22 U.S.C. 2286; relating to
12 debt-for-nature exchanges pilot program for sub-Sa-
13 haran Africa).

14 (5) Sections 494, 495, and 495B through 495K
15 (22 U.S.C. 2292c, 2292f, and 2292h through
16 2292q; relating to certain international disaster as-
17 sistance authorities).

18 (6) Section 546 (22 U.S.C. 2347c; relating to
19 certain international military education and training
20 authorities).

21 (7) Section 638(b) (22 U.S.C. 2398(b); relating
22 to exclusions).

23 (8) Section 648 (22 U.S.C. 2407; relating to
24 certain miscellaneous provisions).

25 (b) CONFORMING AMENDMENTS.—(1) Section 135 of
26 the Foreign Assistance Act of 1961 (22 U.S.C. 2152h)

1 is amended by striking “section 135” and inserting “sec-
2 tion 136.”

3 (2) Section 638 of the Foreign Assistance Act of
4 1961 (22 U.S.C. 2398) is amended by striking “(a) No
5 provision” and inserting “No provision”.