

113TH CONGRESS
1ST SESSION

H. R. 2638

To direct the President to establish guidelines for United States foreign assistance, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 10, 2013

Mr. POE of Texas (for himself and Mr. CONNOLLY) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To direct the President to establish guidelines for United States foreign assistance, 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 “Foreign Aid Trans-
5 parency and Accountability Act of 2013”.

6 **SEC. 2. GUIDELINES FOR UNITED STATES FOREIGN ASSIST-**
7 **ANCE.**

8 (a) PURPOSE.—The purpose of this section is to
9 evaluate the performance of United States foreign assist-
10 ance and its contribution to policy, strategies, projects,

1 program goals, and priorities undertaken by the United
2 States, to foster and promote innovative programs to im-
3 prove the effectiveness of United States foreign assistance,
4 and to coordinate the monitoring and evaluation processes
5 of Federal departments and agencies that administer
6 United States foreign assistance.

7 (b) ESTABLISHMENT OF GUIDELINES.—Not later
8 than 18 months after the date of the enactment of this
9 Act, the President shall establish guidelines regarding the
10 establishment of measurable goals, performance metrics,
11 and monitoring and evaluation plans that can be applied
12 with reasonable consistency to United States foreign as-
13 sistance. Such guidelines should be established according
14 to best practices of monitoring and evaluation studies and
15 analyses.

16 (c) OBJECTIVES OF GUIDELINES.—

17 (1) IN GENERAL.—The guidelines established
18 under this section shall provide direction to Federal
19 departments and agencies that administer United
20 States foreign assistance on how to develop the com-
21 plete range of activities relating to the monitoring of
22 resources, the evaluation of projects, the evaluation
23 of program impacts, and analysis that is necessary
24 for the identification of findings, generalizations that

1 can be derived from those findings, and their appli-
2 cability to proposed project and program design.

3 (2) OBJECTIVES.—Specifically, the guidelines
4 shall provide direction on how to achieve the fol-
5 lowing objectives for monitoring and evaluation of
6 programs:

7 (A) Building measurable goals, perform-
8 ance metrics, and monitoring and evaluation
9 into program design, to be tracked against an
10 established baseline at the outset, including the
11 provision of sufficient program resources to
12 conduct monitoring and evaluation.

13 (B) Disseminating guidelines for the devel-
14 opment and implementation of monitoring and
15 evaluation programs to all personnel, especially
16 in the field, who are responsible for the design,
17 implementation, and management of United
18 States foreign assistance programs.

19 (C) Developing a clearinghouse capacity
20 for the collection and dissemination of knowl-
21 edge and lessons learned that serve as bench-
22 marks to guide future programs for United
23 States development professionals, implementing
24 partners, the international aid community, and

1 aid recipient governments, and as a repository
2 of knowledge on lessons learned.

3 (D) Distributing evaluation reports inter-
4 nally and making the reports available online to
5 the public. In addition, providing a summary of
6 each evaluation, including a description of the
7 evaluation methodology, and key findings and
8 recommendations made in the evaluation, to the
9 public online in a fully searchable form, within
10 90 days after the completion of the evaluation.
11 Any material made available online under this
12 subparagraph may not include any classified or
13 proprietary information of nongovernmental or-
14 ganizations, contractors, or private sector enti-
15 ties.

16 (E) Establishing annual monitoring and
17 evaluation agendas and objectives.

18 (F) Applying rigorous monitoring and eval-
19 uation methodologies to focus on learning, ac-
20 countability, and policymaking, choosing from
21 among a wide variety of qualitative, quan-
22 titative, summative, and formative methods
23 common in the field of social scientific inquiry,
24 including impact evaluations, a simple grading
25 system providing a clear evaluation of out-

1 comes, and analysis of project logic that in-
2 cludes inputs, activities, outputs, intermediate
3 outcomes, and end outcomes.

4 (G) Partnering with the academic commu-
5 nity, implementing partners, and national and
6 international institutions that have expertise in
7 monitoring and evaluation and analysis when
8 such partnerships will provide needed expertise
9 or will significantly improve the evaluation and
10 analysis.

11 (H) Developing and implementing a train-
12 ing plan for appropriate aid personnel on the
13 proper conduct of monitoring and evaluation
14 programs.

15 (I) Providing relevant and useful evalua-
16 tion questions that meet the needs of decision
17 makers, an appropriate and feasible design for
18 the evaluation questions, and criteria that per-
19 mit objective assessment and valid conclusions
20 on the evaluation questions.

21 (J) Ensuring sufficient, credible, and reli-
22 able measures and data in the evaluation of the
23 effectiveness of foreign assistance programs, in-
24 cluding an assessment of assumptions and limi-
25 tations made in such evaluation.

1 (K) Ensuring that generally accepted
2 standards such as independence, professional
3 judgment, competence, and quality control and
4 assurance are followed in the monitoring and
5 evaluation of programs.

6 (d) IMPLEMENTATION OF GUIDELINES.—Beginning
7 not later than one year after the date on which the Presi-
8 dent establishes the guidelines under this section, the head
9 of each Federal department or agency that administers
10 United States foreign assistance shall administer the
11 United States foreign assistance in accordance with the
12 guidelines.

13 (e) PRESIDENTIAL REPORT.—Not later than 18
14 months after the date of the enactment of this Act, the
15 President shall submit to the appropriate congressional
16 committees a report that contains a detailed description
17 of the guidelines that have been developed on measurable
18 goals, performance metrics, and monitoring and evalua-
19 tion plans for United States foreign assistance established
20 under this section. The report shall be submitted in un-
21 classified form to the maximum extent possible, but may
22 include a classified annex.

23 (f) IMPLEMENTATION NOT REQUIRED FOR CERTAIN
24 SECURITY SECTOR ASSISTANCE.—

1 (1) IN GENERAL.—The Secretary of State shall
2 not be required to administer any United States for-
3 eign assistance program relating to United States
4 security sector assistance in accordance with the
5 guidelines established under this section if the Sec-
6 retary of State makes a determination that the ad-
7 ministration of such program in accordance with the
8 guidelines would be detrimental to the national in-
9 terests of the United States.

10 (2) BRIEFINGS OR REPORT.—The Secretary of
11 State shall provide briefings or submit a written re-
12 port to the appropriate congressional committees ex-
13 plaining any determination made under paragraph
14 (1). Any such report may be submitted to the appro-
15 priate congressional committees in classified form.

16 (g) COMPTROLLER GENERAL REPORTS.—The Comp-
17 troller General of the United States shall—

18 (1) not later than 1 year after the date of the
19 enactment of this Act, submit to the appropriate
20 congressional committees a report that contains an
21 analysis of the actions that the major Federal de-
22 partments and agencies that administer United
23 States foreign assistance have taken to ensure that
24 the evaluation of United States foreign assistance is
25 planned, conducted, and utilized effectively;

1 (2) not later than 3 years after the date of the
2 enactment of this Act, submit to the appropriate
3 congressional committees a report that contains an
4 analysis of—

5 (A) the guidelines established pursuant to
6 subsection (b); and

7 (B) the implementation of the guidelines
8 by the major Federal departments and agencies
9 that administer United States foreign assist-
10 ance; and

11 (3) not later than 5 years after the date of the
12 enactment of this Act, and biennially thereafter for
13 8 years, submit to the appropriate congressional
14 committees a report that contains an analysis of the
15 implementation of the guidelines by the major Fed-
16 eral departments and agencies that administer
17 United States foreign assistance.

18 (h) EVALUATION DEFINED.—In this section, the
19 term “evaluation” means, with respect to a United States
20 foreign assistance program, the systematic collection and
21 analysis of information about the characteristics and out-
22 comes of the program and projects under the program as
23 a basis for judgments, to improve effectiveness, and to in-
24 form decisions about current and future programming.

1 **SEC. 3. REVISION TO INTERNET WEBSITE TO MAKE PUB-**
2 **LICLY AVAILABLE COMPREHENSIVE, TIMELY,**
3 **COMPARABLE, AND ACCESSIBLE INFORMA-**
4 **TION ON UNITED STATES FOREIGN ASSIST-**
5 **ANCE PROGRAMS.**

6 (a) REVISION; INFORMATION SHARING AND UP-
7 DATES; FEEDBACK MECHANISM.—

8 (1) IN GENERAL.—Not later than 30 days after
9 the date of the enactment of this Act, the President
10 shall direct the Secretary of State to revise the De-
11 partment of State’s Internet website
12 “ForeignAssistance.gov” to make publicly available
13 in unclassified form comprehensive, timely, com-
14 parable, and accessible information on United States
15 foreign assistance.

16 (2) INFORMATION SHARING AND UPDATES.—

17 (A) INFORMATION SHARING.—The head of
18 each Federal department or agency that admin-
19 isters United States foreign assistance shall,
20 not later than 2 years after the date of the en-
21 actment of this Act, and every 90 days there-
22 after, provide to the Secretary of State such in-
23 formation with respect to the United States for-
24 eign assistance programs carried out by such
25 Federal department or agency.

1 (B) UPDATES.—The Secretary of State
2 shall publish not later than 2 years after the
3 date of the enactment of this Act and thereafter
4 update on a quarterly basis on the Internet
5 website the information provided under sub-
6 paragraph (A).

7 (3) FEEDBACK MECHANISM.—The website de-
8 scribed in paragraph (1) shall include a feedback
9 mechanism through which individuals are able to
10 provide comments on any United States foreign as-
11 sistance program.

12 (b) MATTERS TO BE INCLUDED.—

13 (1) IN GENERAL.—The information described in
14 subsection (a)(1) shall be published on a detailed
15 program-by-program basis and country-by-country
16 basis.

17 (2) TYPES OF INFORMATION.—To ensure trans-
18 parency, accountability, and effectiveness of United
19 States foreign assistance, such information shall in-
20 clude country assistance strategies, annual budget
21 documents, congressional budget justifications, obli-
22 gations, expenditures, and reports and evaluations,
23 including those developed pursuant to the guidelines
24 established under section 2, for United States for-
25 eign assistance programs and projects under such

1 programs. Each type of information described in this
2 paragraph shall be published or updated on the
3 Internet website not later than 90 days after the
4 date on which the information is issued.

5 (3) REPORT IN LIEU OF INCLUSION.—If—

6 (A) the head of a Federal department or
7 agency makes a determination that the inclu-
8 sion of a required item of information on the
9 Internet website under subsection (a)(1) would
10 jeopardize the health or security of an imple-
11 menting partner or program beneficiary, or

12 (B) the Secretary of State makes a deter-
13 mination that the inclusion of a required item
14 of information on the Internet website under
15 subsection (a)(1) would be detrimental to the
16 national interests of the United States,

17 then the head of such Federal department or agency
18 or the Secretary of State, as the case may be, shall
19 provide briefings to the appropriate congressional
20 committees on the item of information or submit to
21 the appropriate congressional committees the item of
22 information in a written report in lieu of it being in-
23 cluded on the Internet website, along with the rea-
24 sons for it not being included on the Internet
25 website. Any such item of information may be sub-

1 mitted to the appropriate congressional committees
2 in classified form.

3 (c) SCOPE OF INFORMATION.—

4 (1) IN GENERAL.—The Internet website shall
5 contain the information described in subsection (b)
6 as follows:

7 (A) For fiscal year 2013, the information
8 relating to such fiscal year and each of the im-
9 mediately preceding 2 fiscal years.

10 (B) For fiscal year 2014, the information
11 relating to such fiscal year and each of the im-
12 mediately preceding 3 fiscal years.

13 (C) For fiscal year 2015, the information
14 relating to such fiscal year and each of the im-
15 mediately preceding 4 fiscal years.

16 (D) For fiscal year 2016 and each fiscal
17 year thereafter, the information relating to such
18 fiscal year and each of the immediately pre-
19 ceding 5 fiscal years.

20 (2) OLDER INFORMATION.—For fiscal year
21 2017 and each fiscal year thereafter, the Internet
22 website shall also contain a link to a searchable
23 database available to the public containing informa-
24 tion described in subsection (b) relating to fiscal

1 years prior to the immediately preceding 5 fiscal
2 years but subsequent to fiscal year 2010.

3 **SEC. 4. CONGRESSIONAL BRIEFINGS IF REQUIREMENTS OF**
4 **SECTION 3 ARE NOT MET.**

5 If the information described in section 3(b) with re-
6 spect to a United States foreign assistance program is not
7 provided as required under section 3, then the head of the
8 relevant Federal department or agency shall provide brief-
9 ings to the appropriate congressional committees, along
10 with a detailed explanation of why the requirements for
11 publication on the Internet have not been met and when
12 they will be met, with respect to each month for which
13 such information is not published on the Internet.

14 **SEC. 5. OFFSET.**

15 Of the amounts authorized to be appropriated for
16 United States foreign assistance programs of a Federal
17 department or agency that administers such programs for
18 a fiscal year, up to 5 percent of such amounts are author-
19 ized to be appropriated to carry out this Act with respect
20 to such programs for such fiscal year.

21 **SEC. 6. DEFINITIONS.**

22 In this Act:

23 (1) APPROPRIATE CONGRESSIONAL COMMIT-
24 TEES.—The term “appropriate congressional com-
25 mittees” means—

1 (A) the Committee on Foreign Affairs and
2 the Committee on Appropriations of the House
3 of Representatives; and

4 (B) the Committee on Foreign Relations
5 and the Committee on Appropriations of the
6 Senate.

7 (2) UNITED STATES FOREIGN ASSISTANCE.—
8 The term “United States foreign assistance” means
9 any tangible or intangible item provided by gift,
10 loan, sale, credit, guaranty, or other means by any
11 agency of the United States Government to a foreign
12 country, including any training, service, or technical
13 advice, any item of real, personal, or mixed property,
14 any agricultural commodity, United States dollars,
15 and any currencies of any foreign country which are
16 owned by the United States Government.

17 (3) UNITED STATES SECURITY SECTOR ASSIST-
18 ANCE.—The term “United States security sector as-
19 sistance”—

20 (A) means policies, programs, and activi-
21 ties that the United States Government employs
22 to engage with foreign partners in the use of
23 force to protect both the foreign state and its
24 citizens at home or abroad, maintain inter-
25 national peace and security, and to enforce the

1 law and provide oversight of security institu-
2 tions and forces; and

3 (B) includes helping foreign partners build
4 and sustain the capacity and effectiveness of in-
5 stitutions to provide security, safety, and justice
6 for their people and to contribute to efforts that
7 address common security challenges.

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