

**Calendar No. 268**

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 1524**

**[Report No. 111–122]**

To strengthen the capacity, transparency, and accountability of United States foreign assistance programs to effectively adapt and respond to new challenges of the 21st century, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JULY 28, 2009

Mr. KERRY (for himself, Mr. LUGAR, Mr. MENENDEZ, Mr. CORKER, Mr. RISCH, Mr. CARDIN, Mrs. SHAHEEN, Mr. CASEY, Mr. MERKLEY, Mr. JOHNSON, Mrs. McCASKILL, Mr. KAUFMAN, Mrs. GILLIBRAND, Mr. LAUTENBERG, Mrs. HAGAN, Mrs. FEINSTEIN, Mr. DODD, Mr. DURBIN, Mr. SCHUMER, Ms. SNOWE, Mr. BOND, Mr. JOHANNES, Ms. COLLINS, and Ms. CANTWELL) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

FEBRUARY 2, 2010

Reported by Mr. KERRY, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

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**A BILL**

To strengthen the capacity, transparency, and accountability of United States foreign assistance programs to effectively adapt and respond to new challenges of the 21st century, 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 Assistance Re-  
5       vitalization and Accountability Act of 2009”.

6       **SEC. 2. DEFINITIONS.**

7       In this Act:

8               (1) ADMINISTRATOR.—Except as otherwise pro-  
9       vided, the term “Administrator” means the Adminis-  
10       trator of the United States Agency for International  
11       Development.

12              (2) AGENCY.—Except as otherwise provided,  
13       the term “Agency” means the United States Agency  
14       for International Development.

15              (3) APPROPRIATE CONGRESSIONAL COMMIT-  
16       TEES.—The term “appropriate congressional com-  
17       mittees” means the Committee on Foreign Relations  
18       of the Senate and the Committee on Foreign Affairs  
19       of the House of Representatives.

20              (4) SECRETARY.—Except as otherwise provided,  
21       the term “Secretary” means the Secretary of State.

22       **SEC. 3. FINDINGS.**

23       Congress makes the following findings:

(1) Poverty, hunger, lack of opportunity, gender inequality, and environmental degradation are recognized as significant contributors to—

(A) socioeconomic and political instability;

and

(B) the exacerbation of disease pandemic and other global health threats.

(2) The 2006 National Security Strategy of the United States notes, “America’s national interests and moral values drive us in the same direction: to assist the world’s poor citizens and least developed nations and help integrate them into the global economy.”.

(3) The bipartisan Final Report of the National Commission on Terrorist Attacks Upon the United States (9/11 Commission Report) recommends, “A comprehensive United States strategy to counter terrorism should include economic policies that encourage development, more open societies, and opportunities for people to improve the lives of their families and enhance prospects for their children.”.

(4) The alleviation of poverty and hunger is in the national interest of the United States. It improves United States security by mitigating the underlying causes of violence and extremism; addresses

1 threats like climate change and pandemic disease;  
2 expands economic opportunities for producers and  
3 consumers in the United States; demonstrates  
4 United States leadership to the world; and rep-  
5 resents the values, humanitarianism, and generosity  
6 of the American people.

7 (5) Elevating the standing of the United States  
8 in the world represents a critical and essential ele-  
9 ment for any strategy to improve national and global  
10 security by mitigating the root causes of conflict and  
11 multinational terrorism; strengthening diplomatic  
12 and economic relationships; preventing global cli-  
13 mate change; curbing weapons proliferation; and fos-  
14 tering peace and cooperation between all nations.

15 (6) Currently the global development policies  
16 and programs of the United States Government are  
17 scattered across 12 different Federal departments;  
18 25 different Federal agencies; and nearly 60 Federal  
19 Government offices. The current law governing for-  
20 eign assistance is outdated, cumbersome, and lacks  
21 relevance for modern challenges; articulating at least  
22 140 broad priorities for United States development  
23 efforts; with at least 400 specific directives on how  
24 to implement those broad priorities. Moreover, it al-  
25 lows the budget process to drive priorities, rather

1       than setting clear priorities that drive resource deci-  
2       sions.

3           (7) The international and domestic challenges  
4       of the 21st century—including transnational threats  
5       such as economic instability, terrorism, climate  
6       change, and disease—cannot be met with a foreign  
7       assistance apparatus that was created to confront  
8       the challenges of the 20th century. The cornerstone  
9       for a new foreign assistance architecture begins with  
10      reform of the Foreign Assistance Act of 1961 that  
11      ensures a rationalized organizational structure for a  
12      strengthened development agency, a concise set of  
13      development priorities, rebuilt human resource ca-  
14      pacity, strengthened monitoring and evaluation, re-  
15      invigorated policy and intellectual expertise, with  
16      sufficient resources and commensurate account-  
17      ability to achieve key foreign assistance goals.

18           (8) President Barack Obama has expressed a  
19      commitment to cut extreme poverty and hunger  
20      around the world in half, and to increase the level  
21      of United States foreign assistance to meet that  
22      goal.

23   **SEC. 4. STATEMENT OF POLICY.**

24       It is the policy of the United States, given the impor-  
25      tance of global prosperity and security to the national in-

1 terests of the United States, to promote global develop-  
 2 ment, good governance, and the reduction of poverty and  
 3 hunger. In support of this policy, a reform and rebuilding  
 4 process should be initiated that will redefine the United  
 5 States foreign assistance architecture and strengthen the  
 6 capacity of the United States Agency for International De-  
 7 velopment and related agencies to establish effective devel-  
 8 opment policies and implement innovative and effective  
 9 foreign assistance programs with maximum impact.

10 **SEC. 5. POLICY AND STRATEGIC PLANNING.**

11 (a) SENSE OF CONGRESS ON BUILDING THE POLICY  
 12 CAPACITY OF USAID.—It is the sense of Congress that—

13 (1) there has been too little emphasis in recent  
 14 years in developing the capacity of the Agency to  
 15 formulate international development policy and to  
 16 integrate important policy initiatives and innovative  
 17 policy concepts into Agency programs and activities;

18 (2) the Agency should increase its emphasis on  
 19 recruiting, hiring, training, and enhancing profes-  
 20 sional officers who will support the Agency's role in  
 21 formulating development policy and enhancing inno-  
 22 vative solutions to development challenges;

23 (3) there is a particular need to strengthen pol-  
 24 icy formulation and development in missions world-  
 25 wide, in addition to strengthening the capacity of the

1       Agency to address policy issues in headquarters in  
 2       Washington, District of Columbia, which should be  
 3       dealt with by deploying policy officers to missions  
 4       worldwide; and

5               (4) a Bureau for Policy and Strategic Planning  
 6       should ensure that policy concepts and priorities are  
 7       appropriately integrated into all programs and ac-  
 8       tivities undertaken by the Agency.

9       (b) ESTABLISHMENT OF USAID POSITIONS TO  
 10      BUILD POLICY AND STRATEGIC PLANNING CAPACITY.—

11              (1) DEPUTY ADMINISTRATOR OF THE UNITED  
 12      STATES AGENCY FOR INTERNATIONAL DEVELOP-  
 13      MENT.—Section 624 of the Foreign Assistance Act  
 14      of 1961 (22 U.S.C. 2384) is amended by inserting  
 15      after subsection (c) the following new subsection:

16              “(d) DEPUTY ADMINISTRATORS.—There shall be in  
 17      the United States Agency for International Development,  
 18      among the statutory officers authorized by subsection (a),  
 19      not more than 2 Deputy Administrators, who shall assist  
 20      the Administrator in all matters.”.

21              (2) ASSISTANT ADMINISTRATOR FOR POLICY  
 22      AND STRATEGIC PLANNING.—Such section is further  
 23      amended by adding at the end the following new  
 24      subsection:

1       “(f) ASSISTANT ADMINISTRATOR FOR POLICY AND  
 2 STRATEGIC PLANNING.—There shall be in the United  
 3 States Agency for International Development, among the  
 4 statutory officers authorized by subsection (a), an Assist-  
 5 ant Administrator for Policy and Strategic Planning, who  
 6 shall assist the Administrator and Deputy Administrators  
 7 in matters related to policy planning, strategic planning,  
 8 program design, research, evaluation, budget allocation  
 9 and management, and in other matters.”.

10       (3) CLERICAL AMENDMENT.—Subsection (a) of  
 11 such section is amended by striking “twelve” and in-  
 12 serting “fourteen”.

13       (e) BUREAU FOR POLICY AND STRATEGIC PLAN-  
 14 NING.—Chapter 2 of part III of the Foreign Assistance  
 15 Act of 1961 (22 U.S.C. 2381 et seq.) is amended by in-  
 16 serting after section 624 the following new section:

17       **“SEC. 624A. BUREAU FOR POLICY AND STRATEGIC PLAN-**  
 18                               **NING.**

19       “(a) ESTABLISHMENT.—There is established in the  
 20 United States Agency for International Development a  
 21 Bureau for Policy and Strategic Planning (referred to in  
 22 this section as the ‘Bureau’).

23       “(b) DUTIES.—The primary duties of the Bureau  
 24 shall include the following:



1           “(1) Developing and formulating United States  
2           Government policy on development issues in support  
3           of United States policy objectives.

4           “(2) Ensuring long-term strategic planning and  
5           direction for overall development policy and pro-  
6           grams, as well as across regions and sectors.

7           “(3) Designing and conducting significant re-  
8           search and evaluation on development and aid effec-  
9           tiveness.

10          “(4) Establishing resource and workforce allo-  
11          cation criteria.

12          “(5) Guiding overall budget decisions and re-  
13          viewing bureau-specific resource allocations, work-  
14          force allocations, operational planning, and program  
15          decisions.

16          “(6) Integrating monitoring and evaluation into  
17          overall decisionmaking and strategic planning.”.

18          (d) OFFICE FOR LEARNING, EVALUATION, AND  
19          ANALYSIS IN DEVELOPMENT.—Chapter 2 of part III of  
20          the Foreign Assistance Act of 1961 (22 U.S.C. 2381 et  
21          seq.); as amended by subsection (c); is further amended  
22          by inserting after section 624A the following:

1 **“SEC. 624B OFFICE FOR LEARNING, EVALUATION, AND**  
2 **ANALYSIS IN DEVELOPMENT.**

3 “(a) SENSE OF CONGRESS ON ANALYSIS AND EVAL-  
4 UATION.—It is the sense of Congress that—

5 “(1) achieving United States foreign policy ob-  
6 jectives requires the consistent and systematic eval-  
7 uation of the impact of United States foreign assist-  
8 ance programs and analysis on what programs work  
9 and why, when, and where they work;

10 “(2) the design of assistance programs and  
11 projects should include the collection of relevant  
12 data required to measure outcomes and impacts;

13 “(3) the design of assistance programs and  
14 projects should reflect the knowledge gained from  
15 evaluation and analysis;

16 “(4) a culture and practice of high quality eval-  
17 uation should be revitalized at agencies managing  
18 foreign assistance programs, which requires that the  
19 concepts of evaluation and analysis are used to in-  
20 form policy and programmatic decisions, including  
21 the training of aid professionals in evaluation design  
22 and implementation;

23 “(5) the effective and efficient use of funds can-  
24 not be achieved without an understanding of how  
25 lessons learned are applicable in various environ-  
26 ments, and under similar or different conditions; and

1           “(6) project evaluations should be used as  
2           sources of data when running broader analyses of  
3           development outcomes and impacts.

4           “(b) ESTABLISHMENT.—There is established in the  
5           Bureau for Policy and Strategic Planning an Office for  
6           Learning, Evaluation, and Analysis in Development (re-  
7           ferred to in this section as the ‘Office’), which shall be  
8           under the management of the Assistant Administrator for  
9           Policy and Strategic Planning.

10          “(c) DUTIES.—The duties of the Office shall be to—

11           “(1) develop, design, coordinate, guide, and  
12           conduct the complete range of activities relating to  
13           the monitoring of resources, the evaluation of  
14           projects, the evaluation of program impacts, and  
15           analysis that is necessary for the identification of  
16           findings, generalizations that can be derived from  
17           those findings, and their applicability to proposed  
18           project and program design;

19           “(2) serve as a resource to the United States  
20           Agency for International Development, other govern-  
21           ment entities, implementing partners, the academic  
22           community, the donor community, and host govern-  
23           ments in the design of programs and projects;

1           “(3) serve as an authoritative voice in linking  
2           evaluation and research results to strategic planning  
3           and policy options;

4           “(4) design a strategy for strengthening evalua-  
5           tion and research for foreign assistance programs  
6           managed by the United States Agency International  
7           Development;

8           “(5) develop the scope and guidelines for eval-  
9           uation and research that are multidisciplinary in na-  
10          ture;

11          “(6) establish annual evaluation and research  
12          agendas and objectives that are responsive to policy  
13          and programmatic priorities;

14          “(7) guide the use of rigorous methodologies;  
15          choosing from among a wide variety of qualitative  
16          and quantitative methods common in the field of so-  
17          cial scientific inquiry;

18          “(8) coordinate the evaluation processes of bu-  
19          reaus and missions of the United States Agency for  
20          International Development;

21          “(9) develop and implement a training plan on  
22          evaluation and research for aid personnel;

23          “(10) make recommendations to the Assistant  
24          Administrator for Policy and Strategic Planning on

1 linking evaluation and research findings to policy  
2 and strategic planning options;

3 “(11) develop a clearinghouse capacity for the  
4 dissemination of knowledge and lessons learned to  
5 USAID professionals, implementing partners, the  
6 international aid community, and aid recipient gov-  
7 ernments, and as a repository of knowledge on les-  
8 sons learned;

9 “(12) distribute evaluation and research reports  
10 internally and make this material available online to  
11 the public; and

12 “(13) partner with the academic community,  
13 implementing partners, and national and inter-  
14 national institutions that have expertise in evalua-  
15 tion and analysis when such partnerships will pro-  
16 vide needed expertise or will significantly improve  
17 the evaluation and analysis.

18 “(d) SUBORDINATE UNITS.—The Administrator may  
19 create such subordinate units as may be necessary for the  
20 performance of duties described in paragraphs (9) and  
21 (11) of subsection (c).

22 “(e) TECHNICAL EXPERTISE.—If the Assistant Ad-  
23 ministrator determines that the Office requires expertise  
24 that is of a technical nature and is outside the expertise  
25 of the Agency for International Development, such exper-

1   tise may be accessed through existing contracting authori-  
 2   ties.

3       “(f) MONITORING.—Evaluation and analysis activi-  
 4   ties of the Office shall be in addition to, but not duplica-  
 5   tive of, existing monitoring activities as provided under ex-  
 6   isting law.

7       “(g) COORDINATION.—The Office should closely co-  
 8   ordinate and consult with the Council on Research and  
 9   Evaluation of Foreign Assistance to ensure consistency of  
 10   approach toward evaluation, research, analysis, and re-  
 11   lated activities.

12       “(h) ANNUAL REPORTS TO CONGRESS.—

13           “(1) IN GENERAL.—Not later than 1 year after  
 14   the date of the enactment of this Act, and not later  
 15   than December 31 of each year thereafter, the Ad-  
 16   ministrator shall submit to the appropriate congres-  
 17   sional committees a report on the work of the Office.

18           “(2) CONTENT.—The report required under  
 19   paragraph (1) shall include—

20               “(A) a copy of the annual evaluation and  
 21   research agenda for the preceding year;

22               “(B) a description of the evaluation activi-  
 23   ties conducted in the preceding year;

24               “(C) a description of training activities  
 25   conducted in the preceding year;

1           “(D) a forecast of evaluation and research  
2           planned for the following year; and

3           “(E) a description of the ways in which the  
4           results of evaluations have informed the design  
5           and operation of agency policies and programs  
6           during the year.

7           “(i) AUTHORIZATION OF APPROPRIATIONS.—There  
8           are authorized to be appropriated to the United States  
9           Agency for International Development \$5,000,000 for fis-  
10          cal year 2010 and such sums as may be necessary for fis-  
11          cal year 2011.

12          “(j) DEFINITIONS.—In this section:

13           “(1) ANALYSIS.—The term ‘analysis’ means the  
14           comparative study of evaluations conducted over a  
15           period of time; in varying locations; and under vary-  
16           ing conditions that produces generalized findings  
17           and explanations of outcomes and assesses their ap-  
18           plicability to proposed project and program design.

19           “(2) EVALUATION.—The term ‘evaluation’  
20           means the full range of activities designed to assess  
21           the efficiency and effectiveness of inputs and pro-  
22           cesses on outputs; results; and outcomes of various  
23           projects, programs, and activities.

24           “(3) OUTCOME.—The term ‘outcome’ means  
25           any change occurring during the course of a project;

1 program, or activity, including changes that cannot  
 2 be attributed directly to the project, program, or ac-  
 3 tivity.

4 “(4) **OUTPUTS.**—The term ‘output’ means the  
 5 products, capital, goods, and services that result  
 6 from a project, program, or activity.”.

7 **SEC. 6. COUNCIL ON RESEARCH AND EVALUATION OF FOR-**  
 8 **EIGN ASSISTANCE.**

9 (a) **FINDINGS.**—Congress makes the following find-  
 10 ings:

11 (1) The American public and Congress must  
 12 have confidence that—

13 (A) Federal funds allocated for foreign as-  
 14 sistance programs are used efficiently and effec-  
 15 tively; and

16 (B) funding allocations and programs are  
 17 linked to clearly defined policy objectives.

18 (2) The December 2007 **HELP** Commission  
 19 Report on Foreign Assistance Reform states, “[T]he  
 20 systems our government uses to evaluate develop-  
 21 ment and humanitarian assistance programs are ei-  
 22 ther in disarray or do not exist. Current systems  
 23 tend to focus more on outputs, such as counting how  
 24 many books are delivered to a school, rather than on  
 25 outcomes, such as measuring how many children can



1 actually read. Indeed, out of 26,285 impact evalua-  
2 tions that USAID conducted between 1996 and  
3 2005, only 30 measured the impact of projects.”

4 (3) The HELP Commission also recommends  
5 that the United States Government reestablish an  
6 independent Office of Monitoring and Evaluation re-  
7 sponsible for foreign assistance operations and pro-  
8 vide the office with sufficient funding to monitor and  
9 evaluate performance that should be accountable to  
10 Congress and to the executive branch.

11 (b) ESTABLISHMENT.—There is established in the ex-  
12 ecutive branch the Council on Research and Evaluation  
13 of Foreign Assistance (referred to in this section as the  
14 “Council”).

15 (c) PURPOSES.—The purposes of the Council shall  
16 be—

17 (1) to evaluate the impact of United States  
18 Government foreign assistance programs and their  
19 contribution to policy, strategies, projects, program  
20 goals, and priorities undertaken by the United  
21 States Government in support of foreign policy ob-  
22 jectives; and

23 (2) to cultivate an integrated research and de-  
24 velopment program that will—

1           (A) incorporate best practices from evalua-  
2           tion studies and analyses; and

3           (B) foster and promote innovative pro-  
4           grams to improve the effectiveness of United  
5           States foreign assistance.

6       (d) DUTIES AND AUTHORITIES.—

7           (1) EVALUATIONS OF UNITED STATES GOVERN-  
8           MENT FOREIGN ASSISTANCE PROGRAMS AND INTER-  
9           NATIONAL AND MULTILATERAL ASSISTANCE PRO-  
10          GRAMS RECEIVING FINANCIAL ASSISTANCE FROM  
11          THE UNITED STATES.—

12          (A) AUTHORIZATION.—The Council is au-  
13          thorized to conduct evaluations, on a program-  
14          by-program basis, of the effectiveness of—

15               (i) foreign assistance programs ear-  
16               ried out by any United States Government  
17               agency; and

18               (ii) international and multilateral as-  
19               sistance programs receiving financial as-  
20               sistance from the United States.

21          (B) IMPACT ASSESSMENT.—Evaluations  
22          conducted under subparagraph (A) shall assess  
23          the impact of the programs described in clauses  
24          (i) and (ii) of subparagraph (A) and their con-  
25          tribution to policy, strategies, projects, program

goals, and priorities of the United States Government.

(C) SELECTION CRITERIA.—The Director, in consultation with the Board, shall establish—

(i) criteria for selecting foreign assistance programs and international and multilateral assistance programs receiving financial assistance from the United States to be evaluated under subparagraph (A); and

(ii) procedures for conducting such evaluations.

(D) COORDINATION.—The criteria and procedures established under subparagraph (C) shall include procedures to avoid duplication of the Council's activities, and to ensure effective coordination and cooperation, with the activities of the Comptroller General of the United States, relevant Inspectors General, and other relevant entities.

(E) METHODOLOGIES.—In conducting evaluations under subparagraph (A), the Council shall utilize rigorous and objective methodologies, choosing from among a wide variety

1 of qualitative and quantitative methods common  
2 in the field of social scientific inquiry.

3 (F) INTERAGENCY ASSISTANCE.—In con-  
4 ducting evaluations under subparagraph (A),  
5 the Director is authorized to request informa-  
6 tion or assistance from the head of any Federal  
7 agency to the extent necessary to facilitate the  
8 evaluation of a program, including access to all  
9 records, reports, audits, reviews, documents, pa-  
10 pers, recommendations, and other material  
11 available to the program being evaluated by the  
12 Council. Upon receipt of a request under this  
13 subparagraph, the head of the Federal agency  
14 receiving the request, insofar as is practicable  
15 and not in contravention of any applicable law,  
16 shall furnish to the Director, or to an author-  
17 ized designee, such information or assistance as  
18 may be necessary to carry out the purposes of  
19 this section.

20 (G) REPORTS.—At least 30 days before  
21 issuing a report under this subparagraph, the  
22 Director shall submit a draft of the report to  
23 the head of the Federal agency responsible for  
24 implementing the program being evaluated and  
25 provide the agency head an opportunity to com-

1           ment on the report. The Council shall issue a  
2           report to the appropriate congressional commit-  
3           tees on each evaluation conducted under sub-  
4           paragraph (A) that contains—

5                   (i) an assessment of the effectiveness  
6                   of the program evaluated, including the ef-  
7                   fectiveness of any partnership with non-  
8                   Federal partners, as appropriate;

9                   (ii) any recommendations to improve  
10                  the program's effectiveness, including the  
11                  effectiveness of partnerships with non-Fed-  
12                  eral organizations, as appropriate; and

13                  (iii) any comments received from the  
14                  head of the Federal agency, or his or her  
15                  designee, including any non-Federal part-  
16                  ner, as appropriate.

17           (H) CONSULTATION.—The Director shall  
18           regularly consult with the appropriate congres-  
19           sional committees to discuss priorities for eval-  
20           uations to be conducted under subparagraph  
21           (A).

22           (2) RESEARCH ON FOREIGN ASSISTANCE DE-  
23           SIGN, IMPLEMENTATION, EVALUATION, AND EFEC-  
24           TIVENESS.—

1           (A) IN GENERAL.—The Council shall con-  
2           duct research and analysis on the design, imple-  
3           mentation, evaluation, and effectiveness of for-  
4           eign assistance programs in an effort to develop  
5           innovative approaches relating to foreign assist-  
6           ance, including—

7                   (i) research and analysis aimed at de-  
8                   veloping objective methodologies for evalu-  
9                   ating the effectiveness of foreign assistance  
10                  programs in achieving assistance objec-  
11                  tives;

12                  (ii) research and analysis aimed at  
13                  identifying ways of improving coordination  
14                  of foreign assistance programs carried out  
15                  by Federal agencies, including ways of co-  
16                  ordinating research and development con-  
17                  ducted by such agencies; and

18                  (iii) research and analysis aimed at  
19                  identifying approaches through which the  
20                  United States Government can support the  
21                  development of evaluation capacity in de-  
22                  veloping countries; and strategies to en-  
23                  courage the use of evaluation findings  
24                  among different levels of decision makers  
25                  and implementers.

(B) ~~ADDITIONAL RESEARCH.~~—In addition to the research conducted under subparagraph (A), the Council may also conduct research and analysis on—

(i) trends relating to foreign assistance programs and the measures necessary to ensure continued progress; and

(ii) the relative effectiveness of international and multilateral assistance programs receiving financial assistance from the United States, including programs of the World Bank Group, United Nations entities, and regional multilateral development banks, as compared to United States foreign assistance programs.

(C) ~~INTEGRATED RESEARCH AND DEVELOPMENT PROGRAM.~~—The Director, in consultation with the Board, shall establish and implement an integrated research and development program that will serve as a laboratory for innovative programs related to foreign assistance to fulfill the objectives described in subparagraph (A).

(D) ~~PARTNERS.~~—In conducting research and analysis under subparagraph (A), the

Council shall partner with the academic community, implementing partners, and national and international institutions that have expertise in evaluation, research, and analysis, as appropriate.

~~(E) REPORTS.~~—The Council shall issue reports to the appropriate congressional committees on the results of research conducted pursuant to subparagraph (A) that include recommendations to Federal agencies responsible for implementing foreign assistance programs on how to improve the design, implementation, and evaluation of such programs.

~~(F) COLLABORATION.~~—The Council shall actively collaborate with Federal agencies responsible for implementing foreign assistance programs by—

(i) sharing the results of research conducted pursuant to subparagraph (A); and

(ii) providing recommendations and advice on how to improve the design, effectiveness, efficiency, and innovation of such programs.

~~(G) CONSULTATION.~~—The Director shall regularly consult with the appropriate congress-



1           sional committees to discuss priorities for re-  
 2           search to be conducted under subparagraph  
 3           (A).

4           (3) INDEPENDENCE.—The Council shall pre-  
 5           serve its independence to ensure organizational au-  
 6           tonomy, protection from external influence, and  
 7           avoidance of conflicts of interest.

8           (e) COUNCIL ON RESEARCH AND EVALUATION OF  
 9           FOREIGN ASSISTANCE ADVISORY BOARD.—

10           (1) ESTABLISHMENT.—There is established a  
 11           Council on Research and Evaluation of Foreign As-  
 12           sistance Advisory Board (referred to in this sub-  
 13           section as the “Board”).

14           (2) PURPOSES.—The purposes of the Board  
 15           shall be—

16                   (A) to consult with the Director regarding  
 17                   the existing program of work of the Council,  
 18                   current evaluations that are ongoing or com-  
 19                   pleted, and projected evaluations and activities  
 20                   to be undertaken by the Council; and

21                   (B) to serve as a forum for coordination  
 22                   and discussion of related matters pertaining to  
 23                   the Council’s operations and activities.

24           (3) DUTIES.—The Board shall—

1           (A) regularly consult with the Director re-  
 2           garding the activities of the Council, but may  
 3           not prevent or prohibit the Director from initi-  
 4           ating, carrying out, or completing any evalua-  
 5           tion or analysis of any development, humani-  
 6           tarian, or foreign assistance program or activ-  
 7           ity; and

8           (B) ensure coordination with the Office of  
 9           Management and Budget in the Executive Of-  
 10          fice of the President.

11          (4) MEMBERSHIP.—The Board shall consist  
 12          of—

13           (A) the Director of the Council, or des-  
 14           ignee;

15           (B) the Secretary of State, or designee;

16           (C) the Secretary of the Treasury, or des-  
 17           ignee;

18           (D) the Administrator of the United States  
 19           Agency for International Development, or des-  
 20           ignee;

21           (E) the Chief Executive Officer of the Mil-  
 22           lennium Challenge Corporation, or designee;

23           (F) the Secretary of Agriculture, or des-  
 24           ignee;

25           (G) the Secretary of Defense, or designee;

1           (H) the Secretary of Health and Human  
2           Services, or designee;

3           (I) 1 individual to be appointed by the Di-  
4           rector;

5           (J) 1 officer in the Senior Foreign Service  
6           for the Agency for International Development  
7           or the Department of State with experience in  
8           the implementation of assistance programs;

9           (K) 4 individuals with relevant professional  
10          evaluation and international experience, who  
11          shall be appointed by the President, by and  
12          with the advice and consent of the Senate, of  
13          which—

14               (i) 1 individual shall be appointed  
15               from among a list of 3 individuals sub-  
16               mitted by the chairman of the Committee  
17               on Foreign Relations of the Senate;

18               (ii) 1 individual shall be appointed  
19               from among a list of 3 individuals sub-  
20               mitted by the ranking member of the Com-  
21               mittee on Foreign Relations of the Senate;

22               (iii) 1 individual shall be appointed  
23               from among a list of 3 individuals sub-  
24               mitted by the chairman of the Committee

on Foreign Affairs of the House of Representatives; and

(iv) 1 individual shall be appointed from among a list of 3 individuals submitted by the ranking member of the Committee on Foreign Affairs of the House of Representatives.

(5) TERMS.—

(A) OFFICERS OF THE FEDERAL GOVERNMENT.—Each member of the Board described in subparagraphs (A) through (H) of paragraph (4) shall serve for a term that is concurrent with the term of service of the individual's position as an officer within the other Federal department or agency.

(B) OTHER MEMBERS.—Each member of the Board described in subparagraphs (I) through (K) of paragraph (4) shall be appointed for a 3-year term and may be reappointed for an additional 2-year term.

(C) VACANCIES.—A vacancy in the Board shall be filled in the manner in which the original appointment was made.

1           (6) CHAIRPERSON.—The members of the Board  
2       shall select from among its membership a Chair-  
3       person to serve a 1-year term.

4           (7) TECHNICAL ADVISORY GROUP.—The Direc-  
5       tor shall have the authority to form a technical advi-  
6       sory group to provide recommendations and advise  
7       the existing program of work of the Council. The  
8       subgroup shall consist of the 4 members of the  
9       Board described in paragraph (4)(K), and additional  
10      members as appropriate.

11          (8) QUORUM.—A majority of the members of  
12      the Board shall constitute a quorum.

13          (9) MEETINGS.—The Board shall meet at the  
14      call of the Chairperson but no less than annually.

15          (10) COMPENSATION.—

16               (A) OFFICERS OF THE FEDERAL GOVERN-  
17      MENT.—

18                   (i) IN GENERAL.—A member of the  
19                   Board described in subparagraph (A), (B),  
20                   (C), (D), (E), (F), (G), or (H) of para-  
21                   graph (4) may not receive additional pay,  
22                   allowances, or benefits by reason of the  
23                   member's service on the Board.

24                   (ii) TRAVEL EXPENSES.—Each such  
25                   member of the Board shall receive travel

1 expenses, including per diem in lieu of sub-  
 2 sistence, in accordance with applicable pro-  
 3 visions under subchapter I of chapter 57 of  
 4 title 5, United States Code.

5 (B) OTHER MEMBERS.—

6 (i) IN GENERAL.—Except as provided  
 7 in clause (ii), a member of the Board de-  
 8 scribed in paragraph (4)(F)—

9 (I) shall be paid compensation  
 10 out of funds made available for the  
 11 purposes of this title at the daily  
 12 equivalent of the highest rate payable  
 13 under section 5332 of title 5, United  
 14 States Code, for each day (including  
 15 travel time) during which the member  
 16 is engaged in the actual performance  
 17 of duties as a member of the Board;  
 18 and

19 (II) while away from the mem-  
 20 ber's home or regular place of busi-  
 21 ness on necessary travel in the actual  
 22 performance of duties as a member of  
 23 the Board, shall be paid per diem,  
 24 travel, and transportation expenses in  
 25 the same manner as is provided under

1 subchapter I of chapter 57 of title 5,  
 2 United States Code.

3 (ii) LIMITATION.—A member of the  
 4 Board may not be paid compensation  
 5 under clause (i)(II) for more than 90 days  
 6 in any calendar year.

7 (f) DIRECTOR.—

8 (1) APPOINTMENT.—

9 (A) IN GENERAL.—The Council shall be  
 10 headed by a Director, who shall be appointed by  
 11 the President from among the individuals rec-  
 12 ommended under subparagraph (B) to a 4-year  
 13 term, subject to a 1-year renewal, by and with  
 14 the advice and consent of the Senate.

15 (B) SELECTION.—When a vacancy occurs  
 16 in the office of Director, the chairmen and  
 17 ranking minority members of the Committee on  
 18 Foreign Relations of the Senate and the Com-  
 19 mittee on Foreign Affairs of the House of Rep-  
 20 resentatives shall each recommend up to 3 indi-  
 21 viduals to the President for appointment to the  
 22 vacant office. In considering individuals for ap-  
 23 pointment to the office of Director, the chair-  
 24 men and ranking minority members shall—

(i) take into account the integrity and demonstrated ability of the individuals in public administration, international development and foreign assistance programs, monitoring and evaluation analysis, and all aspects of program and project design; and

(ii) disregard the political affiliation of the individuals.

~~(2) RESPONSIBILITIES.—The Director shall—~~

~~(A) be responsible for the management of the Council;~~

~~(B) exercise the powers of the Council;~~

~~(C) be responsible for initiating, carrying out, and completing any evaluation or analysis of any development, humanitarian, or foreign assistance program or activity; and~~

~~(D) discharge the duties of the Council.~~

~~(3) RANK; COMPENSATION.—The Director shall—~~

~~(A) have the equivalent rank of Under Secretary; and~~

~~(B) be compensated at the rate provided for level III of the Executive Schedule under section 5314 of title 5, United States Code.~~

~~(4) ADDITIONAL TERM; REMOVAL.—~~



1           (A) ~~ADDITIONAL TERM.~~—The Director  
 2           may be reappointed for not more than 1 addi-  
 3           tional 4-year term.

4           (B) ~~REMOVAL.~~—The President may re-  
 5           move the Director from office after submitting  
 6           written notification to the Senate and the  
 7           House of Representatives that describes the un-  
 8           derlying reasons for such removal.

9           (5) ~~CONFORMING AMENDMENT.~~—Section 5314  
 10          of title 5, United States Code, is amended by adding  
 11          at the end the following:

12          “Director, Council on Research and Evaluation of  
 13          Foreign Assistance.”.

14          (g) ~~DEPUTY DIRECTORS.~~—The Director shall ap-  
 15          point—

16               (1) a Deputy Director for Evaluation, who shall  
 17               be responsible for overseeing the evaluations con-  
 18               ducted by the Council; and

19               (2) a Deputy Director for Research Innovation,  
 20               who shall be responsible for overseeing an integrated  
 21               research and development program that will foster  
 22               and promote innovative programs to improve the ef-  
 23               fectiveness of United States foreign assistance.

24          (h) ~~OFFICE SPACE, EQUIPMENT, AND SUPPLIES.~~—  
 25          Each agency head shall provide the Director with—

1           ~~(1)~~ appropriate and adequate office space at  
 2           central and field office locations of such agency;

3           ~~(2)~~ such equipment, office supplies, and com-  
 4           munications facilities and services as may be nec-  
 5           essary for the operation of such offices; and

6           ~~(3)~~ necessary maintenance services for such of-  
 7           fices and the equipment and facilities located in such  
 8           offices.

9           ~~(i)~~ PERSONNEL MATTERS.—

10           ~~(1)~~ HUMAN RESOURCES MANAGEMENT SYS-  
 11           TEM.—Notwithstanding any other provision of law,  
 12           the Director may establish a human resources man-  
 13           agement system for the employees of the Council  
 14           that provides for—

15                   ~~(A)~~ work schedule flexibility;

16                   ~~(B)~~ merit based hiring;

17                   ~~(C)~~ fair treatment without regard to polit-  
 18           ical affiliation;

19                   ~~(D)~~ equal pay for equal work;

20                   ~~(E)~~ protection of employees against re-  
 21           prisal for whistle blowing;

22                   ~~(F)~~ a pay-for-performance evaluation sys-  
 23           tem that links individual pay to performance;

24                   ~~(G)~~ a streamlined process for removing  
 25           underperforming employees; and

1           (H) a maximum tenure with the Council of  
2       7 years.

3       (2) ~~DETAIL OF PERSONNEL.—~~

4           (A) ~~FROM FEDERAL GOVERNMENT.—~~Upon  
5       the request of the Director, the head of a Fed-  
6       eral agency may detail any employee of such  
7       agency to the Council on a reimbursable basis.  
8       Any employee so detailed remains, for the pur-  
9       pose of preserving such employee's allowances,  
10      privileges, rights, seniority, and other benefits,  
11      an employee of the agency from which detailed.

12          (B) ~~FROM OUTSIDE ORGANIZATIONS.—~~The  
13      Director may accept the services of personnel  
14      detailed to the Council from organizations out-  
15      side the Federal Government, including bilat-  
16      eral agencies, multilateral institutions, inter-  
17      national organizations, think-tanks, nongovern-  
18      mental organizations, institutions of higher edu-  
19      cation, and the private sector.

20      (3) ~~REEMPLOYMENT RIGHTS.—~~

21          (A) ~~IN GENERAL.—~~An employee of an  
22      agency who is serving under a career or career  
23      conditional appointment (or the equivalent),  
24      and who, with the consent of the head of such  
25      agency, transfers to the Council, is entitled to

1 be reemployed in such employee's former posi-  
 2 tion or a position of like seniority, status, and  
 3 pay in such agency, if such employee—

4 (i) is separated from the Council for  
 5 any reason, other than misconduct, neglect  
 6 of duty, or malfeasance; and

7 (ii) applies for reemployment not later  
 8 than 90 days after the date of separation  
 9 from the Council.

10 ~~(B) SPECIFIC RIGHTS.—~~An employee de-  
 11 scribed in subparagraph (A)—

12 (i) is entitled to be reemployed within  
 13 30 days after applying for reemployment;  
 14 and

15 (ii) once reemployed, is entitled to at  
 16 least the rate of basic pay to which such  
 17 employee would have been entitled had  
 18 such employee never transferred to the  
 19 Council.

20 ~~(4) HIRING AUTHORITY.—~~Not more than 5 em-  
 21 ployees of the Council may be appointed, com-  
 22 pensated, or removed without regard to the civil  
 23 service laws and regulations.

24 ~~(5) BASIC PAY.—~~The Director may fix the rate  
 25 of basic pay of employees of the Council without re-

1       gard to the provisions of chapter 51 of title 5;  
 2       United States Code (relating to the classification of  
 3       positions) or subchapter III of chapter 53 of such  
 4       title (relating to General Schedule pay rates); except  
 5       that no employee of the Office may receive a rate of  
 6       basic pay that exceeds the rate for level IV of the  
 7       Executive Schedule under section 5315 of such title.

8               (6) PERSONNEL OUTSIDE THE UNITED  
 9       STATES.—

10               (A) ASSIGNMENT TO UNITED STATES EM-  
 11       BASSIES.—Employees of the Council, including  
 12       individuals detailed to or contracted by the  
 13       Council, may be assigned to a United States  
 14       diplomatic mission or consular post or a United  
 15       States Agency for International Development  
 16       field mission for purposes of assignments re-  
 17       lated to activities or programs of the Council.

18               (B) OVERSEAS BENEFITS.—Each employee  
 19       of the Council, including any individual detailed  
 20       to or contracted by the Council, and the mem-  
 21       bers of the family of such employee, while the  
 22       employee is performing duties in any country or  
 23       place outside the United States, shall be af-  
 24       forded the same benefits enjoyed by members of

the Foreign Service, or the family of a member of the Foreign Service, as appropriate.

~~(C) RESPONSIBILITY OF CHIEF OF MISSION.~~—Employees of the Council, including individuals detailed to or contracted by the Council, and members of the families of such employees, shall be subject to section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927) in the same manner as United States Government employees while the employee is performing duties in any country or place outside the United States if such employee or member of the family of such employee is not a national of or permanently resident in such country or place.

~~(j) PUBLIC DISCLOSURE.~~—

~~(1) IN GENERAL.~~—Not less frequently than quarterly, the Council shall make publicly available—

~~(A) the findings and conclusions of all the reports and studies completed by the Council since the most recent public disclosure;~~

~~(B) information regarding funds allocated or transferred by the Council under this section;~~

1           ~~(C)~~ the name of each United States Gov-  
 2           ernment agency with management responsibility  
 3           for the activities that were evaluated; and

4           ~~(D)~~ a description of the program or project  
 5           carried out by the agencies described in sub-  
 6           paragraph ~~(C)~~.

7           ~~(2) DISSEMINATION.~~—The information required  
 8           to be disclosed under paragraph ~~(1)~~ shall be made  
 9           available to the public—

10           ~~(A)~~ through publication in the Federal  
 11           Register;

12           ~~(B)~~ on the Internet Web site of the Coun-  
 13           cil; and

14           ~~(C)~~ by any other methods that the Direc-  
 15           tor determines to be appropriate.

16       ~~(k) REPORT ON PROJECTED EVALUATIONS.~~—Not  
 17       later than December 31, 2010, and November 1 there-  
 18       after, the Director shall submit a report to the appropriate  
 19       congressional committees that includes a projected list of  
 20       evaluations for the current fiscal year.

21       ~~(l) REPORT ON METHODOLOGIES AND BEST PRAC-~~  
 22       ~~TICES.~~—

23           ~~(1) INITIAL REPORT.~~—Not later than Sep-  
 24           tember 30, 2011, the Director shall submit a report  
 25           to each Federal Agency responsible for implementing

1 foreign assistance programs and to the appropriate  
2 congressional committees that details recommended  
3 methodologies and best practices for use in evalu-  
4 ating the effectiveness of United States Government  
5 foreign assistance programs.

6 ~~(2) REGULAR UPDATES.~~—The Director shall  
7 regularly update the methodologies recommended in  
8 the report submitted under paragraph (1) to account  
9 for developments and trends in foreign assistance  
10 programs.

11 ~~(3) BIENNIAL REPORT.~~—Not later than 2 years  
12 after the submission of the report under paragraph  
13 (1), and biennially thereafter, the Director shall sub-  
14 mit, to each Federal agency responsible for imple-  
15 menting foreign assistance programs and to the ap-  
16 propriate congressional committees, a report that  
17 contains updates to its recommended methodologies  
18 and best practices for use in evaluating the effective-  
19 ness of United States Government foreign assistance  
20 programs.

21 ~~(m) ANNUAL REPORT.~~—

22 ~~(1) IN GENERAL.~~—Not later than February 15,  
23 2011, and each February 15 thereafter, the Director  
24 shall submit a report to the appropriate congres-  
25 sional committees that includes—



1           (A) the specific programs, projects, and ac-  
2           tivities that were evaluated by the Council; and

3           (B) other activities carried out by the  
4           Council during the most recently completed fis-  
5           eal year.

6           (2) JOINT SUBMISSION.—The report described  
7           in paragraph (1) may be submitted with the budget  
8           justification materials submitted to Congress with  
9           the President’s budget under section 1105(a) of title  
10          31, United States Code.

11          (n) STRATEGIC PLAN.—

12           (1) SUBMISSION.—Every 2 years, the Director  
13           shall submit a strategic plan for the activities of the  
14           Council to the appropriate congressional committees.

15           (2) CONTENTS.—The strategic plan required  
16           under paragraph (1) shall include—

17           (A) the long-term strategic goals of the  
18           Council;

19           (B) the identification of the activities and  
20           programs that support—

21           (i) the achievement of the Council’s  
22           strategic goals; and

23           (ii) opportunities that hold the poten-  
24           tial for yielding significant development or  
25           foreign assistance benefits; and

1           ~~(C)~~ the connection of the activities and  
 2           programs of the Council to activities and mis-  
 3           sions of United States foreign assistance pro-  
 4           grams.

5           ~~(o)~~ GOVERNMENT ACCOUNTABILITY OFFICE RE-  
 6           PORT.—Not later than 6 years after the date of the enact-  
 7           ment of this Act, the Comptroller General of the United  
 8           States shall submit a report to the appropriate congres-  
 9           sional committees that contains—

10           ~~(1)~~ a review of, and comments addressing, the  
 11           performance and overall effectiveness of the Coun-  
 12           cil's activities, programs and general operations;

13           ~~(2)~~ an assessment of how effectively the Council  
 14           has implemented its stated objectives and adhered to  
 15           and accomplished the purposes and duties described  
 16           in subsections ~~(c)~~ and ~~(d)~~;

17           ~~(3)~~ recommendations relating to any additional  
 18           actions the Comptroller General recommends to im-  
 19           prove the Council's performance, activities and oper-  
 20           ations; and

21           ~~(4)~~ assess the impact of the Council on the  
 22           workload of the International Affairs Division of the  
 23           Government Accountability Office.

24           ~~(p)~~ ADMINISTRATIVE AUTHORITIES OF THE COUN-  
 25           CIL.—In addition to the authority otherwise provided

1 under this section, the Council, in carrying out the provi-  
 2 sions of this section, is authorized—

3           (1) to select, appoint, and employ such officers  
 4 and employees as may be necessary for carrying out  
 5 the functions, powers, and duties of the Council;

6           (2) to obtain services authorized by section  
 7 3109 of title 5, United States Code, at daily rates  
 8 not to exceed the equivalent rate prescribed for  
 9 grade GS-18 of the General Schedule under section  
 10 5332 of such title;

11           (3) to the extent, and in such amounts as may  
 12 be appropriated in advance—

13           (A) to make and perform such contracts,  
 14 grants, and other agreements for audits, stud-  
 15 ies, evaluations, analyses, and other services  
 16 with—

17                   (i) public agencies;

18                   (ii) any private entity or person in the  
 19 United States or in a candidate country;  
 20 and

21                   (iii) governmental agencies of any  
 22 such country that is undertaking research  
 23 that supports the work of the Council, as  
 24 appropriate; and

1           ~~(B)~~ to make such payments as may be nec-  
2           essary for carrying out the functions of the  
3           Council;

4           ~~(4)~~ to adopt, alter, and use a seal, which shall  
5           be judicially noticed;

6           ~~(5)~~ to determine and prescribe the manner in  
7           which its obligations shall be incurred and its ex-  
8           penses allowed and paid, including expenses for rep-  
9           resentation;

10          ~~(6)~~ to lease, purchase, or otherwise acquire, im-  
11          prove, and use such real property wherever situated,  
12          as may be necessary for carrying out the functions  
13          of the Council;

14          ~~(7)~~ to accept cash gifts or donations of services  
15          or of property, tangible or intangible, for the pur-  
16          pose of carrying out the provisions of this section, as  
17          it relates to public-private partnerships;

18          ~~(8)~~ to use the United States mails in the same  
19          manner and on the same conditions as executive  
20          agencies;

21          ~~(9)~~ to enter into personal services contracts  
22          with individuals, who shall not be considered Federal  
23          employees for any provision of law administered by  
24          the Office of Personnel Management;

1           ~~(10)~~ to hire or obtain passenger motor vehicles;  
 2           and

3           ~~(11)~~ to have such other powers as may be necessary and incident to carrying out this section.

5           ~~(q)~~ OTHER AUTHORITIES.—Except to the extent inconsistent with the provisions of this section, the administrative authorities contained in the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a et seq.) and the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) shall apply to the implementation of this section to the same extent and in the same manner as such authorities apply to the implementation of such Acts.

13          ~~(r)~~ APPLICABILITY OF THE GOVERNMENT CORPORATION CONTROL ACT.—

15           ~~(1)~~ IN GENERAL.—The Council shall be subject to chapter 91 of subtitle VI of title 31, United States Code, except that the Council shall not be authorized to issue obligations or offer obligations to the public.

20           ~~(2)~~ CONFORMING AMENDMENT.—Section 9101(3) of title 31, United States Code, is amended by adding at the end the following:

23                   “(S) the Council on Research and Evaluation of Foreign Assistance.”.

25           ~~(s)~~ INSPECTOR GENERAL.—

1           (1) IN GENERAL.—The Inspector General of  
2           the Agency for International Development—

3                   (A) shall serve as Inspector General for the  
4           Council; and

5                   (B) in acting in such capacity, may con-  
6           duct reviews, investigations, and inspections of  
7           all aspects of the operations and activities of  
8           the Council.

9           (2) REIMBURSEMENT.—The Council shall reim-  
10          burse the Agency for International Development for  
11          all expenses incurred by the Inspector General in  
12          connection with the Inspector General's responsibil-  
13          ities under this subsection.

14          (t) AUTHORIZATION OF APPROPRIATIONS.—There  
15          are authorized to be appropriated to carry out this section  
16          the following amounts:

17                   (1) \$30,000,000 for fiscal year 2011.

18                   (2) \$35,000,000 for fiscal year 2012.

19                   (3) \$40,000,000 for fiscal year 2013.

20                   (4) \$45,000,000 for fiscal year 2014.

21                   (5) \$50,000,000 for fiscal year 2015.

22                   (6) \$55,000,000 for fiscal year 2016.

23          (u) EFFECTIVE DATE.—This section shall be effec-  
24          tive during the 7 year period beginning on the date of the  
25          enactment of this Act.

1 **SEC. 7. COMPREHENSIVE WORKFORCE AND HUMAN RE-**  
 2 **SOURCES STRATEGY FOR THE UNITED**  
 3 **STATES AGENCY FOR INTERNATIONAL DE-**  
 4 **VELOPMENT.**

5 (a) COMPREHENSIVE WORKFORCE AND HUMAN RE-  
 6 SOURCES STRATEGY FOR THE UNITED STATES AGENCY  
 7 FOR INTERNATIONAL DEVELOPMENT.—The Adminis-  
 8 trator shall develop and implement a comprehensive work-  
 9 force and human resources strategy for the Agency to sup-  
 10 port the objective of promoting development and reducing  
 11 global poverty.

12 (b) SCOPE.—The strategy required under subsection  
 13 (a) shall be a strategy for modernizing the workforce of  
 14 the United States Agency for International Development  
 15 in support of foreign assistance and policy priorities, and  
 16 shall—

17 (1) determine long-term Agency personnel pri-  
 18 orities, including priorities over 5- and 10-year time  
 19 periods;

20 (2) identify career professional development  
 21 programs for all personnel, including training, lan-  
 22 guage, and education, interagency and intergovern-  
 23 mental rotations, and assignment opportunities out-  
 24 side the United States Government;

25 (3) include an assessment of future develop-  
 26 ment and foreign policy priorities and the implica-

1        tions of such priorities for technical and policy ex-  
 2        pertise, including how to meet future unanticipated  
 3        demands brought about by manmade and natural  
 4        disasters;

5            (4) include an overseas facilities and security  
 6        assessment examining the implications of such facili-  
 7        ties and security for personnel increases;

8            (5) include the appropriateness of regional plat-  
 9        forms to perform necessary Agency functions and to  
 10       provide services to other donors and organizations;

11           (6) consider structural reform options to profes-  
 12       sionalize the human resource capacity of the Agency;  
 13       including options to outsource the entirety of the  
 14       human resource capacity of the Agency; and

15           (7) address the means to enable the Agency to  
 16       access cutting-edge technical and managerial exper-  
 17       tise.

18        (c) ~~FACTORS TO CONSIDER.~~—In developing the  
 19       strategy required under subsection (a), the Administrator  
 20       shall, among other things—

21           (1) examine the objectives the Agency is man-  
 22       dated to fulfill, and assess whether its current work-  
 23       force model effectively supports the goals of the  
 24       Agency;



1           (2) review the Agency's workforce evolution and  
2           identify the additional program demands that have  
3           been placed on the workforce in the past 10 years;

4           (3) examine different personnel and workforce  
5           management models from other United States Gov-  
6           ernment agencies, international organizations, and  
7           the private sector and determine the comparative ad-  
8           vantages the models might offer and whether they  
9           would allow the Agency to better structure its work-  
10          force to carry out its responsibilities and meet the  
11          challenges of a changing environment;

12          (4) examine different bureaucratic and legisla-  
13          tive constraints facing the Agency in implementing  
14          a comprehensive workforce planning and manage-  
15          ment system and how these constraints can be ad-  
16          dressed, including—

17                (A) which limitations, if any, currently  
18                exist that prevent the Agency from hiring the  
19                right people for the right positions in a timely  
20                manner, including mid-level hires and reentry of  
21                mid-level professionals into the Agency; and

22                (B) how this compares with other organi-  
23                zations, such as the Department of State and  
24                the Millennium Challenge Corporation (MCC);  
25                and how the Agency compares to the Depart-

1           ment of State and the MCC in its ability to at-  
2           tract and retain high caliber professionals;

3           ~~(5) examine the advantages and disadvantages~~  
4           ~~of the Agency's use of contractors in the last 10~~  
5           ~~years to carry out its core mission and management~~  
6           ~~responsibilities;~~

7           ~~(6) assess the scope and effectiveness of train-~~  
8           ~~ing, including the availability of language training,~~  
9           ~~for Agency personnel, and the extent to which avail-~~  
10          ~~able trainings support carrying out Agency objec-~~  
11          ~~tives; and~~

12          ~~(7) present a cost analysis for using a con-~~  
13          ~~tracting model versus a direct hire model and deter-~~  
14          ~~mine the cost savings and consequences that could~~  
15          ~~result from the elimination of institutional contrac-~~  
16          ~~tors and the hiring of the same professionals as per-~~  
17          ~~sonal services contractors.~~

18          ~~(d) WORKFORCE AND HUMAN RESOURCES TASK~~  
19          ~~FORCE.—~~

20          ~~(1) IN GENERAL.—The Administrator shall es-~~  
21          ~~tablish a workforce and human resources task force~~  
22          ~~that will participate in the development of the work-~~  
23          ~~force and human resources strategy required under~~  
24          ~~subsection (b) and will consult with, and provide in-~~  
25          ~~formation and advice to, senior management of the~~

1 Agency on matters and issues related to workforce  
2 planning, human resource recruitment and training,  
3 and other personnel issues as the Agency develops  
4 and implements the workforce and human resources  
5 strategy.

6 ~~(2) COMPOSITION.—~~The task force shall be  
7 composed of 9 members as follows:

8 (A) Four senior career professionals of the  
9 Agency from different personnel backgrounds,  
10 at least 2 of whom shall be from Foreign Service,  
11 appointed by the Administrator.

12 (B) One senior official from the Department  
13 of State appointed by the Secretary.

14 (C) One senior official from the Office of  
15 Personnel Management appointed by the Director  
16 of the Office of Personnel Management.

17 (D) Three professionals outside the United  
18 States Government noted for their knowledge  
19 and experience in personnel and human resource  
20 issues, appointed by the Administrator  
21 in consultation with the Senate.

22 ~~(3) DEADLINE FOR APPOINTMENTS.—~~All mem-  
23 bers of the task force shall be designated not later  
24 than 60 days after the date of the enactment of this  
25 Act.

1           (4) ~~TERMINATION.~~—The task force shall termi-  
 2       nate 2 years after the enactment of this Act.

3       ~~(c) REPORTS.~~—

4           (1) ~~INITIAL REPORT.~~—Not later than 1 year  
 5       after the date of the enactment of this Act, the Ad-  
 6       ministrators shall submit to the appropriate congres-  
 7       sional committees the strategy required under sub-  
 8       section (a).

9           (2) ~~GOVERNMENT ACCOUNTABILITY OFFICE RE-~~  
 10       ~~PORT.~~—Not later than 120 days after the submis-  
 11       sion of the initial strategy under paragraph (1), the  
 12       Comptroller General of the United States shall sub-  
 13       mit to the appropriate congressional committees a  
 14       report that contains—

15                ~~(A)~~ a review of, and comments addressing,  
 16       the strategy submitted under paragraph (1);  
 17       and

18                ~~(B)~~ recommendations relating to any addi-  
 19       tional actions the Comptroller General rec-  
 20       ommends to improve the strategy and its imple-  
 21       mentation.

22           (3) ~~SUBSEQUENT REPORTS.~~—Not later than 2  
 23       years after the submission of the initial strategy  
 24       under paragraph (1), and every 2 years thereafter  
 25       until 2021, the Administrator shall transmit to the

1 appropriate congressional committees an updated  
2 strategy—

3 (A) assessing progress made during the  
4 preceding 2 years toward implementing the  
5 strategy required under this section and meet-  
6 ing the specific goals, benchmarks, and time  
7 frames specified in the strategy required under  
8 subsection (a);

9 (B) identifying legal or other impediments  
10 to achieving those objectives and recommenda-  
11 tions for addressing those impediments; and

12 (C) describing modifications to the strat-  
13 egy based upon the Agency's experience during  
14 the previous 2 years and any revisions to the  
15 policy, program, financial or other assumptions  
16 that were the basis for the current strategy.

17 (f) OUTSIDE ASSISTANCE.—To assist in the develop-  
18 ment, formulation, and implementation of the workforce  
19 and human resources strategy, the Administrator shall  
20 contract with an independent organization—

21 (1) to help the Agency assess current human  
22 resource capacity;

23 (2) to review how its human resource capacity  
24 matches up against Agency mandates and policy pri-  
25 orities;

1           ~~(3)~~ to compare the Agency's current human re-  
 2           source system and practices with best practices of  
 3           other organizations, public and private;

4           ~~(4)~~ to provide a set of recommendations to fa-  
 5           cilitate structural reform to the Agency's human re-  
 6           sources bureau; and

7           ~~(5)~~ to assist with other issues related to sup-  
 8           porting the development of the workforce and human  
 9           resources strategy.

10          ~~(g)~~ **AVAILABILITY OF FUNDS.**—Amounts made avail-  
 11       able to carry out section 667 of the Foreign Assistance  
 12       Act of 1961 (22 U.S.C. 2427) shall be made available to  
 13       carry out subsection (f).

14       **SEC. 8. PERSONNEL AND HUMAN RESOURCES.**

15          ~~(a)~~ **CAREER PROFESSIONAL DEVELOPMENT.**—Chap-  
 16       ter 2 of part III of the Foreign Assistance Act of 1961  
 17       (22 U.S.C. 2381 et seq.) is amended by inserting after  
 18       section 630 the following new section:

19       **“SEC. 630A. INTERAGENCY AND INTERNATIONAL ORGANI-**  
 20               **ZATION ROTATIONS.**

21           ~~“(a)~~ **ROTATIONS.**—

22               ~~“(1)~~ **CAREER GUIDELINES.**—The Administrator  
 23       shall establish career guidelines for Foreign Service  
 24       officers and civil service officers that incorporate  
 25       interagency, intergovernmental, or international or-

ganization rotational assignments. The guidelines established under this paragraph shall include—

“(A) selection;

“(B) professional education and training;

“(C) types of relevant interagency, intergovernmental, and international organization assignments; and

“(D) such other matters as the Administrator considers appropriate.

“(2) PROMOTIONS TO SENIOR RANKS.—Not later than 2 years after the date of the enactment of this Act, the Administrator shall establish additional guidelines that consider participation by relevant officers in at least 1 interagency, intergovernmental, or international organizational rotational assignment of at least 6 months as a factor for promotion into the ranks of the Senior Foreign Service or Senior Executive Service.

“(3) PROMOTION POLICY OBJECTIVES FOR ASSIGNMENTS TO INTERAGENCY, INTERGOVERNMENTAL, AND INTERNATIONAL ORGANIZATIONS.—

“(A) QUALIFICATIONS.—The Administrator shall ensure that promotion precepts and promotion panels do not penalize officers who

1           have been assigned to interagency, intergovern-  
2           mental or international organizations.

3           ~~“(B) REPORT.—~~The Administrator shall  
4           provide an annual report to the appropriate  
5           congressional committees that—

6                   ~~“(i) specifies the aggregate number of~~  
7                   officers and the promotion rates of officers  
8                   who are serving in, or have served in,  
9                   interagency, intergovernmental, or inter-  
10                  national organization rotational assign-  
11                  ments; and

12                   ~~“(ii) details efforts to meet the objec-~~  
13                  tives described in paragraph (1).

14       ~~“(b) EXTERNAL TRAINING AND EDUCATIONAL OP-~~  
15       ~~PORTUNITIES.—~~It is the sense of Congress that—

16           ~~“(1) the Administrator of the United States~~  
17       Agency for International Development should aug-  
18       ment and expand external training and educational  
19       opportunities for Foreign Service and civil service  
20       personnel and expand opportunities for work assign-  
21       ments to entities outside the United States Govern-  
22       ment;

23           ~~“(2) a strong development agency should have~~  
24       a knowledgeable and capable workforce that is famil-  
25       iar with and has access to cutting edge development



1 practices, methodologies, ideas, work experience, and  
2 programs; and

3 “(3) the Administrator of the United States  
4 Agency for International Development should ensure  
5 that personnel of the Agency have opportunities dur-  
6 ing their careers to obtain a range of knowledge-  
7 building work experiences and advanced education  
8 and training in academic and other relevant institu-  
9 tions in the United States and abroad to increase  
10 the capacity of the Agency to fulfill its mission.”

11 (b) REPORT.—Not later than 1 year after the date  
12 of the enactment of this Act, the Administrator of the  
13 United States Agency for International Development shall  
14 submit to the appropriate congressional committees a re-  
15 port on efforts to facilitate and promote external training  
16 and educational opportunities for Foreign Service and civil  
17 service personnel, including—

18 (1) a description of the internal process of se-  
19 curing such opportunities and the number of officers  
20 who have undertaken such external trainings in the  
21 past year; and

22 (2) a description of actions the Administrator  
23 has taken or plans to take to further expand and fa-  
24 cilitate external training and educational opportuni-  
25 ties.

1 **SEC. 9. STRENGTHENING DEVELOPMENT COORDINATION**  
 2 **IN THE FIELD.**

3 (a) **IN GENERAL.**—Section 631(d) of the Foreign As-  
 4 sistance Act of 1961 (22 U.S.C. 2391) is amended to read  
 5 as follows:

6 “(d) **COORDINATION OF DEVELOPMENT ASSISTANCE**  
 7 **ACTIVITIES.**—Under the overall direction of the chief of  
 8 the United States diplomatic mission, the chief of each  
 9 special mission carrying out the purposes of part I in a  
 10 country shall be responsible for the coordination of all de-  
 11 velopment and humanitarian efforts of the United States  
 12 Government in such country. Such activities shall include  
 13 all development and humanitarian activities from funds  
 14 made available to carry out the provisions of this or any  
 15 other Act.”.

16 (b) **SENSE OF CONGRESS ON MODERNIZING USAID**  
 17 **MISSIONS FOR THE 21ST CENTURY.**—It is the sense of  
 18 Congress that—

19 (1) the role of the United States Agency for  
 20 International Development (USAID) and foreign as-  
 21 sistance continues to evolve to meet emerging chal-  
 22 lenges, new priorities, changing circumstances, and  
 23 augmented roles and responsibilities;

24 (2) the environment in which our foreign assist-  
 25 ance and development agencies operate is dramati-

1 eally different than the Cold War environment in  
2 which they were created;

3 ~~(3)~~ despite the new and changing of USAID  
4 circumstances, the United States Government has  
5 not significantly updated the basic USAID mission  
6 structure since it was first established in 1961; and

7 ~~(4)~~ to reflect evolving threats, opportunities and  
8 challenges in the 21st century, USAID should un-  
9 dertake a comprehensive examination of the mission  
10 structure, with special attention to staffing, authori-  
11 ties, the balance between Washington, District of  
12 Columbia, and the field, and management best prac-  
13 tices.

14 ~~(c)~~ REPORT.—Not later than 18 months after the  
15 date of the enactment of this Act, the Administrator of  
16 the United States Agency for International Development  
17 shall submit to the appropriate congressional committees  
18 a report on modernizing USAID missions for the 21st cen-  
19 tury, including—

20 ~~(1)~~ whether missions are staffed and well suited  
21 for current and emerging roles and responsibilities;

22 ~~(2)~~ whether the management and organizational  
23 structure provide the required flexibility while pro-  
24 viding effective oversight of programs;

1           (3) whether the level of centralized versus de-  
2           centralized decisionmaking is appropriate for the  
3           current and emerging context in which the mission  
4           is working;

5           (4) whether there is sufficient flexibility in  
6           terms of personnel to address fluctuations in funding  
7           for programs; and if not, what type of flexibility  
8           would be helpful;

9           (5) whether up-to-date technical expertise and  
10          lessons from prior projects are being systematically  
11          incorporated into new program design;

12          (6) whether missions of USAID are appro-  
13          priately focused on bilateral and multilateral donor  
14          coordination and whether this is a priority for  
15          USAID personnel;

16          (7) what the appropriate relationship and bal-  
17          ance are between USAID missions and the broader  
18          United States mission in a country;

19          (8) how effectively USAID is able to coordinate  
20          with the Department of Defense, especially as the  
21          Department of Defense implements an increasing  
22          number of development and humanitarian programs;

23          (9) whether the existing structure of the United  
24          States foreign assistance system allows for proper  
25          coordination between different Federal departments

1 and agencies implementing foreign assistance and  
 2 development programs to avoid duplication of effort;  
 3 and

4 ~~(10)~~ what obstacles exist to more effective co-  
 5 ordination, including what structural or organiza-  
 6 tional improvements would assist with more effective  
 7 coordination.

8 **SEC. 10. TRANSPARENCY OF UNITED STATES FOREIGN AS-**  
 9 **SISTANCE.**

10 ~~(a)~~ SENSE OF CONGRESS ON TRANSPARENCY OF AS-  
 11 SISTANCE.—It is the sense of Congress that—

12 ~~(1)~~ United States citizens and recipients of  
 13 United States foreign assistance should, to the max-  
 14 imum extent practicable, have full access to informa-  
 15 tion on United States foreign assistance; and

16 ~~(2)~~ to the extent possible, United States Gov-  
 17 ernment agencies, departments, and institutions  
 18 should undertake preparatory consultations with rel-  
 19 evant outside stakeholders in a transparent and full  
 20 manner in the course of formulating policies and  
 21 strategies related to foreign assistance and develop-  
 22 ment.

23 ~~(b)~~ PUBLIC AVAILABILITY OF INFORMATION.—

24 ~~(1)~~ IN GENERAL.—The President shall direct  
 25 all Federal departments and agencies to make pub-

1       likely available on their Web sites comprehensive;  
2       timely, comparable, and accessible information on  
3       United States foreign assistance. The information  
4       shall be presented on a detailed program-by-program  
5       basis and country-by-country basis.

6           ~~(2) CONTENT.~~—To ensure transparency, ac-  
7       countability, and effectiveness of United States for-  
8       eign assistance, the information on United States  
9       foreign assistance published and made available  
10      under paragraph (1) shall include annual budget  
11      presentations and justifications of any programs or  
12      projects that provide foreign assistance by any Fed-  
13      eral department or agency. In the event that detailed  
14      information is classified, an unclassified summary  
15      shall be posted and the classified details shall be  
16      submitted separately to the appropriate congres-  
17      sional committees.

18           ~~(3) TIMELY AVAILABILITY OF INFORMATION.~~—  
19      The President shall direct the head of each Federal  
20      department and agency providing United States for-  
21      eign assistance to ensure that the information re-  
22      quired under this subsection is made available on no  
23      less than an annual basis at the time the President's  
24      annual budget is released. Data that is of a provi-

1 sional nature shall be updated when actual figures  
2 are available.

3 (c) SENSE OF MULTILATERAL EFFORTS.—It is the  
4 sense of Congress that, in order to best assess the use  
5 and impact of United States foreign assistance in relation  
6 to funding provided by other donor nations and recipient  
7 countries, the President should fully engage with and par-  
8 ticipate in the International Aid Transparency Initiative,  
9 established on September 4, 2008, at the Accra High  
10 Level Forum on Aid Effectiveness.

11 **SEC. 11. OPERATING EXPENSES.**

12 (a) FINDINGS.—Congress makes the following find-  
13 ings:

14 (1) The separate account created by Congress  
15 in 1976 to authorize and appropriate funds for all  
16 operating expenses of the United States Agency for  
17 International Development has been an important  
18 tool to ensure transparency of administrative costs  
19 and accountability of funds.

20 (2) Funding for the operating expenses of the  
21 Agency has not kept pace with the growth of the  
22 Agency's program funding and the expanded geo-  
23 graphic and sectoral demands for economic assist-  
24 ance abroad.

1           ~~(3)~~ As a result, this has caused the Agency in  
2           certain cases to fund selected administrative costs  
3           out of program funds in order to properly admin-  
4           ister, oversee, and implement its programs and ac-  
5           tivities, thus detracting from the goals of increased  
6           transparency and accountability that establishment  
7           of the separate operating expenses account was in-  
8           tended to foster.

9           ~~(4)~~ A 2003 Government Accountability Office  
10          report on the operating expenses of the Agency  
11          noted that “USAID’s operating expense account  
12          does not fully reflect the agency’s cost of doing busi-  
13          ness primarily because the agency pays for some ad-  
14          ministrative activities done by contractors and other  
15          nondirect-hire staff with program funds” and that  
16          “Congress has increasingly encouraged the Agency  
17          to use program funds to support certain administra-  
18          tive costs”.

19          ~~(5)~~ The December 2007 HELP Commission  
20          Report on Foreign Assistance Reform—

21               ~~(A)~~ states, “Over time, the effectiveness of  
22               a separate OE budget has eroded. During the  
23               past 30 years, Congress and the Executive  
24               branch have allowed program funds to be used  
25               to pay for the costs of activities once funded



1 from the OE account while cutting the OE  
2 budget.”;

3 (B) recommends “[a]bolish[ing] the OE  
4 account and replac[ing] it with a more accurate  
5 accounting process,”;

6 (C) argues that “the USAID OE account  
7 no longer serves a useful purpose”; and

8 (D) states, “While it might have been con-  
9 structive in bringing clarity to the cost of doing  
10 business in the 1970s, another system should  
11 be developed that calculates true administrative  
12 and management expenses, including those now  
13 funded with program or project funds. This new  
14 system needs to allow administrative expenses  
15 to be properly managed and monitored and  
16 needs to ensure that Congress receives clear,  
17 timely and transparent information regarding  
18 these expenditures.”.

19 (6) While Congress concurs with the HELP  
20 Commission’s recommendation that a major reassessment of the scope and the continued utility of  
21 the operating expenses account structure is in order,  
22 Congress also believes that the urgency of the issues  
23 confronting Agency management in terms of hiring  
24 technical expertise and providing the Agency with  
25

1 the capacity to oversee and administer critical for-  
2 eign assistance programs and functions, justifies  
3 providing the Agency with broader discretion on  
4 ways to support direct-hire staffing requirements.

5 (b) GUIDELINES FOR PROGRAM FUNDS.—

6 (1) IN GENERAL.—Subject to paragraph (2)  
7 and except as otherwise authorized by law, program  
8 funds may be used for—

9 (A) travel expenses of all employees who  
10 are members of the Foreign Service or civil  
11 service;

12 (B) salaries and related expenses of em-  
13 ployees other than Foreign Service or civil serv-  
14 ice employees who are United States citizens;  
15 and

16 (C) costs associated with research and pol-  
17 icy analysis in support of programs (other than  
18 for salaries and benefits of employees or costs  
19 associated with contractors), including analysis  
20 for development assistance policy planning and  
21 for the design, monitoring, and evaluation of  
22 programs and activities.

23 (2) NOTIFICATION.—The Administrator shall—

24 (A) submit a written report to the appro-  
25 priate congressional committees detailing the

1           Agency's plan for managing and accounting for  
 2           the funds used in accordance with the authority  
 3           provided by paragraph (1) not later than 60  
 4           days after the date of the enactment of this  
 5           Act; and

6           (B) consult with the appropriate congres-  
 7           sional committees about the use and manage-  
 8           ment of such funds not later than 60 days after  
 9           the date of the enactment of this Act.

10       (c) SEMIANNUAL REPORT.—Not later than once  
 11       every 6 months until 2013, the Administrator shall submit  
 12       a report to the appropriate congressional committees that  
 13       details the purpose and amount of funds obligated under  
 14       the authority provided pursuant to subsection (b), cat-  
 15       egorized by bureau and activity.

16       (d) REPORT ON RECOMMENDATIONS FOR OPERATING  
 17       EXPENSE REFORM.—Not later than 1 year after the date  
 18       of the enactment of this Act, the Administrator, in coordi-  
 19       nation with the workforce and human resources task force  
 20       established pursuant to section 7(d), shall submit a report  
 21       to the appropriate congressional committees that con-  
 22       tains—

23           (1) recommendations and detailed justifications  
 24           for streamlining and improving the efficiency of how  
 25           the Agency uses operating expenses, including rec-

1       ommendations for alternative models and ap-  
 2       proaches;

3           (2) recommendations and detailed justifications  
 4       for increasing the transparency of Agency operating  
 5       expenses;

6           (3) an assessment of how the operating ex-  
 7       penses account has affected Agency performance in  
 8       support of program goals and objectives; and

9           (4) an assessment of how the operating ex-  
 10      penses account has affected human resources and  
 11      personnel of the Agency, including a discussion of  
 12      the proliferation of new hiring authorities and in-  
 13      creased reliance on contractors to handle the core  
 14      business of the Agency.

15   **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

16       (a) *SHORT TITLE.*—*This Act may be cited as the “For-*  
 17   *ign Assistance Revitalization and Accountability Act of*  
 18   *2009”.*

19       (b) *TABLE OF CONTENTS.*—*The table of contents for*  
 20   *this Act is as follows:*

*Sec. 1. Short title; table of contents.*

*Sec. 2. Definitions.*

*Sec. 3. Findings.*

*Sec. 4. Statement of policy.*

*Sec. 5. Policy and strategic planning.*

*Sec. 6. Council on Research and Evaluation of Foreign Assistance.*

*Sec. 7. Comprehensive workforce and human resources strategy for the United  
 States Agency for International Development.*

*Sec. 8. Personnel and human resources.*

*Sec. 9. Strengthening development coordination in the field.*

*Sec. 10. Transparency of United States foreign assistance.*

*Sec. 11. Operating expenses.*

1 **SEC. 2. DEFINITIONS.**

2 *In this Act:*

3 (1) *ADMINISTRATOR.*—*Except as otherwise pro-*  
 4 *vided, the term “Administrator” means the Adminis-*  
 5 *trator of the United States Agency for International*  
 6 *Development.*

7 (2) *AGENCY.*—*Except as otherwise provided, the*  
 8 *term “Agency” means the United States Agency for*  
 9 *International Development.*

10 (3) *APPROPRIATE CONGRESSIONAL COMMIT-*  
 11 *TEES.*—*The term “appropriate congressional commit-*  
 12 *tees” means the Committee on Foreign Relations of*  
 13 *the Senate and the Committee on Foreign Affairs of*  
 14 *the House of Representatives.*

15 (4) *SECRETARY.*—*Except as otherwise provided,*  
 16 *the term “Secretary” means the Secretary of State.*

17 **SEC. 3. FINDINGS.**

18 *Congress makes the following findings:*

19 (1) *Poverty, hunger, lack of opportunity, gender*  
 20 *inequality, and environmental degradation are recog-*  
 21 *nized as significant contributors to—*

22 (A) *socioeconomic and political instability;*  
 23 *and*

24 (B) *the exacerbation of pandemics and other*  
 25 *global health threats.*

1           (2) *The 2006 National Security Strategy of the*  
2           *United States* notes, “America’s national interests  
3           and moral values drive us in the same direction: to  
4           assist the world’s poor citizens and least developed  
5           nations and help integrate them into the global econ-  
6           omy.”.

7           (3) *The bipartisan Final Report of the National*  
8           *Commission on Terrorist Attacks Upon the United*  
9           *States (9/11 Commission Report)* recommends, “A  
10          *comprehensive United States strategy to counter ter-*  
11          *rorism should include economic policies that encour-*  
12          *age development, more open societies, and opportuni-*  
13          *ties for people to improve the lives of their families*  
14          *and enhance prospects for their children.”.*

15          (4) *The alleviation of poverty and hunger is in*  
16          *the national interest of the United States. It improves*  
17          *United States security by mitigating the underlying*  
18          *causes of violence and extremism, addresses threats*  
19          *like climate change and pandemic disease, expands*  
20          *economic opportunities for producers and consumers*  
21          *in the United States, demonstrates United States*  
22          *leadership to the world, and represents the values, hu-*  
23          *manitarianism, and generosity of the American peo-*  
24          *ple.*

1           (5) *Elevating the standing of the United States*  
2           *in the world represents a critical and essential ele-*  
3           *ment for any strategy to improve national and global*  
4           *security by mitigating the root causes of conflict and*  
5           *multinational terrorism, strengthening diplomatic*  
6           *and economic relationships, preventing global climate*  
7           *change, curbing weapons proliferation, and fostering*  
8           *peace and cooperation between all nations.*

9           (6) *Currently the global development policies and*  
10          *programs of the United States Government are scat-*  
11          *tered across 12 different Federal departments, 25 dif-*  
12          *ferent Federal agencies, and nearly 60 Federal Gov-*  
13          *ernment offices. The current law governing foreign as-*  
14          *sistance is outdated, cumbersome, and lacks relevance*  
15          *for modern challenges, articulating at least 140 broad*  
16          *priorities for United States development efforts, with*  
17          *at least 400 specific directives on how to implement*  
18          *those broad priorities. Moreover, it allows the budget*  
19          *process to drive priorities, rather than setting clear*  
20          *priorities that drive resource decisions.*

21          (7) *The international and domestic challenges of*  
22          *the 21st century—including transnational threats*  
23          *such as economic instability, terrorism, climate*  
24          *change, and disease—cannot be met with a foreign*  
25          *assistance apparatus that was created to confront the*

1        *challenges of the 20th century. The cornerstone for a*  
 2        *new foreign assistance architecture begins with reform*  
 3        *of the Foreign Assistance Act of 1961 that ensures a*  
 4        *rationalized organizational structure for a strength-*  
 5        *ened development agency, a concise set of development*  
 6        *priorities, rebuilt human resource capacity, strength-*  
 7        *ened monitoring and evaluation, reinvigorated policy*  
 8        *and intellectual expertise, with sufficient resources*  
 9        *and commensurate accountability to achieve key for-*  
 10       *ign assistance goals.*

11            *(8) President Barack Obama has expressed a*  
 12        *commitment to cut extreme poverty and hunger*  
 13        *around the world in half, and to increase the level of*  
 14        *United States foreign assistance to meet that goal.*

15    **SEC. 4. STATEMENT OF POLICY.**

16        *It is the policy of the United States, given the impor-*  
 17        *tance of global prosperity and security to the national inter-*  
 18        *ests of the United States, to promote sustainable global de-*  
 19        *velopment, good governance, and the reduction of poverty*  
 20        *and hunger. In support of this policy, a reform and rebuild-*  
 21        *ing process should be initiated that will redefine the United*  
 22        *States foreign assistance architecture and strengthen the ca-*  
 23        *capacity of the United States Agency for International Devel-*  
 24        *opment and related agencies to establish effective and sus-*  
 25        *tainable development policies and implement innovative*



1 *and effective foreign assistance programs with maximum*  
2 *impact.*

3 **SEC. 5. POLICY AND STRATEGIC PLANNING.**

4 *(a) SENSE OF CONGRESS ON BUILDING THE POLICY*  
5 *CAPACITY OF USAID.—It is the sense of Congress that—*

6 *(1) there has been too little emphasis in recent*  
7 *years in developing the capacity of the Agency to for-*  
8 *mulate international development policy and to inte-*  
9 *grate important policy initiatives and innovative pol-*  
10 *icy concepts into Agency programs and activities;*

11 *(2) the Agency should increase its emphasis on*  
12 *recruiting, hiring, training, and enhancing profes-*  
13 *sional officers who will support the Agency's role in*  
14 *formulating development policy and enhancing inno-*  
15 *vative solutions to development challenges;*

16 *(3) there is a particular need to strengthen pol-*  
17 *icy formulation and development in missions world-*  
18 *wide, in addition to strengthening the capacity of the*  
19 *Agency to address policy issues in headquarters in*  
20 *Washington, District of Columbia, which should be*  
21 *dealt with by deploying policy officers to missions*  
22 *worldwide; and*

23 *(4) a Bureau for Policy and Strategic Planning*  
24 *should ensure that policy concepts and priorities are*

1       *appropriately integrated into all programs and ac-*  
 2       *tivities undertaken by the Agency.*

3       ***(b) ESTABLISHMENT OF USAID POSITIONS TO BUILD***  
 4       ***POLICY AND STRATEGIC PLANNING CAPACITY.—***

5               ***(1) DEPUTY ADMINISTRATOR OF THE UNITED***  
 6       ***STATES AGENCY FOR INTERNATIONAL DEVELOP-***  
 7       ***MENT.—Section 624 of the Foreign Assistance Act of***  
 8       ***1961 (22 U.S.C. 2384) is amended by inserting after***  
 9       ***subsection (c) the following new subsection:***

10       ***“(d) DEPUTY ADMINISTRATORS.—There shall be in the***  
 11       ***United States Agency for International Development,***  
 12       ***among the statutory officers authorized by subsection (a),***  
 13       ***not more than 2 Deputy Administrators, who shall assist***  
 14       ***the Administrator in all matters.”.***

15               ***(2) ASSISTANT ADMINISTRATOR FOR POLICY AND***  
 16       ***STRATEGIC PLANNING.—Such section is further***  
 17       ***amended by adding at the end the following new sub-***  
 18       ***section:***

19       ***“(f) ASSISTANT ADMINISTRATOR FOR POLICY AND***  
 20       ***STRATEGIC PLANNING.—There shall be in the United States***  
 21       ***Agency for International Development, among the statutory***  
 22       ***officers authorized by subsection (a), an Assistant Adminis-***  
 23       ***trator for Policy and Strategic Planning, who shall assist***  
 24       ***the Administrator and Deputy Administrators in matters***  
 25       ***related to policy planning, strategic planning, program de-***

1 *sign, research, evaluation, budget allocation and manage-*  
 2 *ment, and in other matters.”.*

3 (3) *CLERICAL AMENDMENT.—Subsection (a) of*  
 4 *such section is amended by striking “twelve” and in-*  
 5 *serting “fourteen”.*

6 (c) *BUREAU FOR POLICY AND STRATEGIC PLAN-*  
 7 *NING.—Chapter 2 of part III of the Foreign Assistance Act*  
 8 *of 1961 (22 U.S.C. 2381 et seq.) is amended by inserting*  
 9 *after section 624 the following new section:*

10 **“SEC. 624A. BUREAU FOR POLICY AND STRATEGIC PLAN-**  
 11 **NING.**

12 “(a) *ESTABLISHMENT.—There is established in the*  
 13 *United States Agency for International Development a Bu-*  
 14 *reau for Policy and Strategic Planning (referred to in this*  
 15 *section as the ‘Bureau’).*

16 “(b) *DUTIES.—The primary duties of the Bureau shall*  
 17 *include the following:*

18 “(1) *Developing and formulating United States*  
 19 *Government policy on development issues in support*  
 20 *of United States policy objectives.*

21 “(2) *Ensuring long-term strategic planning and*  
 22 *direction for overall development policy and pro-*  
 23 *grams, as well as across regions and sectors.*

1           “(3) *Designing and conducting significant re-*  
 2           *search and evaluation on development and aid effec-*  
 3           *tiveness.*

4           “(4) *Establishing resource and workforce alloca-*  
 5           *tion criteria.*

6           “(5) *Guiding overall budget decisions and re-*  
 7           *viewing bureau-specific resource allocations, workforce*  
 8           *allocations, operational planning, and program deci-*  
 9           *sions.*

10           “(6) *Integrating monitoring and evaluation into*  
 11           *overall decisionmaking and strategic planning.*”.

12           (d) *OFFICE FOR LEARNING, EVALUATION, AND ANAL-*  
 13           *YSIS IN DEVELOPMENT.*—Chapter 2 of part III of the *For-*  
 14           *eign Assistance Act of 1961 (22 U.S.C. 2381 et seq.), as*  
 15           *amended by subsection (c), is further amended by inserting*  
 16           *after section 624A the following:*

17           **“SEC. 624B OFFICE FOR LEARNING, EVALUATION, AND**  
 18           **ANALYSIS IN DEVELOPMENT.**

19           “(a) *SENSE OF CONGRESS ON ANALYSIS AND EVALUA-*  
 20           *TION.*—*It is the sense of Congress that—*

21           “(1) *achieving United States foreign policy ob-*  
 22           *jectives requires the consistent and systematic evalua-*  
 23           *tion of the impact of United States foreign assistance*  
 24           *programs and analysis on what programs work and*  
 25           *why, when, and where they work;*

1           “(2) the design of assistance programs and  
2           projects should include the collection of relevant data  
3           required to measure outcomes and impacts;

4           “(3) the design of assistance programs and  
5           projects should reflect the knowledge gained from eval-  
6           uation and analysis;

7           “(4) a culture and practice of high quality eval-  
8           uation should be revitalized at agencies managing for-  
9           eign assistance programs, which requires that the con-  
10          cepts of evaluation and analysis are used to inform  
11          policy and programmatic decisions, including the  
12          training of aid professionals in evaluation design and  
13          implementation and the use of new and innovative  
14          technologies, as appropriate and feasible;

15          “(5) the effective and efficient use of funds can-  
16          not be achieved without an understanding of how les-  
17          sons learned are applicable in various environments,  
18          and under similar or different conditions; and

19          “(6) project evaluations should be used as sources  
20          of data when running broader analyses of develop-  
21          ment outcomes and impacts.

22          “(b) *ESTABLISHMENT.*—There is established in the  
23          Bureau for Policy and Strategic Planning an Office for  
24          Learning, Evaluation, and Analysis in Development (re-  
25          ferred to in this section as the ‘Office’), which shall be under

1 *the management of the Assistant Administrator for Policy*  
2 *and Strategic Planning.*

3 “(c) *DUTIES.—The duties of the Office shall be to—*

4 “(1) *develop, design, coordinate, guide, and con-*  
5 *duct the complete range of activities relating to the*  
6 *monitoring of resources, the evaluation of projects, the*  
7 *evaluation of program impacts, and analysis that is*  
8 *necessary for the identification of findings, gen-*  
9 *eralizations that can be derived from those findings,*  
10 *and their applicability to proposed project and pro-*  
11 *gram design;*

12 “(2) *serve as a resource to the United States*  
13 *Agency for International Development, other govern-*  
14 *ment entities, implementing partners, the academic*  
15 *community, the donor community, and host govern-*  
16 *ments in the design of programs and projects;*

17 “(3) *serve as an authoritative voice in linking*  
18 *evaluation and research results to strategic planning*  
19 *and policy options;*

20 “(4) *design a strategy for strengthening evalua-*  
21 *tion and research for foreign assistance programs*  
22 *managed by the United States Agency International*  
23 *Development;*

1           “(5) develop the scope and guidelines for evalua-  
2           tion and research that are multidisciplinary in na-  
3           ture;

4           “(6) establish annual evaluation and research  
5           agendas and objectives that are responsive to policy  
6           and programmatic priorities;

7           “(7) guide the use of rigorous methodologies,  
8           choosing from among a wide variety of qualitative  
9           and quantitative methods common in the field of so-  
10          cial scientific inquiry;

11          “(8) coordinate the evaluation processes of bu-  
12          reaus and missions of the United States Agency for  
13          International Development;

14          “(9) develop and implement a training plan on  
15          evaluation and research for aid personnel;

16          “(10) make recommendations to the Assistant  
17          Administrator for Policy and Strategic Planning on  
18          linking evaluation and research findings to policy  
19          and strategic planning options;

20          “(11) develop a clearinghouse capacity for the  
21          dissemination of knowledge and lessons learned to  
22          USAID professionals, implementing partners, the  
23          international aid community, and aid recipient gov-  
24          ernments, and as a repository of knowledge on lessons  
25          learned;

1           “(12) *distribute evaluation and research reports*  
 2           *internally and make this material available online to*  
 3           *the public; and*

4           “(13) *partner with the academic community,*  
 5           *implementing partners, and national and inter-*  
 6           *national institutions that have expertise in evaluation*  
 7           *and analysis when such partnerships will provide*  
 8           *needed expertise or will significantly improve the*  
 9           *evaluation and analysis.*

10          “(d) *SUBORDINATE UNITS.—The Administrator may*  
 11          *create such subordinate units as may be necessary for the*  
 12          *performance of duties described in paragraphs (9) and (11)*  
 13          *of subsection (c).*

14          “(e) *TECHNICAL EXPERTISE.—If the Assistant Admin-*  
 15          *istrator determines that the Office requires expertise that*  
 16          *is of a technical nature and is outside the expertise of the*  
 17          *Agency for International Development, such expertise may*  
 18          *be accessed through existing contracting authorities.*

19          “(f) *MONITORING.—Evaluation and analysis activities*  
 20          *of the Office shall be in addition to, but not duplicative*  
 21          *of, existing monitoring activities as provided under existing*  
 22          *law.*

23          “(g) *COORDINATION.—The Office should closely coordi-*  
 24          *nate and consult with the Council on Research and Evalua-*  
 25          *tion of Foreign Assistance to ensure consistency of approach*



1 *toward evaluation, research, analysis, and related activi-*  
 2 *ties.*

3 “(h) *ANNUAL REPORTS TO CONGRESS.*—

4 “(1) *IN GENERAL.*—Not later than 1 year after  
 5 the date of the enactment of this Act, and not later  
 6 than December 31 of each year thereafter, the Admin-  
 7 istrator shall submit to the appropriate congressional  
 8 committees a report on the work of the Office.

9 “(2) *CONTENT.*—The report required under  
 10 paragraph (1) shall include—

11 “(A) *a copy of the annual evaluation and*  
 12 *research agenda for the preceding year;*

13 “(B) *a description of the evaluation activi-*  
 14 *ties conducted in the preceding year;*

15 “(C) *a description of training activities*  
 16 *conducted in the preceding year;*

17 “(D) *a forecast of evaluation and research*  
 18 *planned for the following year; and*

19 “(E) *a description of the ways in which the*  
 20 *results of evaluations have informed the design*  
 21 *and operation of agency policies and programs*  
 22 *during the year.*

23 “(i) *AUTHORIZATION OF APPROPRIATIONS.*—There are  
 24 *authorized to be appropriated to the United States Agency*  
 25 *for International Development \$5,000,000 for fiscal year*

1 2010 and such sums as may be necessary for fiscal year  
 2 2011.

3 “(j) *DEFINITIONS.*—*In this section:*

4 “(1) *ANALYSIS.*—*The term ‘analysis’ means the*  
 5 *comparative study of evaluations conducted over a pe-*  
 6 *riod of time, in varying locations, and under varying*  
 7 *conditions that produces generalized findings and ex-*  
 8 *planations of outcomes and assesses their applica-*  
 9 *bility to proposed project and program design.*

10 “(2) *EVALUATION.*—*The term ‘evaluation’ means*  
 11 *the full range of activities designed to assess the effi-*  
 12 *ciency and effectiveness of inputs and processes on*  
 13 *outputs, results, and outcomes of various projects,*  
 14 *programs, and activities.*

15 “(3) *OUTCOME.*—*The term ‘outcome’ means any*  
 16 *change occurring during the course of a project, pro-*  
 17 *gram, or activity, including changes that cannot be*  
 18 *attributed directly to the project, program, or activ-*  
 19 *ity.*

20 “(4) *OUTPUTS.*—*The term ‘output’ means the*  
 21 *products, capital, goods, and services that result from*  
 22 *a project, program, or activity.’’.*

23 **SEC. 6. COUNCIL ON RESEARCH AND EVALUATION OF FOR-**  
 24 **EIGN ASSISTANCE.**

25 (a) *FINDINGS.*—*Congress makes the following findings:*

1           (1) *The American public and Congress must*  
2     *have confidence that—*

3                 (A) *Federal funds allocated for foreign as-*  
4     *sistance programs are used efficiently and effec-*  
5     *tively; and*

6                 (B) *funding allocations and programs are*  
7     *linked to clearly defined policy objectives.*

8           (2) *The December 2007 HELP Commission Re-*  
9     *port on Foreign Assistance Reform states, “[T]he sys-*  
10    *tems our government uses to evaluate development*  
11    *and humanitarian assistance programs are either in*  
12    *disarray or do not exist. Current systems tend to*  
13    *focus more on outputs, such as counting how many*  
14    *books are delivered to a school, rather than on out-*  
15    *comes, such as measuring how many children can ac-*  
16    *tually read. Indeed, out of 26,285 impact evaluations*  
17    *that USAID conducted between 1996 and 2005, only*  
18    *30 measured the impact of projects.”.*

19           (3) *The HELP Commission also recommends*  
20    *that the United States Government reestablish an*  
21    *independent Office of Monitoring and Evaluation re-*  
22    *sponsible for foreign assistance operations and pro-*  
23    *vide the office with sufficient funding to monitor and*  
24    *evaluate performance that should be accountable to*  
25    *Congress and to the executive branch.*

1       (b) *ESTABLISHMENT.*—*There is established in the exec-*  
 2 *utive branch the Council on Research and Evaluation of*  
 3 *Foreign Assistance (referred to in this section as the “Coun-*  
 4 *cil”).*

5       (c) *PURPOSES.*—*The purposes of the Council shall*  
 6 *be—*

7           (1) *to evaluate the impact of United States Gov-*  
 8 *ernment foreign assistance programs and their con-*  
 9 *tribution to policy, strategies, projects, program goals,*  
 10 *and priorities undertaken by the United States Gov-*  
 11 *ernment in support of foreign policy objectives; and*

12           (2) *to cultivate an integrated research and devel-*  
 13 *opment program that will—*

14               (A) *incorporate best practices from evalua-*  
 15 *tion studies and analyses; and*

16               (B) *foster and promote innovative programs*  
 17 *to improve the effectiveness of United States for-*  
 18 *ign assistance.*

19       (d) *DUTIES AND AUTHORITIES.*—

20           (1) *EVALUATIONS OF UNITED STATES GOVERN-*  
 21 *MENT FOREIGN ASSISTANCE PROGRAMS AND INTER-*  
 22 *NATIONAL AND MULTILATERAL ASSISTANCE PRO-*  
 23 *GRAMS RECEIVING FINANCIAL ASSISTANCE FROM THE*  
 24 *UNITED STATES.*—

1           (A) *AUTHORIZATION.*—*The Council is au-*  
2           *thorized to conduct evaluations, on a program-*  
3           *by-program basis, of—*

4                   (i) *the effectiveness of foreign assistance*  
5                   *programs carried out by any United States*  
6                   *Government agency;*

7                   (ii) *the impact of foreign assistance*  
8                   *programs of any United States Government*  
9                   *agency on the effectiveness of the foreign as-*  
10                  *sistance programs of any other United*  
11                  *States Government agency; and*

12                  (iii) *the effectiveness of international*  
13                  *and multilateral assistance programs re-*  
14                  *ceiving financial assistance from the United*  
15                  *States.*

16           (B) *IMPACT ASSESSMENT.*—*Evaluations*  
17           *conducted under subparagraph (A) shall assess*  
18           *the impact of the programs described in clauses*  
19           *(i) and (ii) of subparagraph (A) and their con-*  
20           *tribution to policy, strategies, projects, program*  
21           *goals, and priorities of the United States Gov-*  
22           *ernment.*

23           (C) *SELECTION CRITERIA.*—*The Director,*  
24           *in consultation with the Board, shall establish—*

- 1                   (i) *criteria for selecting foreign assist-*  
 2                   *ance programs and international and mul-*  
 3                   *tilateral assistance programs receiving fi-*  
 4                   *nancial assistance from the United States to*  
 5                   *be evaluated under subparagraph (A); and*  
 6                   (ii) *procedures for conducting such*  
 7                   *evaluations.*

8                   (D) *COORDINATION.*—*The criteria and pro-*  
 9                   *cedures established under subparagraph (C) shall*  
 10                  *include procedures to avoid duplication of the*  
 11                  *Council’s activities, and to ensure effective co-*  
 12                  *ordination and cooperation, with the activities of*  
 13                  *the Comptroller General of the United States,*  
 14                  *relevant Inspectors General, and other relevant*  
 15                  *entities.*

16                  (E) *METHODOLOGIES.*—*In conducting eval-*  
 17                  *uations under subparagraph (A), the Council*  
 18                  *shall utilize rigorous and objective methodologies,*  
 19                  *choosing from among a wide variety of quali-*  
 20                  *tative and quantitative methods common in the*  
 21                  *field of social scientific inquiry.*

22                  (F) *INTERAGENCY ASSISTANCE.*—*In con-*  
 23                  *ducting evaluations under subparagraph (A), the*  
 24                  *Director is authorized to request information or*  
 25                  *assistance from the head of any Federal agency*

1        *to the extent necessary to facilitate the evalua-*  
2        *tion of a program, including access to all*  
3        *records, reports, audits, reviews, documents, pa-*  
4        *pers, recommendations, and other material*  
5        *available to the program being evaluated by the*  
6        *Council. Upon receipt of a request under this*  
7        *subparagraph, the head of the Federal agency re-*  
8        *ceiving the request, insofar as is practicable and*  
9        *not in contravention of any applicable law, shall*  
10       *furnish to the Director, or to an authorized des-*  
11       *ignee, such information or assistance as may be*  
12       *necessary to carry out the purposes of this sec-*  
13       *tion.*

14            (G) *REPORTS.*—*At least 30 days before*  
15        *issuing a report under this subparagraph, the*  
16        *Director shall submit a draft of the report to the*  
17        *head of the Federal agency responsible for imple-*  
18        *menting the program being evaluated and pro-*  
19        *vide the agency head an opportunity to comment*  
20        *on the report. The Council shall issue a report to*  
21        *the appropriate congressional committees on each*  
22        *evaluation conducted under subparagraph (A)*  
23        *that contains—*

24                    (i) *an assessment of the effectiveness of*  
25                    *the program evaluated, including the effec-*

1            *tiveness of any partnership with non-Fed-*  
 2            *eral partners, as appropriate;*

3            *(ii) any recommendations to improve*  
 4            *the program's effectiveness, including the ef-*  
 5            *fectiveness of partnerships with other*  
 6            *United States Government agencies and*  
 7            *non-Federal organizations, as appropriate;*

8            *(iii) any recommendations to termi-*  
 9            *nate or reduce the scope of a program that*  
 10           *has been evaluated; and*

11           *(iv) any comments received from the*  
 12           *head of the Federal agency, or his or her*  
 13           *designee, including any non-Federal part-*  
 14           *ner, as appropriate.*

15           *(H) CONSULTATION.—The Director shall*  
 16           *regularly consult with the appropriate congres-*  
 17           *sional committees to discuss priorities for eval-*  
 18           *uations to be conducted under subparagraph (A).*

19           *(2) RESEARCH ON FOREIGN ASSISTANCE DESIGN,*  
 20           *IMPLEMENTATION, EVALUATION, AND EFFECTIVE-*  
 21           *NESS.—*

22           *(A) IN GENERAL.—The Council shall con-*  
 23           *duct research and analysis on the design, imple-*  
 24           *mentation, evaluation, and effectiveness of for-*  
 25           *oreign assistance programs in an effort to develop*



1        *innovative approaches relating to foreign assist-*  
2        *ance, including—*

3                *(i) research and analysis aimed at de-*  
4                *veloping objective methodologies for evalu-*  
5                *ating the effectiveness of foreign assistance*  
6                *programs in achieving assistance objectives;*

7                *(ii) research and analysis aimed at*  
8                *identifying ways of improving coordination*  
9                *of foreign assistance programs and contin-*  
10               *gency operations (as that term is defined in*  
11               *section 101(a)(13) of title 10, United States*  
12               *Code) carried out by Federal agencies, in-*  
13               *cluding ways of coordinating research and*  
14               *development conducted by such agencies;*  
15               *and*

16               *(iii) research and analysis aimed at*  
17               *identifying approaches through which the*  
18               *United States Government can support the*  
19               *development of evaluation capacity in devel-*  
20               *oping countries, and strategies to encourage*  
21               *the use of evaluation findings among dif-*  
22               *ferent levels of decision makers and imple-*  
23               *menters.*

24               *(B) ADDITIONAL RESEARCH.—In addition*  
25        *to the research conducted under subparagraph*

1           (A), the Council may also conduct research and  
2           analysis on—

3                   (i) trends relating to foreign assistance  
4                   programs and the measures necessary to en-  
5                   sure continued progress; and

6                   (ii) the relative effectiveness of inter-  
7                   national and multilateral assistance pro-  
8                   grams receiving financial assistance from  
9                   the United States, including programs of  
10                  the World Bank Group, United Nations en-  
11                  tities, and regional multilateral develop-  
12                  ment banks, as compared to United States  
13                  foreign assistance programs.

14           (C) *INTEGRATED RESEARCH AND DEVELOP-*  
15           *MENT PROGRAM.*—The Director, in consultation  
16           with the Board, shall establish and implement  
17           an integrated research and development program  
18           that will serve as a laboratory for innovative  
19           programs related to foreign assistance to fulfill  
20           the objectives described in subparagraph (A).

21           (D) *PARTNERS.*—In conducting research  
22           and analysis under subparagraph (A), the Coun-  
23           cil shall partner with the academic community,  
24           implementing partners, and national and inter-

1        *national institutions that have expertise in eval-*  
 2        *uation, research, and analysis, as appropriate.*

3                *(E) REPORTS.—The Council shall issue re-*  
 4        *ports to the appropriate congressional commit-*  
 5        *tees on the results of research conducted pursuant*  
 6        *to subparagraph (A) that include recommenda-*  
 7        *tions to Federal agencies responsible for imple-*  
 8        *menting foreign assistance programs on how to*  
 9        *improve the design, implementation, and evalua-*  
 10       *tion of such programs.*

11               *(F) COLLABORATION.—The Council shall*  
 12       *actively collaborate with Federal agencies re-*  
 13       *sponsible for implementing foreign assistance*  
 14       *programs by—*

15                *(i) sharing the results of research con-*  
 16       *ducted pursuant to subparagraph (A); and*

17                *(ii) providing recommendations and*  
 18       *advice on how to improve the design, effec-*  
 19       *tiveness, efficiency, and innovation of such*  
 20       *programs.*

21               *(G) TRANSPARENCY.—The Council shall—*

22                *(i) coordinate with the Secretary of*  
 23       *State, the Administrator, and other relevant*  
 24       *departments and agencies, to establish rec-*  
 25       *ommendations for a uniform set of report-*

ing standards and guidelines to be followed by all Federal departments and agencies to report the funding levels of the foreign assistance programs for which each department or agency is responsible; and

(ii) organize the data described in paragraph (1) on its Web site in a manner that allows public access to the funding levels of all foreign assistance programs funded by all Federal departments and agencies.

(H) CONSULTATION.—The Director shall regularly consult with the appropriate congressional committees to discuss priorities for research to be conducted under subparagraph (A).

(3) INDEPENDENCE.—The Council shall preserve its independence to ensure organizational autonomy, protection from external influence, and avoidance of conflicts of interest.

(e) COUNCIL ON RESEARCH AND EVALUATION OF FOREIGN ASSISTANCE ADVISORY BOARD.—

(1) ESTABLISHMENT.—There is established a Council on Research and Evaluation of Foreign Assistance Advisory Board (referred to in this subsection as the “Board”).

1           (2) *PURPOSES.*—*The purposes of the Board shall*  
2     *be—*

3                 *(A) to consult with the Director regarding*  
4     *the existing program of work of the Council, cur-*  
5     *rent evaluations that are ongoing or completed,*  
6     *and projected evaluations and activities to be*  
7     *undertaken by the Council; and*

8                 *(B) to serve as a forum for coordination*  
9     *and discussion of related matters pertaining to*  
10    *the Council's operations and activities.*

11           (3) *DUTIES.*—*The Board shall—*

12                 *(A) regularly consult with the Director re-*  
13    *garding the activities of the Council, but may*  
14    *not prevent or prohibit the Director from initi-*  
15    *ating, carrying out, or completing any evalua-*  
16    *tion or analysis of any development, humani-*  
17    *tarian, or foreign assistance program or activity;*  
18    *and*

19                 *(B) ensure coordination with the Office of*  
20    *Management and Budget in the Executive Office*  
21    *of the President.*

22           (4) *MEMBERSHIP.*—*The Board shall consist of—*

23                 *(A) the Director of the Council, or designee;*

24                 *(B) the Secretary of State, or designee;*

1           (C) *the Secretary of the Treasury, or des-*  
2           *ignee;*

3           (D) *the Administrator of the United States*  
4           *Agency for International Development, or des-*  
5           *ignee;*

6           (E) *the Chief Executive Officer of the Mil-*  
7           *lennium Challenge Corporation, or designee;*

8           (F) *the Secretary of Agriculture, or des-*  
9           *ignee;*

10          (G) *the Secretary of Defense, or designee;*

11          (H) *the Secretary of Health and Human*  
12          *Services, or designee;*

13          (I) *1 individual to be appointed by the Di-*  
14          *rector;*

15          (J) *1 officer in the Senior Foreign Service*  
16          *for the Agency for International Development or*  
17          *the Department of State with experience in the*  
18          *implementation of assistance programs;*

19          (K) *4 individuals with relevant professional*  
20          *evaluation and international experience, who*  
21          *shall be appointed by the President, by and with*  
22          *the advice and consent of the Senate, of which—*

23               (i) *1 individual shall be appointed*  
24               *from among a list of 3 individuals sub-*

mitted by the chairman of the Committee on  
Foreign Relations of the Senate;

(ii) 1 individual shall be appointed  
from among a list of 3 individuals sub-  
mitted by the ranking member of the Com-  
mittee on Foreign Relations of the Senate;

(iii) 1 individual shall be appointed  
from among a list of 3 individuals sub-  
mitted by the chairman of the Committee on  
Foreign Affairs of the House of Representa-  
tives; and

(iv) 1 individual shall be appointed  
from among a list of 3 individuals sub-  
mitted by the ranking member of the Com-  
mittee on Foreign Affairs of the House of  
Representatives.

(5) *TERMS.*—

(A) *OFFICERS OF THE FEDERAL GOVERN-  
MENT.*—Each member of the Board described in  
subparagraphs (A) through (H) of paragraph (4)  
shall serve for a term that is concurrent with the  
term of service of the individual's position as an  
officer within the other Federal department or  
agency.

1                   (B) *OTHER MEMBERS.*—*Each member of*  
 2                   *the Board described in subparagraphs (I)*  
 3                   *through (K) of paragraph (4) shall be appointed*  
 4                   *for a 3-year term and may be reappointed for an*  
 5                   *additional 2-year term.*

6                   (C) *VACANCIES.*—*A vacancy in the Board*  
 7                   *shall be filled in the manner in which the origi-*  
 8                   *nal appointment was made.*

9                   (6) *CHAIRPERSON.*—*The members of the Board*  
 10                  *shall select from among its membership a Chairperson*  
 11                  *to serve a 1-year term.*

12                  (7) *TECHNICAL ADVISORY GROUP.*—*The Director*  
 13                  *shall have the authority to form a technical advisory*  
 14                  *group to provide recommendations and advise the ex-*  
 15                  *isting program of work of the Council. The subgroup*  
 16                  *shall consist of the 4 members of the Board described*  
 17                  *in paragraph (4)(K), and additional members as ap-*  
 18                  *propriate.*

19                  (8) *QUORUM.*—*A majority of the members of the*  
 20                  *Board shall constitute a quorum.*

21                  (9) *MEETINGS.*—*The Board shall meet at the call*  
 22                  *of the Chairperson but no less than annually.*

23                  (10) *COMPENSATION.*—

24                         (A) *OFFICERS OF THE FEDERAL GOVERN-*  
 25                         *MENT.*—



1           (i) *IN GENERAL.*—A member of the  
 2           Board described in subparagraph (A), (B),  
 3           (C), (D), (E), (F), (G), or (H) of paragraph  
 4           (4) may not receive additional pay, allow-  
 5           ances, or benefits by reason of the member's  
 6           service on the Board.

7           (ii) *TRAVEL EXPENSES.*—Each such  
 8           member of the Board shall receive travel ex-  
 9           penses, including per diem in lieu of sub-  
 10          sistence, in accordance with applicable pro-  
 11          visions under subchapter I of chapter 57 of  
 12          title 5, United States Code.

13       (B) *OTHER MEMBERS.*—

14           (i) *IN GENERAL.*—Except as provided  
 15           in clause (ii), a member of the Board de-  
 16           scribed in paragraph (4)(F)—

17                   (I) shall be paid compensation out  
 18                   of funds made available for the pur-  
 19                   poses of this title at the daily equiva-  
 20                   lent of the highest rate payable under  
 21                   section 5332 of title 5, United States  
 22                   Code, for each day (including travel  
 23                   time) during which the member is en-  
 24                   gaged in the actual performance of du-  
 25                   ties as a member of the Board; and

1                   (ii) while away from the mem-  
 2                   ber's home or regular place of business  
 3                   on necessary travel in the actual per-  
 4                   formance of duties as a member of the  
 5                   Board, shall be paid per diem, travel,  
 6                   and transportation expenses in the  
 7                   same manner as is provided under sub-  
 8                   chapter I of chapter 57 of title 5,  
 9                   United States Code.

10                  (ii) *LIMITATION.*—A member of the  
 11                  Board may not be paid compensation under  
 12                  clause (i)(II) for more than 90 days in any  
 13                  calendar year.

14                  (f) *DIRECTOR.*—

15                   (1) *APPOINTMENT.*—

16                   (A) *IN GENERAL.*—The Council shall be  
 17                   headed by a Director, who shall be appointed by  
 18                   the President from among the individuals rec-  
 19                   ommended under subparagraph (B) to a 4-year  
 20                   term, subject to a 1-year renewal, by and with  
 21                   the advice and consent of the Senate.

22                   (B) *SELECTION.*—When a vacancy occurs  
 23                   in the office of Director, the chairmen and rank-  
 24                   ing minority members of the Committee on For-  
 25                   eign Relations of the Senate and the Committee

on Foreign Affairs of the House of Representatives shall each recommend up to 3 individuals to the President for appointment to the vacant office. In considering individuals for appointment to the office of Director, the chairmen and ranking minority members shall—

(i) take into account the integrity and demonstrated ability of the individuals in public administration, international development and foreign assistance programs, monitoring and evaluation analysis, and all aspects of program and project design; and

(ii) disregard the political affiliation of the individuals.

(2) *RESPONSIBILITIES.*—The Director shall—

(A) be responsible for the management of the Council;

(B) exercise the powers of the Council;

(C) be responsible for initiating, carrying out, and completing any evaluation or analysis of any development, humanitarian, or foreign assistance program or activity; and

(D) discharge the duties of the Council.

(3) *RANK; COMPENSATION.*—The Director shall—

1                   (A) have the equivalent rank of Under Sec-  
2                   retary; and

3                   (B) be compensated at the rate provided for  
4                   level III of the Executive Schedule under section  
5                   5314 of title 5, United States Code.

6                   (4) *ADDITIONAL TERM; REMOVAL.*—

7                   (A) *ADDITIONAL TERM.*—The Director may  
8                   be reappointed for not more than 1 additional 4-  
9                   year term.

10                  (B) *REMOVAL.*—The President may remove  
11                  the Director from office after submitting written  
12                  notification to the Senate and the House of Rep-  
13                  resentatives that describes the underlying reasons  
14                  for such removal.

15                  (5) *CONFORMING AMENDMENT.*—Section 5314 of  
16                  title 5, United States Code, is amended by adding at  
17                  the end the following:

18                  “Director, Council on Research and Evaluation of  
19                  Foreign Assistance.”.

20                  (g) *DEPUTY DIRECTORS.*—The Director shall ap-  
21                  point—

22                  (1) a Deputy Director for Evaluation, who shall  
23                  be responsible for overseeing the evaluations conducted  
24                  by the Council; and

1           (2) *a Deputy Director for Research Innovation,*  
 2           *who shall be responsible for overseeing an integrated*  
 3           *research and development program that will foster*  
 4           *and promote innovative programs to improve the ef-*  
 5           *fectiveness of United States foreign assistance.*

6           (h) *OFFICE SPACE, EQUIPMENT, AND SUPPLIES.—*  
 7           *Each agency head shall provide the Director with—*

8                   (1) *appropriate and adequate office space at cen-*  
 9                   *tral and field office locations of such agency;*

10                  (2) *such equipment, office supplies, and commu-*  
 11                  *nications facilities and services as may be necessary*  
 12                  *for the operation of such offices; and*

13                  (3) *necessary maintenance services for such of-*  
 14                  *fices and the equipment and facilities located in such*  
 15                  *offices.*

16           (i) *PERSONNEL MATTERS.—*

17                   (1) *HUMAN RESOURCES MANAGEMENT SYS-*  
 18                   *TEM.—Notwithstanding any other provision of law,*  
 19                   *the Director may establish a human resources man-*  
 20                   *agement system for the employees of the Council that*  
 21                   *provides for—*

22                           (A) *work schedule flexibility;*

23                           (B) *merit based hiring;*

24                           (C) *fair treatment without regard to polit-*  
 25                           *ical affiliation;*

1                   (D) *equal pay for equal work;*

2                   (E) *protection of employees against reprisal*  
3 *for whistle blowing;*

4                   (F) *a pay-for-performance evaluation sys-*  
5 *tem that links individual pay to performance;*

6                   (G) *a streamlined process for removing*  
7 *underperforming employees; and*

8                   (H) *a maximum tenure with the Council of*  
9 *7 years.*

10               (2) *DETAIL OF PERSONNEL.—*

11                   (A) *FROM FEDERAL GOVERNMENT.—Upon*  
12 *the request of the Director, the head of a Federal*  
13 *agency may detail any employee of such agency*  
14 *to the Council on a reimbursable basis. Any em-*  
15 *ployee so detailed remains, for the purpose of*  
16 *preserving such employee's allowances, privileges,*  
17 *rights, seniority, and other benefits, an employee*  
18 *of the agency from which detailed.*

19                   (B) *FROM OUTSIDE ORGANIZATIONS.—The*  
20 *Director may accept the services of personnel de-*  
21 *tailed to the Council from organizations outside*  
22 *the Federal Government, including bilateral*  
23 *agencies, multilateral institutions, international*  
24 *organizations, think-tanks, nongovernmental or-*

ganizations, institutions of higher education, and  
the private sector.

(3) *REEMPLOYMENT RIGHTS.*—

(A) *IN GENERAL.*—An employee of an agency who is serving under a career or career conditional appointment (or the equivalent), and who, with the consent of the head of such agency, transfers to the Council, is entitled to be reemployed in such employee's former position or a position of like seniority, status, and pay in such agency, if such employee—

(i) is separated from the Council for any reason, other than misconduct, neglect of duty, or malfeasance; and

(ii) applies for reemployment not later than 90 days after the date of separation from the Council.

(B) *SPECIFIC RIGHTS.*—An employee described in subparagraph (A)—

(i) is entitled to be reemployed within 30 days after applying for reemployment; and

(ii) once reemployed, is entitled to at least the rate of basic pay to which such em-

1            *ployee would have been entitled had such*  
 2            *employee never transferred to the Council.*

3            (4) *HIRING AUTHORITY.*—*Not more than 5 em-*  
 4            *ployees of the Council may be appointed, com-*  
 5            *pensated, or removed without regard to the civil serv-*  
 6            *ice laws and regulations.*

7            (5) *BASIC PAY.*—*The Director may fix the rate*  
 8            *of basic pay of employees of the Council without re-*  
 9            *gard to the provisions of chapter 51 of title 5, United*  
 10           *States Code (relating to the classification of positions)*  
 11           *or subchapter III of chapter 53 of such title (relating*  
 12           *to General Schedule pay rates), except that no em-*  
 13           *ployee of the Office may receive a rate of basic pay*  
 14           *that exceeds the rate for level IV of the Executive*  
 15           *Schedule under section 5315 of such title.*

16           (6) *PERSONNEL OUTSIDE THE UNITED*  
 17           *STATES.*—

18           (A) *ASSIGNMENT TO UNITED STATES EM-*  
 19           *BASSIES.*—*Employees of the Council, including*  
 20           *individuals detailed to or contracted by the*  
 21           *Council, may be assigned to a United States dip-*  
 22           *lomatic mission or consular post or a United*  
 23           *States Agency for International Development*  
 24           *field mission for purposes of assignments related*  
 25           *to activities or programs of the Council.*



1           (B) *OVERSEAS BENEFITS.*—*Each employee*  
 2           *of the Council, including any individual detailed*  
 3           *to or contracted by the Council, and the members*  
 4           *of the family of such employee, while the em-*  
 5           *ployee is performing duties in any country or*  
 6           *place outside the United States, shall be afforded*  
 7           *the same benefits enjoyed by members of the For-*  
 8           *eign Service, or the family of a member of the*  
 9           *Foreign Service, as appropriate.*

10           (C) *RESPONSIBILITY OF CHIEF OF MIS-*  
 11           *SION.*—*Employees of the Council, including in-*  
 12           *dividuals detailed to or contracted by the Coun-*  
 13           *cil, and members of the families of such employ-*  
 14           *ees, shall be subject to section 207 of the Foreign*  
 15           *Service Act of 1980 (22 U.S.C. 3927) in the*  
 16           *same manner as United States Government em-*  
 17           *ployees while the employee is performing duties*  
 18           *in any country or place outside the United*  
 19           *States if such employee or member of the family*  
 20           *of such employee is not a national of or perma-*  
 21           *nently resident in such country or place.*

22           (j) *PUBLIC DISCLOSURE.*—

23           (1) *IN GENERAL.*—*Not less frequently than quar-*  
 24           *terly, the Council shall make publicly available—*

1           (A) the findings and conclusions of all the  
2           reports and studies completed by the Council  
3           since the most recent public disclosure;

4           (B) information regarding funds allocated  
5           or transferred by the Council under this section;

6           (C) the name of each United States Govern-  
7           ment agency with management responsibility for  
8           the activities that were evaluated; and

9           (D) a description of the program or project  
10          carried out by the agencies described in subpara-  
11          graph (C).

12          (2) DISSEMINATION.—The information required  
13          to be disclosed under paragraph (1) shall be made  
14          available to the public—

15               (A) through publication in the Federal Reg-  
16               ister;

17               (B) on the Internet Web site of the Council;  
18               and

19               (C) by any other methods that the Director  
20               determines to be appropriate.

21          (k) REPORT ON PROJECTED EVALUATIONS.—Not later  
22          than December 31, 2010, and November 1 thereafter, the  
23          Director shall submit a report to the appropriate congres-  
24          sional committees that includes a projected list of evalua-  
25          tions for the current fiscal year.

1       *(l) REPORT ON METHODOLOGIES AND BEST PRAC-*  
2 *TICES.—*

3           *(1) INITIAL REPORT.—Not later than September*  
4 *30, 2011, the Director shall submit a report to each*  
5 *Federal Agency responsible for implementing foreign*  
6 *assistance programs and to the appropriate congres-*  
7 *sional committees that details recommended meth-*  
8 *odologies and best practices for use in evaluating the*  
9 *effectiveness of United States Government foreign as-*  
10 *sistance programs.*

11          *(2) REGULAR UPDATES.—The Director shall reg-*  
12 *ularly update the methodologies recommended in the*  
13 *report submitted under paragraph (1) to account for*  
14 *developments and trends in foreign assistance pro-*  
15 *grams.*

16          *(3) BIENNIAL REPORT.—Not later than 2 years*  
17 *after the submission of the report under paragraph*  
18 *(1), and biennially thereafter, the Director shall sub-*  
19 *mit, to each Federal agency responsible for imple-*  
20 *menting foreign assistance programs and to the ap-*  
21 *propriate congressional committees, a report that con-*  
22 *tains updates to its recommended methodologies and*  
23 *best practices for use in evaluating the effectiveness of*  
24 *United States Government foreign assistance pro-*  
25 *grams.*

1       (m) *ANNUAL REPORT.*—

2               (1) *IN GENERAL.*—Not later than February 15,  
3       2011, and each February 15 thereafter, the Director  
4       shall submit a report to the appropriate congressional  
5       committees that includes—

6                       (A) the specific programs, projects, and ac-  
7                       tivities that were evaluated by the Council; and

8                       (B) other activities carried out by the Coun-  
9                       cil during the most recently completed fiscal  
10       year.

11               (2) *JOINT SUBMISSION.*—The report described in  
12       paragraph (1) may be submitted with the budget jus-  
13       tification materials submitted to Congress with the  
14       President's budget under section 1105(a) of title 31,  
15       United States Code.

16       (n) *STRATEGIC PLAN.*—

17               (1) *SUBMISSION.*—Every 2 years, the Director  
18       shall submit a strategic plan for the activities of the  
19       Council to the appropriate congressional committees.

20               (2) *CONTENTS.*—The strategic plan required  
21       under paragraph (1) shall include—

22                       (A) the long-term strategic goals of the  
23                       Council;

24                       (B) the identification of the activities and  
25       programs that support—

1                   (i) *the achievement of the Council's*  
2                   *strategic goals; and*

3                   (ii) *opportunities that hold the poten-*  
4                   *tial for yielding significant development or*  
5                   *foreign assistance benefits; and*

6                   (C) *the connection of the activities and pro-*  
7                   *grams of the Council to activities and missions*  
8                   *of United States foreign assistance programs.*

9           (o) *GOVERNMENT ACCOUNTABILITY OFFICE RE-*  
10 *PORT.—Not later than 6 years after the date of the enact-*  
11 *ment of this Act, the Comptroller General of the United*  
12 *States shall submit a report to the appropriate congres-*  
13 *sional committees that contains—*

14                   (1) *a review of, and comments addressing, the*  
15                   *performance and overall effectiveness of the Council's*  
16                   *activities, programs and general operations;*

17                   (2) *an assessment of how effectively the Council*  
18                   *has implemented its stated objectives and adhered to*  
19                   *and accomplished the purposes and duties described*  
20                   *in subsections (c) and (d); and*

21                   (3) *recommendations relating to any additional*  
22                   *actions the Comptroller General recommends to im-*  
23                   *prove the Council's performance, activities and oper-*  
24                   *ations.*

1       (p) *ADMINISTRATIVE AUTHORITIES OF THE COUN-*  
 2 *CIL.—In addition to the authority otherwise provided under*  
 3 *this section, the Council, in carrying out the provisions of*  
 4 *this section, is authorized—*

5           (1) *to select, appoint, and employ such officers*  
 6 *and employees as may be necessary for carrying out*  
 7 *the functions, powers, and duties of the Council;*

8           (2) *to obtain services authorized by section 3109*  
 9 *of title 5, United States Code, at daily rates not to*  
 10 *exceed the equivalent rate prescribed for grade GS–18*  
 11 *of the General Schedule under section 5332 of such*  
 12 *title;*

13          (3) *to the extent, and in such amounts as may*  
 14 *be appropriated in advance—*

15           (A) *to make and perform such contracts,*  
 16 *grants, and other agreements for audits, studies,*  
 17 *evaluations, analyses, and other services with—*

18                   (i) *public agencies;*

19                   (ii) *any private entity or person in the*  
 20 *United States or in a candidate country;*  
 21 *and*

22                   (iii) *governmental agencies of any such*  
 23 *country that is undertaking research that*  
 24 *supports the work of the Council, as appro-*  
 25 *priate; and*

1           (B) to make such payments as may be nec-  
2           essary for carrying out the functions of the  
3           Council;

4           (4) to adopt, alter, and use a seal, which shall  
5           be judicially noticed;

6           (5) to determine and prescribe the manner in  
7           which its obligations shall be incurred and its ex-  
8           penses allowed and paid, including expenses for rep-  
9           resentation;

10          (6) to lease, purchase, or otherwise acquire, im-  
11          prove, and use such real property wherever situated,  
12          as may be necessary for carrying out the functions of  
13          the Council;

14          (7) to accept cash gifts or donations of services  
15          or of property, tangible or intangible, for the purpose  
16          of carrying out the provisions of this section, as it re-  
17          lates to public-private partnerships;

18          (8) to use the United States mails in the same  
19          manner and on the same conditions as executive  
20          agencies;

21          (9) to enter into personal services contracts with  
22          individuals, who shall not be considered Federal em-  
23          ployees for any provision of law administered by the  
24          Office of Personnel Management;

1           (10) to hire or obtain passenger motor vehicles;  
2           and

3           (11) to have such other powers as may be nec-  
4           essary and incident to carrying out this section.

5           (q) *OTHER AUTHORITIES.*—*Except to the extent in-*  
6 *consistent with the provisions of this section, the adminis-*  
7 *trative authorities contained in the State Department Basic*  
8 *Authorities Act of 1956 (22 U.S.C. 2651a et seq.) and the*  
9 *Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.)*  
10 *shall apply to the implementation of this section to the same*  
11 *extent and in the same manner as such authorities apply*  
12 *to the implementation of such Acts.*

13          (r) *APPLICABILITY OF THE GOVERNMENT CORPORA-*  
14 *TION CONTROL ACT.*—

15           (1) *IN GENERAL.*—*The Council shall be subject to*  
16 *chapter 91 of subtitle VI of title 31, United States*  
17 *Code, except that the Council shall not be authorized*  
18 *to issue obligations or offer obligations to the public.*

19           (2) *CONFORMING AMENDMENT.*—*Section 9101(3)*  
20 *of title 31, United States Code, is amended by adding*  
21 *at the end the following:*

22                   “(S) the Council on Research and Evalua-  
23                   tion of Foreign Assistance.”.

24           (s) *INSPECTOR GENERAL.*—



1           (1) *IN GENERAL.*—*The Inspector General of the*  
 2           *Agency for International Development—*

3                     *(A) shall serve as Inspector General for the*  
 4                     *Council; and*

5                     *(B) in acting in such capacity, may con-*  
 6                     *duct reviews, investigations, and inspections of*  
 7                     *all aspects of the operations and activities of the*  
 8                     *Council.*

9           (2) *REIMBURSEMENT.*—*The Council shall reim-*  
 10           *burse the Agency for International Development for*  
 11           *all expenses incurred by the Inspector General in con-*  
 12           *nection with the Inspector General's responsibilities*  
 13           *under this subsection.*

14          (t) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*  
 15           *authorized to be appropriated to carry out this section the*  
 16           *following amounts:*

17                     (1) *\$30,000,000 for fiscal year 2011.*

18                     (2) *\$35,000,000 for fiscal year 2012.*

19                     (3) *\$40,000,000 for fiscal year 2013.*

20                     (4) *\$45,000,000 for fiscal year 2014.*

21                     (5) *\$50,000,000 for fiscal year 2015.*

22                     (6) *\$55,000,000 for fiscal year 2016.*

23          (u) *EFFECTIVE DATE.*—*This section shall be effective*  
 24           *during the 7 year period beginning on the date of the enact-*  
 25           *ment of this Act.*

1 **SEC. 7. COMPREHENSIVE WORKFORCE AND HUMAN RE-**  
 2 **SOURCES STRATEGY FOR THE UNITED**  
 3 **STATES AGENCY FOR INTERNATIONAL DE-**  
 4 **VELOPMENT.**

5 (a) *COMPREHENSIVE WORKFORCE AND HUMAN RE-*  
 6 *SOURCES STRATEGY FOR THE UNITED STATES AGENCY*  
 7 *FOR INTERNATIONAL DEVELOPMENT.*—*The Administrator*  
 8 *shall develop a comprehensive workforce and human re-*  
 9 *sources strategy for the Agency to support the objective of*  
 10 *promoting development and reducing global poverty.*

11 (b) *SCOPE.*—*The strategy required under subsection*  
 12 *(a) shall be a strategy for modernizing the workforce of the*  
 13 *United States Agency for International Development in*  
 14 *support of foreign assistance and policy priorities, and*  
 15 *shall—*

16 (1) *determine long-term Agency personnel prior-*  
 17 *ities, including priorities over 5- and 10-year time*  
 18 *periods;*

19 (2) *identify career professional development pro-*  
 20 *grams for all personnel, including training, language,*  
 21 *and education, interagency and intergovernmental ro-*  
 22 *tations, and assignment opportunities outside the*  
 23 *United States Government;*

24 (3) *include an assessment of future development*  
 25 *and foreign policy priorities and the implications of*  
 26 *such priorities for technical and policy expertise, in-*

1       cluding how to meet future unanticipated demands  
 2       brought about by manmade and natural disasters;

3               (4) include an overseas facilities and security as-  
 4       sessment examining the implications of such facilities  
 5       and security for personnel increases;

6               (5) include the appropriateness of regional plat-  
 7       forms to perform necessary Agency functions and to  
 8       provide services to other donors and organizations;

9               (6) consider structural reform options to profes-  
 10      sionalize the human resource capacity of the Agency,  
 11      including options to outsource the entirety of the  
 12      human resource capacity of the Agency; and

13              (7) address the means to enable the Agency to ac-  
 14      cess cutting-edge technical and managerial expertise.

15      (c) *FACTORS TO CONSIDER.*—In developing the strat-  
 16      egy required under subsection (a), the Administrator shall,  
 17      among other things—

18              (1) examine the objectives the Agency is man-  
 19      dated to fulfill, and assess whether its current work-  
 20      force model effectively supports the goals of the Agen-  
 21      cy;

22              (2) review the Agency's workforce evolution and  
 23      identify the additional program demands that have  
 24      been placed on the workforce in the past 10 years;

1           (3) *examine different personnel and workforce*  
2           *management models from other United States Govern-*  
3           *ment agencies, international organizations, and the*  
4           *private sector and determine the comparative advan-*  
5           *tages the models might offer and whether they would*  
6           *allow the Agency to better structure its workforce to*  
7           *carry out its responsibilities and meet the challenges*  
8           *of a changing environment;*

9           (4) *examine different bureaucratic and legisla-*  
10          *tive constraints facing the Agency in implementing a*  
11          *comprehensive workforce planning and management*  
12          *system and how these constraints can be addressed,*  
13          *including—*

14                (A) *which limitations, if any, currently*  
15                *exist that prevent the Agency from hiring the*  
16                *right people for the right positions in a timely*  
17                *manner, including mid-level hires and reentry of*  
18                *mid-level professionals into the Agency; and*

19                (B) *how this compares with other organiza-*  
20                *tions, such as the Department of State and the*  
21                *Millennium Challenge Corporation (MCC), and*  
22                *how the Agency compares to the Department of*  
23                *State and the MCC in its ability to attract and*  
24                *retain high caliber professionals;*

1           (5) *examine the advantages and disadvantages of*  
 2           *the Agency's use of contractors in the last 10 years to*  
 3           *carry out its core mission and management respon-*  
 4           *sibilities, including through an evaluation of the cost,*  
 5           *efficiency, and availability of qualified personnel and*  
 6           *the effect of such use of contractors on expertise with-*  
 7           *in the Federal Government;*

8           (6) *assess the scope and effectiveness of training,*  
 9           *including the availability of language training, for*  
 10          *Agency personnel, and the extent to which available*  
 11          *trainings support carrying out Agency objectives; and*

12          (7) *present a cost analysis for using a con-*  
 13          *tracting model versus a direct hire model and deter-*  
 14          *mine the cost savings and consequences that could re-*  
 15          *sult from the elimination of institutional contractors*  
 16          *and the hiring of the same professionals as personal*  
 17          *services contractors.*

18          (d) *WORKFORCE AND HUMAN RESOURCES TASK*  
 19          *FORCE.—*

20               (1) *IN GENERAL.—The Administrator shall es-*  
 21               *tablish a workforce and human resources task force*  
 22               *that will participate in the development of the work-*  
 23               *force and human resources strategy required under*  
 24               *subsection (b) and will consult with, and provide in-*  
 25               *formation and advice to, senior management of the*

1     *Agency on matters and issues related to workforce*  
2     *planning, human resource recruitment and training,*  
3     *and other personnel issues as the Agency develops and*  
4     *implements the workforce and human resources strat-*  
5     *egy.*

6             (2) *COMPOSITION.—The task force shall be com-*  
7     *posed of 9 members as follows:*

8             (A) *Four senior career professionals of the*  
9     *Agency from different personnel backgrounds, at*  
10    *least 2 of whom shall be from Foreign Service,*  
11    *appointed by the Administrator.*

12            (B) *One senior official from the Department*  
13    *of State appointed by the Secretary.*

14            (C) *One senior official from the Office of*  
15    *Personnel Management appointed by the Direc-*  
16    *tor of the Office of Personnel Management.*

17            (D) *Three professionals outside the United*  
18    *States Government noted for their knowledge and*  
19    *experience in personnel and human resource*  
20    *issues, appointed by the Administrator in con-*  
21    *sultation with the Senate.*

22            (3) *DEADLINE FOR APPOINTMENTS.—All mem-*  
23    *bers of the task force shall be designated not later than*  
24    *60 days after the date of the enactment of this Act.*

1           (4) *TERMINATION.*—*The task force shall termi-*  
 2           *nate 2 years after the enactment of this Act.*

3           (e) *REPORTS.*—

4           (1) *INITIAL REPORT.*—*Not later than 1 year*  
 5           *after the date of the enactment of this Act, the Admin-*  
 6           *istrator shall submit to the appropriate congressional*  
 7           *committees the strategy required under subsection (a).*

8           (2) *GOVERNMENT ACCOUNTABILITY OFFICE RE-*  
 9           *PORT.*—*Not later than 1 year after the submission of*  
 10          *the initial strategy under paragraph (1), the Comp-*  
 11          *troller General of the United States shall submit to*  
 12          *the appropriate congressional committees a report*  
 13          *that contains—*

14                (A) *a review of, and comments addressing,*  
 15                *the strategy submitted under paragraph (1); and*

16                (B) *recommendations relating to any addi-*  
 17                *tional actions the Comptroller General rec-*  
 18                *ommends to improve the strategy.*

19          (3) *SUBSEQUENT REPORTS.*—*Not later than 2*  
 20          *years after the submission of the initial strategy*  
 21          *under paragraph (1), and every 2 years thereafter*  
 22          *until 2021, the Administrator shall transmit to the*  
 23          *appropriate congressional committees an updated*  
 24          *strategy—*

1           (A) assessing progress made during the pre-  
2           ceding 2 years toward implementing the strategy  
3           required under this section and meeting the spe-  
4           cific goals, benchmarks, and time frames speci-  
5           fied in the strategy required under subsection  
6           (a);

7           (B) identifying legal or other impediments  
8           to achieving those objectives and recommenda-  
9           tions for addressing those impediments; and

10          (C) describing modifications to the strategy  
11          based upon the Agency's experience during the  
12          previous 2 years and any revisions to the policy,  
13          program, financial or other assumptions that  
14          were the basis for the current strategy.

15          (f) *OUTSIDE ASSISTANCE.*—To assist in the develop-  
16          ment and formulation of the workforce and human re-  
17          sources strategy, the Administrator shall contract with an  
18          independent organization—

19               (1) to help the Agency assess current human re-  
20               source capacity;

21               (2) to review how its human resource capacity  
22               matches up against Agency mandates and policy pri-  
23               orities;



**14 SEC. 8. PERSONNEL AND HUMAN RESOURCES.**

19 “SEC. 630A. INTERAGENCY AND INTERNATIONAL ORGANI-  
20 ZATION ROTATIONS.

**•S 1524 RS**

1 *ments. The guidelines established under this subsection shall*  
 2 *include—*

3           “(1) *selection;*

4           “(2) *professional education and training;*

5           “(3) *types of relevant interagency, intergovern-*  
 6 *mental, and international organization assignments;*  
 7 *and*

8           “(4) *such other matters as the Administrator*  
 9 *considers appropriate.*

10       “(b) *PROMOTIONS TO SENIOR RANKS.—Not later than*  
 11 *2 years after the date of the enactment of this Act, the Ad-*  
 12 *ministrator shall establish additional guidelines that con-*  
 13 *sider participation by relevant officers in at least 1 inter-*  
 14 *agency, intergovernmental, or international organizational*  
 15 *rotational assignment of at least 6 months as a factor for*  
 16 *promotion into the ranks of the Senior Foreign Service or*  
 17 *Senior Executive Service.*

18       “(c) *PROMOTION POLICY OBJECTIVES FOR ASSIGN-*  
 19 *MENTS TO INTERAGENCY, INTERGOVERNMENTAL, AND*  
 20 *INTERNATIONAL ORGANIZATIONS.—*

21           “(1) *QUALIFICATIONS.—The Administrator shall*  
 22 *ensure that promotion precepts and promotion panels*  
 23 *do not penalize officers who have been assigned to*  
 24 *interagency, intergovernmental or international orga-*  
 25 *nizations.*

1           “(2) *REPORT.*—*The Administrator shall provide*  
 2           *an annual report to the appropriate congressional*  
 3           *committees that—*

4                   “(A) *specifies the aggregate number of offi-*  
 5                   *cers and the promotion rates of officers who are*  
 6                   *serving in, or have served in, interagency, inter-*  
 7                   *governmental, or international organization ro-*  
 8                   *tational assignments; and*

9                   “(B) *details efforts to meet the objectives de-*  
 10                  *scribed in subsection (a).”.*

11           (b) *EXTERNAL TRAINING, LANGUAGE TRAINING, AND*  
 12           *EDUCATIONAL OPPORTUNITIES.—*

13                  (1) *FINDINGS.*—*It is the sense of Congress that—*

14                   (A) *the Administrator of the United States*  
 15                   *Agency for International Development should*  
 16                   *augment and expand external training, language*  
 17                   *training, and educational opportunities for For-*  
 18                   *eign Service and Civil Service personnel and ex-*  
 19                   *pand opportunities for work assignments to enti-*  
 20                   *ties outside the United States Government;*

21                   (B) *a strong development agency should*  
 22                   *have a knowledgeable and capable workforce that*  
 23                   *is familiar with and has access to cutting edge*  
 24                   *development practices, methodologies, ideas, work*  
 25                   *experience, and programs;*

1           (C) the Administrator of the United States  
 2           Agency for International Development should en-  
 3           sure that personnel of the Agency have opportu-  
 4           nities during their careers to obtain a range of  
 5           knowledge-building work experiences and ad-  
 6           vanced education and training in academic and  
 7           other relevant institutions in the United States  
 8           and abroad to increase the capacity of the Agen-  
 9           cy to fulfill its mission; and

10           (D) it is imperative that United States  
 11           Agency for International Development Foreign  
 12           Service Officers receive adequate and appro-  
 13           priate language training before assignments to  
 14           overseas posts, especially to critical priority  
 15           posts, and that such language training should be  
 16           equivalent to the language training provided to  
 17           Department of State Foreign Service Officers.

18           (2) INTERAGENCY AND INTERNATIONAL ORGANI-  
 19           ZATION ROTATIONS.—Chapter 2 of part III of the  
 20           Foreign Assistance Act of 1961 (22 U.S.C. 2381 *et*  
 21           *seq.*), as amended by subsection (a), is further amend-  
 22           ed by inserting after section 630A the following:

23           **“SEC. 630B. EXTERNAL TRAINING, LANGUAGE TRAINING,**  
 24           **AND EDUCATIONAL OPPORTUNITIES.**

25           “(a) LANGUAGE TRAINING.—

1           “(1) *FOREIGN SERVICE OFFICERS.*—*The Admin-*  
 2           *istrator of the United States Agency for International*  
 3           *Development shall establish procedures to ensure that*  
 4           *appropriate language training for Foreign Service*  
 5           *Officers of the Agency is provided before transferring*  
 6           *such officers to overseas posts. Foreign Service Offi-*  
 7           *cers assigned to critical priority posts should receive*  
 8           *the highest priority for training.*

9           “(2) *CONTRACTORS.*—*The Administrator shall*  
 10          *ensure that all new personal services contractors and*  
 11          *new institutional contractors possess appropriate lan-*  
 12          *guage skills commensurate to their contractual re-*  
 13          *sponsibilities.*

14          “(b) *PLAN.*—*Not later than 90 days after the date of*  
 15          *the enactment of this section, the Administrator shall sub-*  
 16          *mit a 2-year plan to implement the requirements under*  
 17          *subsection (a).*

18          “(c) *AVAILABILITY OF FUNDS.*—*Amounts made avail-*  
 19          *able to carry out part I and section 667 of the Foreign As-*  
 20          *sistance Act of 1961 (22 U.S.C. 2427) shall be made avail-*  
 21          *able to carry out subsection (a).”.*

22          “(c) *REPORT.*—*Not later than 1 year after the date of*  
 23          *the enactment of this Act, the Administrator of the United*  
 24          *States Agency for International Development shall submit*  
 25          *a report to the appropriate congressional committees that*

1 *describes the Agency's efforts to facilitate and promote exter-*  
 2 *nal training, language training, and educational opportu-*  
 3 *nities for Foreign Service and Civil Service personnel, in-*  
 4 *cluding—*

5           (1) *a description of the internal process of secur-*  
 6 *ing such opportunities and the number of officers who*  
 7 *have undertaken such external training during the*  
 8 *most recent year; and*

9           (2) *a description of actions the Administrator*  
 10 *has taken or plans to take to further expand and fa-*  
 11 *cilitate external training, language training, and*  
 12 *educational opportunities.*

13 **SEC. 9. STRENGTHENING DEVELOPMENT COORDINATION**  
 14 **IN THE FIELD.**

15       (a) *IN GENERAL.*—Section 631(d) of the Foreign As-  
 16 *sistance Act of 1961 (22 U.S.C. 2391) is amended to read*  
 17 *as follows:*

18       “(d) *COORDINATION OF DEVELOPMENT ASSISTANCE*  
 19 *ACTIVITIES.*—Under the overall direction of the chief of the  
 20 *United States diplomatic mission, the chief of each special*  
 21 *mission carrying out the purposes of part I in a country*  
 22 *shall be responsible for the coordination of all development*  
 23 *and humanitarian efforts of the United States Government*  
 24 *in such country. Such activities shall include all develop-*

1 *ment and humanitarian activities from funds made avail-*  
 2 *able to carry out the provisions of this or any other Act.”.*

3 *(b) SENSE OF CONGRESS ON MODERNIZING USAID*  
 4 *MISSIONS FOR THE 21ST CENTURY.—It is the sense of Con-*  
 5 *gress that—*

6 *(1) the role of the United States Agency for*  
 7 *International Development (USAID) and foreign as-*  
 8 *sistance continues to evolve to meet emerging chal-*  
 9 *lenges, new priorities, changing circumstances, and*  
 10 *augmented roles and responsibilities;*

11 *(2) the environment in which our foreign assist-*  
 12 *ance and development agencies operate is dramati-*  
 13 *cally different than the Cold War environment in*  
 14 *which they were created;*

15 *(3) despite the new and changing of USAID cir-*  
 16 *cumstances, the United States Government has not*  
 17 *significantly updated the basic USAID mission struc-*  
 18 *ture since it was first established in 1961; and*

19 *(4) to reflect evolving threats, opportunities and*  
 20 *challenges in the 21st century, USAID should under-*  
 21 *take a comprehensive examination of the mission*  
 22 *structure, with special attention to staffing, authori-*  
 23 *ties, the balance between Washington, District of Co-*  
 24 *lumbia, and the field, and management best practices.*

1       (c) *REPORT*.—Not later than 18 months after the date  
2 of the enactment of this Act, the Administrator of the  
3 United States Agency for International Development shall  
4 submit to the appropriate congressional committees a report  
5 on modernizing USAID missions for the 21st century, in-  
6 cluding—

7           (1) *whether missions are staffed and well suited*  
8 *for current and emerging roles and responsibilities;*

9           (2) *whether the management and organizational*  
10 *structure provide the required flexibility while pro-*  
11 *viding effective oversight of programs;*

12           (3) *whether the level of centralized versus decen-*  
13 *tralized decisionmaking is appropriate for the current*  
14 *and emerging context in which the mission is work-*  
15 *ing;*

16           (4) *whether there is sufficient flexibility in terms*  
17 *of personnel to address fluctuations in funding for*  
18 *programs, and if not, what type of flexibility would*  
19 *be helpful;*

20           (5) *whether up-to-date technical expertise and*  
21 *lessons from prior projects are being systematically*  
22 *incorporated into new program design;*

23           (6) *whether missions of USAID are appro-*  
24 *priately focused on bilateral and multilateral donor*



1       *coordination and whether this is a priority for*  
 2       *USAID personnel;*

3           *(7) what the appropriate relationship and bal-*  
 4       *ance are between USAID missions and the broader*  
 5       *United States mission in a country;*

6           *(8) how effectively USAID is able to coordinate*  
 7       *with the Department of Defense, especially as the De-*  
 8       *partment of Defense implements an increasing num-*  
 9       *ber of development and humanitarian programs;*

10          *(9) whether the existing structure of the United*  
 11       *States foreign assistance system allows for proper co-*  
 12       *ordination between different Federal departments and*  
 13       *agencies implementing foreign assistance and develop-*  
 14       *ment programs to avoid duplication of effort; and*

15          *(10) what obstacles exist to more effective coordi-*  
 16       *nation, including what structural or organizational*  
 17       *improvements would assist with more effective coordi-*  
 18       *nation.*

19   **SEC. 10. TRANSPARENCY OF UNITED STATES FOREIGN AS-**  
 20       **SISTANCE.**

21       *(a) SENSE OF CONGRESS ON TRANSPARENCY OF AS-*  
 22       *SISTANCE.—It is the sense of Congress that—*

23           *(1) United States citizens and recipients of*  
 24       *United States foreign assistance should, to the max-*

1 *imum extent practicable, have full access to informa-*  
2 *tion on United States foreign assistance; and*

3 *(2) to the extent possible, United States Govern-*  
4 *ment agencies, departments, and institutions should*  
5 *undertake preparatory consultations with relevant*  
6 *outside stakeholders in a transparent and full manner*  
7 *in the course of formulating policies and strategies re-*  
8 *lated to foreign assistance and development.*

9 *(b) PUBLIC AVAILABILITY OF INFORMATION.—*

10 *(1) IN GENERAL.—The President shall direct all*  
11 *Federal departments and agencies to make publicly*  
12 *available on their Web sites comprehensive, timely,*  
13 *comparable, and accessible information on United*  
14 *States foreign assistance. The information shall be*  
15 *presented on a detailed program-by-program basis*  
16 *and country-by-country basis.*

17 *(2) CONTENT.—To ensure transparency, account-*  
18 *ability, and effectiveness of United States foreign as-*  
19 *sistance, the information on United States foreign as-*  
20 *sistance published and made available under para-*  
21 *graph (1) shall include annual budget presentations*  
22 *and justifications of any programs or projects that*  
23 *provide foreign assistance by any Federal department*  
24 *or agency. In the event that detailed information is*  
25 *classified, an unclassified summary shall be posted*

1        *and the classified details shall be submitted separately*  
 2        *to the appropriate congressional committees.*

3            (3) *TIMELY AVAILABILITY OF INFORMATION.*—

4        *The President shall direct the head of each Federal de-*  
 5        *partment and agency providing United States foreign*  
 6        *assistance to ensure that the information required*  
 7        *under this subsection is made available on no less*  
 8        *than an annual basis at the time the President’s an-*  
 9        *nual budget is released. Data that is of a provisional*  
 10       *nature shall be updated when actual figures are avail-*  
 11       *able.*

12       (c) *SENSE OF MULTILATERAL EFFORTS.*—*It is the*  
 13       *sense of Congress that, in order to best assess the use and*  
 14       *impact of United States foreign assistance in relation to*  
 15       *funding provided by other donor nations and recipient*  
 16       *countries, the President should fully engage with and par-*  
 17       *ticipate in the International Aid Transparency Initiative,*  
 18       *established on September 4, 2008, at the Accra High Level*  
 19       *Forum on Aid Effectiveness.*

20       (d) *FINANCIAL DISCLOSURE.*—

21            (1) *IN GENERAL.*—*Any organization or business*  
 22       *that receives more than 50 percent of its funding from*  
 23       *the United States Government under the Foreign As-*  
 24       *sistance Act of 1961 (22 U.S.C. 2151 et seq.) shall*  
 25       *submit a report to the United States Agency for*

1     *International Development that contains the names*  
 2     *and all forms of compensation paid by the organiza-*  
 3     *tion or business to the 5 most highly compensated em-*  
 4     *ployees of the organization or business.*

5             (2) *PUBLIC DISCLOSURE.—The Administrator of*  
 6     *the United States Agency for International Develop-*  
 7     *ment (USAID) shall make the reports submitted*  
 8     *under paragraph (1) publicly accessible on the*  
 9     *USAID Web site.*

10   **SEC. 11. OPERATING EXPENSES.**

11         (a) *FINDINGS.—Congress makes the following findings:*

12             (1) *The separate account created by Congress in*  
 13     *1976 to authorize and appropriate funds for all oper-*  
 14     *ating expenses of the United States Agency for Inter-*  
 15     *national Development has been an important tool to*  
 16     *ensure transparency of administrative costs and ac-*  
 17     *countability of funds.*

18             (2) *Funding for the operating expenses of the*  
 19     *Agency has not kept pace with the growth of the*  
 20     *Agency's program funding and the expanded geo-*  
 21     *graphic and sectoral demands for economic assistance*  
 22     *abroad.*

23             (3) *As a result, this has caused the Agency in*  
 24     *certain cases to fund selected administrative costs out*  
 25     *of program funds in order to properly administer,*

1       oversee, and implement its programs and activities,  
2       thus detracting from the goals of increased trans-  
3       parency and accountability that establishment of the  
4       separate operating expenses account was intended to  
5       foster.

6               (4) A 2003 Government Accountability Office re-  
7       port on the operating expenses of the Agency noted  
8       that “USAID’s operating expense account does not  
9       fully reflect the agency’s cost of doing business pri-  
10      marily because the agency pays for some administra-  
11      tive activities done by contractors and other non-  
12      direct-hire staff with program funds” and that “Con-  
13      gress has increasingly encouraged the Agency to use  
14      program funds to support certain administrative  
15      costs”.

16              (5) The December 2007 HELP Commission Re-  
17      port on Foreign Assistance Reform—

18                   (A) states, “Over time, the effectiveness of a  
19      separate OE budget has eroded. During the past  
20      30 years, Congress and the Executive branch  
21      have allowed program funds to be used to pay  
22      for the costs of activities once funded from the  
23      OE account while cutting the OE budget.”;

1           (B) recommends “[a]bolish[ing] the OE ac-  
2           count and replac[ing] it with a more accurate  
3           accounting process,”;

4           (C) argues that “the USAID OE account no  
5           longer serves a useful purpose”; and

6           (D) states, “While it might have been con-  
7           structive in bringing clarity to the cost of doing  
8           business in the 1970s, another system should be  
9           developed that calculates true administrative and  
10          management expenses, including those now fund-  
11          ed with program or project funds. This new sys-  
12          tem needs to allow administrative expenses to be  
13          properly managed and monitored and needs to  
14          ensure that Congress receives clear, timely and  
15          transparent information regarding these expend-  
16          itures.”.

17          (6) While Congress concurs with the *HELP*  
18          Commission’s recommendation that a major reassess-  
19          ment of the scope and the continued utility of the op-  
20          erating expenses account structure is in order, Con-  
21          gress also believes that the urgency of the issues con-  
22          fronting Agency management in terms of hiring tech-  
23          nical expertise and providing the Agency with the ca-  
24          pacity to oversee and administer critical foreign as-  
25          sistance programs and functions, justifies providing

1       *the Agency with broader discretion on ways to sup-*  
2       *port direct-hire staffing requirements.*

3       ***(b) GUIDELINES FOR PROGRAM FUNDS.—***

4               ***(1) IN GENERAL.—****Subject to paragraph (2) and*  
5       *except as otherwise authorized by law, program funds*  
6       *may be used for—*

7                       ***(A)*** *travel expenses of all employees who are*  
8                       *members of the Foreign Service or civil service;*

9                       ***(B)*** *salaries and related expenses of employ-*  
10                      *ees other than Foreign Service or civil service*  
11                      *employees who are United States citizens; and*

12                      ***(C)*** *costs associated with research and pol-*  
13                      *icy analysis in support of programs (other than*  
14                      *for salaries and benefits of employees or costs as-*  
15                      *sociated with contractors), including analysis for*  
16                      *development assistance policy planning and for*  
17                      *the design, monitoring, and evaluation of pro-*  
18                      *grams and activities.*

19               ***(2) NOTIFICATION.—****The Administrator shall—*

20                      ***(A)*** *submit a written report to the appro-*  
21                      *priate congressional committees detailing the*  
22                      *Agency's plan for managing and accounting for*  
23                      *the funds used in accordance with the authority*  
24                      *provided by paragraph (1) not later than 60*

1           *days after the date of the enactment of this Act;*  
2           *and*

3                   *(B) consult with the appropriate congres-*  
4           *sional committees about the use and manage-*  
5           *ment of such funds not later than 60 days after*  
6           *the date of the enactment of this Act.*

7           *(c) SEMIANNUAL REPORT.—Not later than once every*  
8   *6 months until 2013, the Administrator shall submit a re-*  
9   *port to the appropriate congressional committees that de-*  
10 *tails the purpose and amount of funds obligated under the*  
11 *authority provided pursuant to subsection (b), categorized*  
12 *by bureau and activity.*

13           *(d) REPORT ON RECOMMENDATIONS FOR OPERATING*  
14 *EXPENSE REFORM.—Not later than 1 year after the date*  
15 *of the enactment of this Act, the Administrator, in coordi-*  
16 *nation with the workforce and human resources task force*  
17 *established pursuant to section 7(d), shall submit a report*  
18 *to the appropriate congressional committees that con-*  
19 *tains—*

20                   *(1) recommendations and detailed justifications*  
21           *for streamlining and improving the efficiency of how*  
22           *the Agency uses operating expenses, including rec-*  
23           *ommendations for alternative models and approaches;*



1           (2) *recommendations and detailed justifications*  
2           *for increasing the transparency of Agency operating*  
3           *expenses;*

4           (3) *an assessment of how the operating expenses*  
5           *account has affected Agency performance in support*  
6           *of program goals and objectives; and*

7           (4) *an assessment of how the operating expenses*  
8           *account has affected human resources and personnel*  
9           *of the Agency, including a discussion of the prolifera-*  
10          *tion of new hiring authorities and increased reliance*  
11          *on contractors to handle the core business of the Agen-*  
12          *cy.*

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**S. 1524**

[Report No. 111-122]

**A BILL**

To strengthen the capacity, transparency, and accountability of United States foreign assistance programs to effectively adapt and respond to new challenges of the 21st century, and for other purposes.

FEBRUARY 2, 2010

Reported with an amendment