

111TH CONGRESS  
1ST SESSION

# H. R. 2139

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.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2009

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

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## 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”.

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

7       (a) FINDINGS.—Congress makes the following find-

8       ings:

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

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

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

21          (4) Poverty reduction is in the United States  
22          national security interest, in that it improves United  
23          States security by mitigating the underlying causes  
24          of violence and extremism, addresses threats like cli-  
25          mate change and disease that know no borders, ex-

1       pands economic opportunities for United States pro-  
2       ducers and consumers, shows the best face of the  
3       United States to the world, and represents the val-  
4       ues, kindness, and generosity of the American peo-  
5       ple.

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

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

18              (7) A National Strategy for Global Develop-  
19      ment, as required under subsection (b), would bring  
20      such departments, agencies, and offices together to  
21      develop a comprehensive strategy laying out the  
22      principal objectives, approaches, and basic frame-  
23      work for global development policies and programs—  
24      bilateral and multilateral—as part of broader poli-  
25      cies of the United States for engaging in the world.

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

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

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

1 and avoid duplication and counterproductive out-  
2 comes among such policies and programs;

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

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

21 (4) address the continuum of activities relating  
22 to poverty reduction in developing countries, includ-  
23 ing activities to address humanitarian needs through  
24 urgent humanitarian assistance and rehabilitation,  
25 reconstruction, and long-term development;

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

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

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

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

22          (f) TRANSMISSION TO CONGRESS.—

23                 (1) IN GENERAL.—Not later than 90 days after  
24                 the date of the enactment of this Act, the President  
25                 shall transmit to the Committee on Foreign Affairs

1 of the House of Representatives and the Committee  
2 on Foreign Relations of the Senate a copy of the  
3 strategy required under subsection (b). The strategy  
4 shall be transmitted in unclassified form, but may  
5 contain a classified annex if necessary.

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

11 **SEC. 3. MONITORING AND EVALUATION OF UNITED STATES**

12 **FOREIGN ASSISTANCE.**

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

16 **“SEC. 609. MONITORING AND EVALUATION OF UNITED**  
17 **STATES FOREIGN ASSISTANCE.**

18 “(a) IN GENERAL.—The President shall develop and  
19 implement a rigorous system to monitor and evaluate the  
20 effectiveness and efficiency of United States foreign assist-  
21 ance. The system shall include a method of coordinating  
22 the evaluation activities of each Federal department or  
23 agency primarily responsible for carrying out United  
24 States foreign assistance programs with evaluation activi-  
25 ties carried out by other such Federal departments and

1 agencies, and when possible with other international bilat-  
2 eral and multilateral agencies and entities.

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

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

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

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

20 “(4) establishes a process for applying the les-  
21 sons learned and results from evaluation activities,  
22 including the use and results of impact evaluation  
23 research, into future budgeting, planning, program-  
24 ming, design and implementation of such United  
25 States foreign assistance programs; and



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

4           “(c) ANNUAL EVALUATION PLAN.—

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

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

20          “(3) SUBMISSION TO CONGRESS.—Not later  
21          than 180 days after the date of the enactment of  
22          this section, and annually thereafter, the head of  
23          each Federal department or agency described in sub-  
24          section (a) shall submit to the appropriate congres-  
25          sional committees and the United States foreign as-

1       sistance evaluation advisory council established  
2       under subsection (h) a copy of the evaluation plan.

3       “(d) CAPACITY BUILDING.—

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

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

19              “(e) BUDGETARY PLANNING.—The head of each  
20      Federal department or agency described in subsection (a)  
21      shall include in the annual budget of the department or  
22      agency a funding amount to conduct performance moni-  
23      toring and improvement and evaluations of United States  
24      foreign assistance programs, projects, or activities.

1       “(f) UNITED STATES FOREIGN ASSISTANCE EVAL-  
2 UATION ADVISORY COUNCIL.—

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

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

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

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

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

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

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

4           “(4) TERM.—

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

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

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

23           “(6) TERMINATION.—Section 14(a)(2) of the  
24 Federal Advisory Committee Act (5 U.S.C. App.; re-

1       lating to the termination of advisory committees)  
2       shall not apply to the advisory council.

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

13              “(g) REPORT.—

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

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

21                   “(B) the status and results of evaluations  
22                   under this section; and

23                   “(C) the use of results and lessons learned  
24                   from evaluations under this section, including  
25                   actions taken in response to recommendations

1 included in current and previous evaluations,  
2 such as the improvement or continuation of a  
3 program, project, or activity.

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

8 “(h) DEFINITIONS.—In this section:

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

14 “(2) EVALUATION; OUTCOME AND IMPACT  
15 EVALUATION.—

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

21 “(B) OUTCOME AND IMPACT EVALUA-  
22 TION.—The term ‘outcome and impact evalua-  
23 tion’ means an assessment of the impact and  
24 outcome of the outputs of a program, project,  
25 or activity.

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

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

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

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

19                   “(A) the products, capital, goods, and serv-  
20 ices that result from a program, project, or ac-  
21 tivity; or

22                   “(B) the changes resulting from the pro-  
23 gram, project, or activity that are relevant to  
24 the achievement of outcomes.

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

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

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

14           “(A) assistance authorized under this Act;  
15 and

16           “(B) assistance authorized under any other  
17 provision of law that is classified under budget  
18 function 150 (International Affairs).

19           “(i) AUTHORIZATION OF APPROPRIATIONS.—

20           “(1) IN GENERAL.—Of the amounts authorized  
21 to be appropriated for each United States foreign  
22 assistance program for each of the fiscal years 2010  
23 and 2011, not less than 5 percent of such amounts  
24 are authorized to be appropriated to carry out this  
25 section for such fiscal year.



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

5 **SEC. 4. TRANSPARENCY OF UNITED STATES FOREIGN AS-**  
6                   **SISTANCE.**

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

12          (b) INFORMATION AVAILABLE TO PUBLIC.—

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

20                  (2) SCOPE.—To ensure transparency, account-  
21                  ability, and effectiveness of United States foreign as-  
22                  sistance, the information on United States foreign  
23                  assistance published and made available under para-  
24                  graph (1) shall include planning, allocations and dis-  
25                  bursement, terms, contracting, monitoring, and eval-

1 uation elements with respect to activities carried out  
2 under such United States foreign assistance.

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

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

9 (c) MULTILATERAL EFFORTS.—In order to best as-  
10 sess the use and impact of United States foreign assist-  
11 ance in relation to funding provided by other donor na-  
12 tions and recipient countries, the President should fully  
13 engage with and participate in the International Aid  
14 Transparency Initiative, established on September 4,  
15 2008, at the Accra High Level Forum on Aid Effective-  
16 ness.

17 (d) DEFINITION.—In this section, the term “United  
18 States foreign assistance” has the meaning given the term  
19 in section 609(h) of the Foreign Assistance Act of 1961  
20 (as added by section 3 of this Act).

21 **SEC. 5. REPEALS OF OBSOLETE AUTHORIZATIONS OF AS-**  
22 **SISTANCE; CONFORMING AMENDMENTS.**

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

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

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

5           (3) Title V of chapter 2 of part I (22 U.S.C.  
6           2201; relating to disadvantaged children in Asia).

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

10          (5) Sections 494, 495, and 495B through 495K  
11          (22 U.S.C. 2292e, 2292f, and 2292h through  
12          2292q; relating to certain international disaster as-  
13          sistance authorities).

14          (6) Section 546 (22 U.S.C. 2347e; relating to  
15          certain international military education and training  
16          authorities).

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

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

21          (b) CONFORMING AMENDMENTS.—(1) Section 135 of  
22          the Foreign Assistance Act of 1961 (22 U.S.C. 2152h)  
23          is amended by striking “section 135” and inserting “sec-  
24          tion 136.”

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

○