AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2901
OFFERED BY MR. POE OF TEXAS

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.
2 This Act may be cited as the “Senator Paul Simon
3 Water for the World Act of 2014”.

4 SEC. 2. SENSE OF CONGRESS.
5 It is the sense of Congress that—
6 (1) water and sanitation are critically important
7 resources that impact many other aspects of human
8 life, and as such, the United States should be a
9 global leader in helping provide sustainable access to
10 clean water and sanitation for the world’s most vulner-
11 nable populations; and
12 (2) the United States Agency for International
13 Development’s “Water and Development Strategy”,
14 released in May 2013, improves the Agency’s capac-
15 ity to provide sustainable water, sanitation, and hy-
16 giene assistance, advances implementation of por-
17 tions of the Senator Paul Simon Water for the Poor
18 Act of 2005 (Public Law 109–121; 119 Stat. 2533),
and should inform the Global Water Strategy re-
quired by section 5(j) of the Senator Paul Simon
Water for the Poor Act of 2005, as added by section
6 of this Act.

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

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

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

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

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

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

SEC. 4. IMPROVING COORDINATION AND OVERSIGHT OF
SAFE WATER, SANITATION AND HYGIENE
PROJECTS AND ACTIVITIES.

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

“(e) COORDINATION AND OVERSIGHT.—

“(1) IN GENERAL.—The Administrator of the United States Agency for International Development or the Administrator’s designee and the Secretary of State or the Secretary’s designee shall provide direction and guidance, coordinate, and oversee the projects and programs pursuant to the authority provided in paragraphs (2) and (3) of this subsection, respectively.

“(2) USAID GLOBAL WATER COORDINATOR.—

“(A) DESIGNATION.—The Administrator of the United States Agency for International Development or the Administrator’s designee who is an employee of the Agency serving in a career or non-career position in the Senior Executive Service or at the level of a Deputy Assistant Administrator or higher shall serve concurrently as the USAID Global Water Coordinator.
“(B) Specific duties.—The Coordinator shall, in addition to providing direction and guidance, coordinating, and overseeing the projects and programs of the United States Agency for International Development pursuant to this subsection—

“(i) lead the implementation and revision, not less than every 5 years, of the Agency’s portion of the Global Water Strategy required under subsection (j);

“(ii) seek to expand the capacity of the Agency, subject to the availability of appropriations, and including through the designation of a lead subject matter expert to be selected from among staff of the Agency in each high priority country designated pursuant to subsection (h), to implement such programs and activities, take advantage of economies of scale, and conduct more efficient and effective projects and programs;

“(iii) coordinate with the Department of State and Agency staff in each high priority country designated pursuant to subsection (h) to ensure that Agency activities
and projects, and Agency program planning and budgeting documents, and country development strategies, reflect and seek to implement—

“(I) the safe water, sanitation, and hygiene objectives established in the strategy required by subsection (j);

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

“(III) international best practices relating to increasing access to safe water and sanitation, conducting hygiene-related activities, and ensuring appropriate management of water resources; and

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

“(3) STATE DEPARTMENT SPECIAL COORDINATOR FOR WATER RESOURCES.—
“(A) DESIGNATION.—The Secretary of State or the Secretary’s designee who is an employee of the Department of State serving in a career or non-career position in the Senior Executive Service or at the level of a Deputy Assistant Secretary or higher shall serve concurrently as the State Department Special Advisor for Water Resources.

“(B) SPECIFIC DUTIES.—The Special Advisor shall, in addition to providing direction and guidance, coordinating, and overseeing the projects and programs of the Department of State pursuant to this subsection—

“(i) lead the implementation and revision, not less than every 5 years, of the Department of State’s portion of the Global Water Strategy required under subsection (j);

“(ii) prioritize and coordinate the Department’s international engagement on the allocation, distribution, and access to global fresh water resources and policies related to such matters;

“(iii) coordinate with United States Agency for International Development and
Department staff in each high priority country designated pursuant to subsection (h) to ensure that United States diplomatic efforts related to safe water, sanitation, and hygiene, including efforts related to management of water resources and watersheds and the resolution of intra- and trans-boundary conflicts over water resources are consistent with United States national interests; and

“(iv) represent the views of the United States Government on the allocation, distribution, and access to global fresh water resources and policies related to such matters in key international fora, including key diplomatic, development-related, and scientific organizations.

“(4) ADDITIONAL NATURE OF DUTIES AND RESTRICTION ON ADDITIONAL OR SUPPLEMENTAL COMPENSATION.—The responsibilities and specific duties of the Administrator of the United States Agency for International Development or the Administrator’s designee and the Secretary of State or the Secretary’s designee under paragraphs (2) and (3) of this subsection, respectively, shall be in addition to
any other responsibilities or specific duties assigned
to such individuals and such individuals shall receive
no additional or supplemental compensation as a re-
result of carrying out such responsibilities and specific
duties under paragraphs (2) and (3) of this sub-
section, respectively.”.

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

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

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

“(1) prioritizing countries on the basis of the
following clearly defined criteria and indicators,
where sufficient data are available—
“(A) the proportion of the population using an unimproved drinking-water source;

“(B) the total population using an unimproved drinking-water source;

“(C) the proportion of the population without piped water access;

“(D) the proportion of the population using shared or other unimproved sanitation facilities;

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

“(F) the proportion of the population practicing open defecation;

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

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

“(I) the national government’s capacity, capability, and commitment to work with the United States to improve access to safe water, sanitation, and hygiene, including the government’s capacity and commitment to developing the indigenous capacity to provide safe water and sanitation without the assistance of outside donors and the degree to which such govern-
ment identifies such efforts as a priority and allocates resources to such efforts;

“(J) the availability of opportunities to leverage existing public, private, or other donor investments in the water, sanitation, and hygiene sectors, including investments in the management of water resources;

“(K) the likelihood of making significant improvements on a per capita basis on the health and educational opportunities available to women as a result of increased access to safe water, sanitation, and hygiene, including access to appropriate facilities at primary and secondary educational institutions seeking to ensure that communities benefiting from such projects and activities develop the indigenous capacity to provide safe water and sanitation without the assistance of outside donors;

“(2) prioritizing and measuring, including through rigorous monitoring and evaluating mechanisms, the extent to which such project or program—

“(A) furthers the significant improvements in—
“(i) the criteria set forth in subparagraphs (A) through (H) of paragraph (1);

“(ii) the health and educational opportunities available to women as a result of increased access to safe water, sanitation, and hygiene, including access to appropriate facilities at primary and secondary educational institutions; and

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

“(B) is designed, as part of the provision of safe water and sanitation to the local community to—

“(i) be financially independent over the long term, focusing on local ownership and sustainability, and is undertaken in conjunction with relevant public institutions or private enterprises;

“(ii) identify and empower local individuals or institutions to be responsible for the effective management and maintenance of such project or program; and
“(iii) provide safe water or expertise or capacity building to those identified parties or institutions for the purposes of developing a plan and clear responsibilities for the effective management and maintenance of such project or program;

“(C) leverages existing public, private, or other donor investments in the water, sanitation, and hygiene sectors, including investments in the management of water resources;

“(D) avoids duplication of efforts with other United States government agencies or departments or those of other nations or non-governmental organizations;

“(E) coordinates such efforts with the efforts of other United States government agencies or departments or those of other nations or non-governmental organizations directed at assisting refugees and other displaced individuals; and

“(F) involves consultation with appropriate stakeholders, including communities directly affected by the lack of access to clean water, sanitation or hygiene, and other appropriate non-governmental organizations;
“(3) through 2018, seeking to further the Agency’s ‘Water and Development Strategy’, released in May 2013; and
“(4) after 2018 seeking to further the strategy required by subsection (j).
“(g) USE OF IMPROVED DATA COLLECTION AND REVIEW OF NEW STANDARDIZED INDICATORS.—
“(1) IN GENERAL.—The Administrator of the United States Agency for International Development is authorized to use improved data collection to meet the health-based prioritization criteria established pursuant to subsection (f)(1) and to review new standardized indicators in evaluating progress towards meeting such criteria.
“(2) CONSULTATION AND NOTICE.—The Administrator shall regularly consult with the appropriate congressional committees and shall notify such committees not less 30 days in advance of the use of improved data collection and review of new standardized indicators under paragraph (1) for the purposes of carrying out this section.
“(h) DESIGNATION OF HIGH PRIORITY COUNTRIES.—
“(1) INITIAL DESIGNATION.—The President shall, not later than October 1, 2015, designate on
the basis of the criteria set forth in subsection (f)(1) and in furtherance of the United States Agency for International Development’s ‘Water and Development Strategy’, released in May 2013, not less than 10 countries as high priority countries to be the primary recipients of United States government assistance authorized pursuant to this section in the following fiscal year and shall inform the appropriate congressional committees of such designations.

“(2) Annual Designations.—The President shall make new designations pursuant to the criteria in paragraph (1) annually, except that after 2018 such designations shall be made on the basis of criteria set forth in subsection (f)(1) and in furtherance of the strategy required by subsection (j).

“(i) Targeting of Projects and Programs to Areas of Greatest Need.—

“(1) In General.—Not later than 15 days prior to the obligation of any funds for water, sanitation, or hygiene projects or programs pursuant to this section in countries that are not countries ranked in the top 50 countries based on the WASH Needs Index, the Administrator of the United States Agency for International Development shall notify
the appropriate congressional committees of the
planned obligation of such funds.

“(2) WASH NEEDS INDEX.—In this subsection,
the term ‘WASH Needs Index’ means the needs
index for water, sanitation, or hygiene projects or
programs pursuant to this section developed using
the criteria and indicators described in subpara-
graphs (A) through (H) of subsection (f)(1).”.

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

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

“(j) GLOBAL WATER STRATEGY.—

“(1) IN GENERAL.—Not later than the October
1, 2017, and every five years thereafter through
2028, the President, acting through the Secretary of
State and the Administrator of the United States
Agency for International Development and the heads
of other departments and agencies as appropriate,
shall submit to the appropriate congressional com-
mittees a single government-wide Global Water
Strategy that provides a detailed description of how the United States intends—

“(A) to increase access to safe water, sanitation, and hygiene in high priority countries designated pursuant to subsection (h), including a summary of the WASH Needs Index (as defined in subsection (i)(2)), including the specific weighting of data and other assumptions used to develop such Index and the ranking of countries on such Index;

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

“(C) to work to prevent and resolve, to the greatest degree possible, both intra- and transboundary conflicts over water resources in such countries.

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

“(A) from the United States Agency for International Development that describes specifically how the Agency will—

“(i) carry out the duties and responsibilities assigned to the Global Water Coordinator under subsection (e)(2);
“(ii) ensure that the Agency’s projects and programs conducted pursuant to the authority provided in this section are designed to achieve maximum impact and long-term sustainability, including by implementing the requirements of subsection (f); and

“(iii) increase access to safe water, sanitation, and hygiene in high priority countries designated pursuant to subsection (h);

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

“(i) carry out the duties and responsibilities assigned to the Special Coordinator for Water Resources under subsection (e)(3); and

“(ii) ensure that the Department’s activities conducted pursuant to the authority provided in this section are designed to improve management of water resources and watersheds in countries designated pursuant to subsection (h) and to prevent and resolve, to the greatest degree possible,
both intra- and trans-boundary conflicts
over water resources in such countries; and
“(C) from other Federal departments and
agencies as appropriate that describes the con-
tributions of the departments and agencies to
implementing the Global Water Strategy.
“(3) INDIVIDUALIZED PLANS FOR HIGH PRI-
ORITY COUNTRIES.—For each high priority country
designated pursuant to subsection (h), the Adminis-
trator of the United States Agency for International
Development shall develop a costed, evidence-based
and results-oriented plan that seeks to achieve the
purposes of this section and meets the requirements
of subsection (f), and shall include such plans in an
appendix to the Global Water Strategy required by
paragraph (1).
“(4) FIRST TIME ACCESS REPORTING REQUIRE-
MENT.—The Global Water Strategy required by
paragraph (1) shall specifically describe the target
percentage of funding for each year covered by such
strategy to be directed toward projects aimed at pro-
viding first-time access to safe water and sanitation.
“(5) PERFORMANCE INDICATORS.—The strat-
ey required by this section shall include specific and
measurable goals, benchmarks, performance metrics,
timetables, and monitoring and evaluation plans re-
quired to be developed by the Administrator of the
United States Agency for International Development
pursuant to subsection (e)(2)(B)(iv).

“(6) CONSULTATION AND BEST PRACTICES.—
The strategy required by paragraph (1) shall be de-
veloped in consultation with the heads of other ap-
propriate Federal departments and agencies and
shall incorporate best practices from the inter-
national development community.

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

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

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

(b) STATE DEPARTMENT AGENCY SPECIFIC PLAN.—
Not later than 180 days after the date of enactment of
this Act, the Secretary of State shall submit to the appro-
priate congressional committees an agency-specific plan
that meets the requirements of subparagraph (j)(2)(B) of
section 136 of the Foreign Assistance Act of 1961, as
added by subsection (a).
(c) CONFORMING CHANGE.—Section 6 of the Senator Paul Simon Water for the Poor Act of 2005 (Public Law 109–121; 119 Stat. 2537; 22 U.S.C. 2152h note) is hereby repealed.

Amend the title so as to read: “A bill to provide improved water, sanitation and hygiene programs for high priority developing countries, and for other purposes.”.