

110TH CONGRESS
2D SESSION

S. 3642

To enhance the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005 and to improve access to safe drinking water and sanitation throughout the world.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 27 (legislative day, SEPTEMBER 17), 2008

Mr. DURBIN (for himself, Mr. CORKER, Mr. KERRY, and Mrs. MURRAY) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To enhance the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005 and to improve access to safe drinking water and sanitation throughout the world.

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 “Senator Paul Simon
5 Water for the Poor Enhancement Act of 2008”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) The Senator Paul Simon Water for the
2 Poor Act of 2005 (Public Law 109–121)—

3 (A) makes access to safe water and sanita-
4 tion for developing countries a specific policy
5 objective of United States foreign assistance
6 programs;

7 (B) requires the Secretary of State to—

8 (i) develop a strategy to elevate the
9 role of water and sanitation policy; and

10 (ii) improve the effectiveness of
11 United States assistance programs under-
12 taken in support of that strategy;

13 (C) codifies Target 10 of the United Na-
14 tions Millennium Development Goals; and

15 (D) seeks to reduce the proportion of peo-
16 ple who are unable to reach or afford safe
17 drinking water and basic sanitation by 50 per-
18 cent by 2015.

19 (2) On December 20, 2006, the United Nations
20 General Assembly, in GA Resolution 61/192, de-
21 clared 2008 as the International Year of Sanitation,
22 in recognition of the impact of sanitation on public
23 health, poverty reduction, economic and social devel-
24 opment, and the environment.

1 (3) On August 1, 2008, Congress passed H.
2 Con. Res. 318, which—

3 (A) supports the goals and ideals of the
4 International Year of Sanitation; and

5 (B) recognizes the importance of sanitation
6 on public health, poverty reduction, economic
7 and social development, and the environment.

8 (4) While progress is being made on safe water
9 and sanitation efforts—

10 (A) more than 884,000,000 people
11 throughout the world lack access to safe drink-
12 ing water; and

13 (B) 2 of every 5 people in the world do not
14 have access to basic sanitation services.

15 (5) The health consequences of unsafe drinking
16 water and poor sanitation are staggering, accounting
17 for—

18 (A) nearly 10 percent of the global burden
19 of disease; and

20 (B) more than 2,000,000 deaths each year.

21 (6) The effects of climate change are expected
22 to produce severe consequences for water availability
23 and resource management in the future, with
24 2,800,000,000 people in more than 48 countries ex-

1 pected to face severe and chronic water shortages by
2 2025.

3 (7) The impact of water scarcity on conflict and
4 instability is evident in many parts of the world, in-
5 cluding the Darfur region of Sudan, where demand
6 for water resources has contributed to armed conflict
7 between nomadic ethnic groups and local farming
8 communities.

9 (8) In order to further the United States con-
10 tribution to safe water and sanitation efforts, it is
11 necessary to—

12 (A) expand foreign assistance capacity to
13 address the challenges described in this section;
14 and

15 (B) represent issues related to water and
16 sanitation at the highest levels of United States
17 foreign assistance deliberations, including delib-
18 erations related to issues of global health, food
19 security, the environment, global warming, and
20 maternal and child mortality.

21 **SEC. 3. PURPOSE.**

22 The purpose of this Act is to enhance the capacity
23 of the United States Government to fully implement the
24 Senator Paul Simon Water for the Poor Act of 2005 (Pub-
25 lic Law 109–121).

1 **SEC. 4. DEVELOPING UNITED STATES GOVERNMENT CA-**
2 **PACITY.**

3 Section 135 of the Foreign Assistance Act of 1961
4 (22 U.S.C. 2151h) is amended by adding at the end the
5 following:

6 “(e) OFFICE OF WATER.—

7 “(1) ESTABLISHMENT.—To carry out the pur-
8 poses of subsection (a), the Administrator of the
9 United States Agency for International Development
10 shall establish the Office of Water.

11 “(2) LEADERSHIP.—The Office of Water shall
12 be headed by an Assistant Administrator for Safe
13 Water and Sanitation, who shall report directly to
14 the Administrator.

15 “(3) DUTIES.—The Assistant Administrator
16 shall—

17 “(A) implement this section and the Sen-
18 ator Paul Simon Water for the Poor Act of
19 2005 (Public Law 109–121); and

20 “(B) place primary emphasis on providing
21 safe, affordable, and sustainable drinking water,
22 sanitation, and hygiene.

23 “(f) BUREAU OF INTERNATIONAL WATER.—

24 “(1) ESTABLISHMENT.—To increase the capac-
25 ity of the Department of State to address inter-
26 national issues regarding safe water, sanitation, and

1 other international water programs, the Secretary of
2 State shall establish the Bureau for International
3 Water within the Office of the Under Secretary for
4 Democracy and Global Affairs (referred to in this
5 subsection as the ‘Bureau’).

6 “(2) DUTIES.—The Bureau shall—

7 “(A) oversee and coordinate the diplomatic
8 policy of the United States Government with re-
9 spect to global freshwater issues, including—

10 “(i) access to safe drinking water and
11 sanitation;

12 “(ii) river basin and watershed man-
13 agement;

14 “(iii) transboundary conflict;

15 “(iv) agricultural and urban produc-
16 tivity of water resources;

17 “(v) pollution mitigation; and

18 “(vi) adaptation to hydrologic change
19 due to climate variability; and

20 “(B) ensure that international freshwater
21 issues are represented—

22 “(i) within the United States Govern-
23 ment; and

1 “(ii) in key diplomatic, development,
2 and scientific efforts with other nations
3 and multilateral organizations.”.

4 **SEC. 5. SAFE WATER AND SANITATION STRATEGY.**

5 Section 6(e) of the Senator Paul Simon Water for
6 the Poor Act of 2005 (Public Law 109–121) is amended—

7 (1) in paragraph (5), by striking “and” at the
8 end;

9 (2) in paragraph (6), by striking the period at
10 the end and inserting a semicolon; and

11 (3) by adding at the end the following:

12 “(7) an assessment of the extent to which the
13 United States Government’s efforts are reaching the
14 goal described in section 135(a)(2) of the Foreign
15 Assistance Act of 1961 (22 U.S.C. 2152h(a)(2));
16 and

17 “(8) recommendations on what the United
18 States Government would need to do to help achieve
19 the goal referred to in paragraph (7) if the United
20 States Government’s efforts were proportional to its
21 share of the world’s economy.”.

22 **SEC. 6. DEVELOPING LOCAL CAPACITY.**

23 The Senator Paul Simon Water for the Poor Act of
24 2005 (Public Law 109–121) is amended—

1 (1) by redesignating sections 9, 10, and 11 as
2 sections 10, 11, and 12, respectively; and

3 (2) by inserting after section 8 the following:

4 **“SEC. 9. WATER AND SANITATION MANAGERS TRAINING**
5 **PROGRAM.**

6 “(a) ESTABLISHMENT.—

7 “(1) IN GENERAL.—The Secretary of State and
8 the Administrator of the United States Agency for
9 International Development shall establish, in every
10 priority country, a program to train local, in-country
11 water and sanitation managers, and other officials of
12 countries that receive assistance under section 135
13 of the Foreign Assistance Act of 1961 to promote
14 the capacity of recipient governments to provide af-
15 fordable, equitable, and sustainable access to safe
16 drinking water and sanitation.

17 “(2) COORDINATION.—The program established
18 under subsection (a) shall be coordinated by the lead
19 country water manager designated in subsection
20 (c)(2).

21 “(3) EXPANSION.—The Secretary and Adminis-
22 trator may establish the program described in this
23 section in additional countries if the receipt of such
24 training would be most beneficial, with due consider-
25 ation given to good governance.

1 “(b) DESIGNATION.—The United States Chief of
2 Mission within each country receiving a ‘high priority’ des-
3 ignation under section 6(f) shall—

4 “(1) designate safe drinking water and sanita-
5 tion as a strategic objective;

6 “(2) appoint an in-country water and sanitation
7 manager within the Mission to coordinate the in-
8 country implementation of this Act and section 135
9 of the Foreign Assistance Act of 1961 with local
10 water managers, local government officials, the De-
11 partment of State, and the Office of Water of the
12 United States Agency for International Develop-
13 ment; and

14 “(3) coordinate with the Development Credit
15 Authority and the Global Development Alliance to
16 further the purposes of this Act.”.

17 **SEC. 7. GRANTS FOR LOW COST CLEAN WATER AND SANI-**
18 **TATION TECHNOLOGIES.**

19 Section 135(c) of the Foreign Assistance Act (22
20 U.S.C. 2152h(c)) is amended—

21 (1) in paragraph (3), by striking “and” at the
22 end;

23 (2) in paragraph (4), by striking the period at
24 the end; and

25 (3) by adding at the end the following:

1 “(5) provide grants through the United States
2 Agency for International Development to foster the
3 development of low cost and sustainable technologies
4 for providing clean water and sanitation that are
5 suitable for use in high priority countries, particu-
6 larly in places with limited resources and infrastruc-
7 ture.”.

8 **SEC. 8. UPDATED REPORT REGARDING WATER FOR PEACE**
9 **AND SECURITY.**

10 Section 11(b) of the Senator Paul Simon Water for
11 the Poor Act of 2005, as redesignated by section 6, is
12 amended by adding at the end the following: “The report
13 submitted under this subsection shall include an assess-
14 ment of current and likely future political tensions over
15 water sources and an assessment of the expected impacts
16 of global climate change on water supplies in 10, 25, and
17 50 years.”.

18 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

19 There are authorized to be appropriated for fiscal
20 year 2009 and each subsequent fiscal year such sums as
21 may be necessary to carry out this Act and the amend-
22 ments made by this Act.

23 **SEC. 10. CONSTRUCTION.**

24 This Act shall be implemented in a manner consistent
25 with the Senator Paul Simon Water for the Poor Act of

1 2005 (Public Law 109–121). Nothing in this Act shall be
2 construed in such a way as to override or take precedence
3 over the implementation of that Act.

