

Calendar No. 481112TH CONGRESS
2^D SESSION**S. 641****[Report No. 112-194]**

To provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis within six years by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005.

IN THE SENATE OF THE UNITED STATES

MARCH 17, 2011

Mr. DURBIN (for himself, Mr. CORKER, Mr. REID, Mr. ROBERTS, Mr. CARDIN, Mr. ISAKSON, Mr. LEAHY, Mr. LAUTENBERG, Mr. BINGAMAN, Mr. JOHNSON of South Dakota, Mr. COONS, Mr. WHITEHOUSE, Mrs. MURRAY, Ms. KLOBUCHAR, Mr. AKAKA, Mr. MERKLEY, Mrs. SHAHEEN, Mr. REED, Mr. KOHL, Mr. MENENDEZ, Ms. MIKULSKI, Mr. CASEY, Mrs. FEINSTEIN, Mr. SANDERS, Mrs. BOXER, Mr. HARKIN, and Mr. FRANKEN) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

JULY 31, 2012

Reported by Mr. KERRY, without amendment

A BILL

To provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis within six years by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Senator Paul Simon
5 Water for the World Act of 2011”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

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

10 (A) makes access to safe water and sanita-
11 tion for developing countries a specific policy
12 objective of United States foreign assistance
13 programs;

14 (B) requires the Secretary of State to—

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

17 (ii) improve the effectiveness of
18 United States assistance programs under-
19 taken in support of that strategy;

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

22 (D) seeks to reduce by half between 1990
23 (the baseline year) and 2015—

1 (i) the proportion of people who are
2 unable to reach or afford safe drinking
3 water; and

4 (ii) the proportion of people without
5 access to basic sanitation.

6 (2) On December 20, 2006, the United Nations
7 General Assembly, in GA Resolution 61/192, de-
8 clared 2008 as the International Year of Sanitation,
9 in recognition of the impact of sanitation on public
10 health, poverty reduction, economic and social devel-
11 opment, and the environment.

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

14 (A) supports the goals and ideals of the
15 International Year of Sanitation; and

16 (B) recognizes the importance of sanitation
17 on public health, poverty reduction, economic
18 and social development, and the environment.

19 (4) While progress is being made on safe water
20 and sanitation efforts—

21 (A) more than 884,000,000 people
22 throughout the world lack access to safe drink-
23 ing water; and

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

1 (5) The health consequences of unsafe drinking
2 water and poor sanitation are significant, accounting
3 for—

4 (A) nearly 10 percent of the global burden
5 of disease; and

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

7 (6) Water scarcity has negative consequences
8 for agricultural productivity and food security for
9 the 1,200,000,000 people who, as of 2010, suffer
10 from chronic hunger and seriously threatens the
11 ability of the world to more than double food pro-
12 duction to meet the demands of a projected popu-
13 lation of 9,000,000,000 people by 2050.

14 (7) According to the November 2008 report en-
15 titled, “Global Trends 2025: A Transformed World”,
16 the National Intelligence Council expects rapid ur-
17 banization and future population growth to exacer-
18 bate already limited access to water, particularly in
19 agriculture-based economies.

20 (8) According to the 2005 Millennium Eco-
21 system Assessment, commissioned by the United Na-
22 tions, more than $\frac{1}{5}$ of the world population relies on
23 freshwater that is either polluted or excessively with-
24 drawn.

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

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

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

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

19 **SEC. 3. SENSE OF CONGRESS.**

20 It is the sense of Congress that the United States
21 should help undertake a global effort to bring sustainable
22 access to clean water and sanitation to poor people
23 throughout the world.

24 **SEC. 4. PURPOSE.**

25 The purpose of this Act is—

1 (1) to enable first-time access to safe water and
2 sanitation, on a sustainable basis, for 100,000,000
3 people in high priority countries (as designated
4 under section 6(f) of the Senator Paul Simon Water
5 for the Poor Act of 2005 (22 U.S.C. 2152h note))
6 within 6 years of the date of enactment of this Act
7 through direct funding, development activities, and
8 partnerships; and

9 (2) to enhance the capacity of the United
10 States Government to fully implement the Senator
11 Paul Simon Water for the Poor Act of 2005 (Public
12 Law 109–121).

13 **SEC. 5. DEVELOPING UNITED STATES GOVERNMENT CA-**
14 **PACITY.**

15 Section 135 of the Foreign Assistance Act of 1961
16 (22 U.S.C. 2152h) is amended by adding at the end the
17 following:

18 “(e) SENIOR ADVISOR FOR WATER.—

19 “(1) IN GENERAL.—To carry out the purposes
20 of subsection (a), the Administrator of the United
21 States Agency for International Development shall
22 designate a senior advisor to coordinate and conduct
23 the activities described in this section and the Sen-
24 ator Paul Simon Water for the Poor Act of 2005
25 (Public Law 109–121). The Advisor shall report di-

1 rectly to the Administrator and be known as the
2 ‘Senior Advisor for Water’. The initial Senior Advi-
3 sor for Water shall be the individual serving as the
4 USAID Global Water Coordinator as of the date of
5 the enactment of the Senator Paul Simon Water for
6 the World Act of 2010.

7 “(2) DUTIES.—The Advisor shall—

8 “(A) implement this section and the Sen-
9 ator Paul Simon Water for the Poor Act of
10 2005 (Public Law 109–121);

11 “(B) develop and oversee implementation
12 in high priority countries of country-specific
13 water strategies and expertise, in coordination
14 with appropriate United States Agency for
15 International Development Mission Directors,
16 to enable the goal of providing 100,000,000 ad-
17 ditional people with sustainable access to safe
18 water and sanitation through direct funding,
19 development activities, and partnerships within
20 6 years of the date of the enactment of the Sen-
21 ator Paul Simon Water for the World Act of
22 2011; and

23 “(C) place primary emphasis on providing
24 safe, affordable, and sustainable drinking water,
25 sanitation, and hygiene in a manner that—

1 “(i) is consistent with sound water re-
2 source management principles; and

3 “(ii) utilizes such approaches as direct
4 service provision, capacity building, institu-
5 tional strengthening, regulatory reform,
6 and partnership collaboration; and

7 “(D) integrate water strategies with coun-
8 try-specific or regional food security strategies.

9 “(3) CAPACITY.—The Advisor shall be des-
10 ignated appropriate staff and may utilize inter-
11 agency details or partnerships with universities, civil
12 society, and the private sector, as needed, to
13 strengthen implementation capacity.

14 “(4) FUNDING SOURCES.—The Advisor shall
15 ensure that at least 25 percent of the overall fund-
16 ing necessary to meet the global goal set forth under
17 paragraph (2)(B) is provided by non-Federal
18 sources, including foreign governments, international
19 institutions, and through partnerships with univer-
20 sities, civil society, and the private sector, including
21 private and corporate foundations.

22 “(f) SPECIAL COORDINATOR FOR INTERNATIONAL
23 WATER.—

24 “(1) ESTABLISHMENT.—To increase the capac-
25 ity of the Department of State to address inter-

1 national issues regarding safe water, sanitation, in-
2 tegrated river basin management, and other inter-
3 national water programs, the Secretary of State
4 shall establish a Special Coordinator for Inter-
5 national Water (referred to in this subsection as the
6 ‘Special Coordinator’), who shall report to the Under
7 Secretary for Democracy and Global Affairs. The
8 initial Special Coordinator shall be the individual
9 serving as Special Coordinator for Water Resources
10 as of the date of the enactment of the Senator Paul
11 Simon Water for the World Act of 2011.

12 “(2) DUTIES.—The Special Coordinator shall—

13 “(A) oversee and coordinate the diplomatic
14 policy of the United States Government with re-
15 spect to global freshwater issues, including
16 interagency coordination related to—

17 “(i) sustainable access to safe drink-
18 ing water, sanitation, and hygiene;

19 “(ii) integrated river basin and water-
20 shed management;

21 “(iii) global food security;

22 “(iv) transboundary conflict;

23 “(v) agricultural and urban produc-
24 tivity of water resources;

1 “(vi) disaster recovery, response, and
2 rebuilding;

3 “(vii) pollution mitigation; and

4 “(viii) adaptation to hydrologic change
5 due to climate variability; and

6 “(B) ensure that international freshwater
7 issues are represented—

8 “(i) within the United States Govern-
9 ment; and

10 “(ii) in key diplomatic, development,
11 and scientific efforts with other nations
12 and multilateral organizations.

13 “(3) SUPPORT STAFF.—The Special Coordi-
14 nator shall be designated appropriate staff to sup-
15 port the duties described in paragraph (2).”.

16 **SEC. 6. SAFE WATER, SANITATION, AND HYGIENE STRAT-**
17 **EGY.**

18 Section 6 of the Senator Paul Simon Water for the
19 Poor Act of 2005 (22 U.S.C. 2152h note) is amended—

20 (1) in subsection (b), by adding at the end the
21 following: “The Special Coordinator for Inter-
22 national Water established under section 135(f) of
23 the Foreign Assistance Act of 1961 (22 U.S.C.
24 2152h(f)) shall take actions to ensure that the safe
25 water and sanitation strategy is integrated into any

1 review or development of a Federal strategy for
2 global development, global health, or global food se-
3 curity that sets forth or establishes the United
4 States mission for global development, guidelines for
5 assistance programs, and how development policy
6 will be coordinated with policies governing trade, im-
7 migration, and other relevant international issues.”;

8 (2) in subsection (c), by adding at the end the
9 following: “In developing the program activities
10 needed to implement the strategy, the Secretary
11 shall consider the results of the assessment de-
12 scribed in subsection (e)(9).”; and

13 (3) in subsection (e)—

14 (A) in paragraph (5), by striking “and” at
15 the end;

16 (B) in paragraph (6), by striking the pe-
17 riod at the end and inserting a semicolon; and

18 (C) by adding at the end the following:

19 “(7) an assessment of all United States Govern-
20 ment foreign assistance allocated to the drinking
21 water and sanitation sector during the 3 previous
22 fiscal years, across all United States Government
23 agencies and programs, including an assessment of
24 the extent to which the United States Government’s
25 efforts are reaching and supporting the goal of ena-

1 bling first-time access to safe water and sanitation
2 on a sustainable basis for 100,000,000 people in
3 high priority countries;

4 “(8) recommendations on what the United
5 States Government would need to do to achieve and
6 support the goals referred to in paragraph (7), in
7 support of the United Nation’s Millennium Develop-
8 ment Goal on access to safe drinking water; and

9 “(9) an assessment of best practices for mobi-
10 lizing and leveraging the financial and technical ca-
11 pacity of business, governments, nongovernmental
12 organizations, and civil society in forming public-pri-
13 vate partnerships that measurably increase access to
14 safe, affordable, drinking water and sanitation.”.

15 **SEC. 7. DEVELOPING LOCAL CAPACITY.**

16 The Senator Paul Simon Water for the Poor Act of
17 2005 (Public Law 109–121) is amended—

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

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

21 **“SEC. 9. WATER AND SANITATION INSTITUTIONAL CAPAC-
22 ITY-BUILDING PROGRAM.**

23 “(a) ESTABLISHMENT.—

24 “(1) IN GENERAL.—The Secretary of State and
25 the Administrator of the United States Agency for

1 International Development (referred to in this sec-
2 tion as the ‘Secretary’ and the ‘Administrator’ ‘), re-
3 spectively), in consultation with host country institu-
4 tions, the Centers for Disease Control and Preven-
5 tion, the Department of Agriculture, and other agen-
6 cies, as appropriate, shall establish, in coordination
7 with mission directors in high priority countries, a
8 program to build the capacity of host country insti-
9 tutions and officials responsible for water and sani-
10 tation in countries that receive assistance under sec-
11 tion 135 of the Foreign Assistance Act of 1961, in-
12 cluding training at appropriate levels, to—

13 “(A) provide affordable, equitable, and sus-
14 tainable access to safe drinking water and sani-
15 tation;

16 “(B) educate the populations of such coun-
17 tries about the dangers of unsafe drinking
18 water and lack of proper sanitation; and

19 “(C) encourage behavior change to reduce
20 individuals’ risk of disease from unsafe drinking
21 water and lack of proper sanitation and hy-
22 giene.

23 “(2) EXPANSION.—The Secretary and the Ad-
24 ministrator may establish the program described in
25 this section in additional countries if the receipt of

1 such capacity building would be beneficial for pro-
2 moting access to safe drinking water and sanitation,
3 with due consideration given to good governance.

4 “(3) CAPACITY.—The Secretary and the Ad-
5 ministrator—

6 “(A) should designate appropriate staff
7 with relevant expertise to carry out the strategy
8 developed under section 6; and

9 “(B) may utilize, as needed, interagency
10 details or partnerships with universities, civil
11 society, and the private sector to strengthen im-
12 plementation capacity.

13 “(b) DESIGNATION.—The United States Agency for
14 International Development Mission Director for each
15 country receiving a ‘high priority’ designation under sec-
16 tion 6(f) and for each region containing a country receiv-
17 ing such designation shall report annually to Congress on
18 the status of—

19 “(1) designating safe drinking water and sani-
20 tation as a strategic objective;

21 “(2) integrating the water strategy into a food
22 security strategy;

23 “(3) assigning an employee of the United
24 States Agency for International Development as in-
25 country water and sanitation manager to coordinate

1 the in-country implementation of this Act and sec-
2 tion 135 of the Foreign Assistance Act of 1961 (22
3 U.S.C. 2152h) with host country officials at various
4 levels of government responsible for water and sani-
5 tation, the Department of State, and other relevant
6 United States Government agencies; and

7 “(4) coordinating with the Development Credit
8 Authority and the Global Development Alliance to
9 further the purposes of this Act.”.

10 **SEC. 8. OTHER ACTIVITIES SUPPORTED.**

11 In addition to the requirements of section 135(c) of
12 the Foreign Assistance Act (22 U.S.C. 2152h(c)) the Ad-
13 ministrator should—

14 (1) foster global cooperation on research and
15 technology development, including regional partner-
16 ships among water experts to address safe drinking
17 water, sanitation, water resource management, and
18 other water-related issues;

19 (2) establish regional and cross-border coopera-
20 tive activities between scientists and specialists that
21 work to share technologies and best practices, miti-
22 gate shared water challenges, foster international co-
23 operation, and defuse cross-border tensions;

24 (3) provide grants through the United States
25 Agency for International Development to foster the

1 development, dissemination, and increased and con-
2 sistent use of low-cost and sustainable technologies,
3 such as household water treatment, hand washing
4 stations, and latrines, for providing safe drinking
5 water, sanitation, and hygiene that are suitable for
6 use in high priority countries, particularly in places
7 with limited resources and infrastructure;

8 (4) in collaboration with the Centers for Dis-
9 ease Control and Prevention, Department of Agri-
10 culture, the Environmental Protection Agency, the
11 National Oceanic and Atmospheric Administration,
12 and other agencies, as appropriate, conduct forma-
13 tive and operational research and monitor and evalu-
14 ate the effectiveness of programs that provide safe
15 drinking water and sanitation; and

16 (5) integrate efforts to promote safe drinking
17 water, sanitation and hygiene with existing foreign
18 assistance programs, as appropriate, including ac-
19 tivities focused on food security, HIV/AIDS, ma-
20 laria, tuberculosis, maternal and child health, food
21 security, and nutritional support.

22 **SEC. 9. MONITORING AND EVALUATION.**

23 (a) SENSE OF CONGRESS.—It is the sense of the Con-
24 gress that—

1 (1) achieving United States foreign policy objec-
2 tives requires the consistent and systematic evalua-
3 tion of the impact of United States foreign assist-
4 ance programs and analysis on what programs work
5 and why, when, and where they work;

6 (2) the design of assistance programs and
7 projects should include the collection of relevant
8 baseline data required to measure outcomes and im-
9 pacts;

10 (3) the design of assistance programs and
11 projects should reflect the knowledge gained from
12 evaluation and analysis;

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

20 (5) the effective and efficient use of funds can-
21 not be achieved without an understanding of how
22 lessons learned are applicable in various environ-
23 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) COORDINATION AND INTEGRATION.—To the ex-
5 tent possible, the Administrator shall coordinate and inte-
6 grate evaluation of United States water programs with the
7 learning, evaluation, and analysis efforts of the United
8 States Agency for International Development aimed at
9 measuring development impact.

10 **SEC. 10. UPDATED REPORT REGARDING WATER FOR PEACE**
11 **AND SECURITY.**

12 Section 11(b) of the Senator Paul Simon Water for
13 the Poor Act of 2005, as redesignated by section 7, is
14 amended by adding at the end the following: “The report
15 submitted under this subsection shall include an assess-
16 ment of current and likely future political tensions over
17 water sources and multidisciplinary assessment of the ex-
18 pected impacts of changes to water supplies and agricul-
19 tural productivity in 10, 25, and 50 years.”.

20 **SEC. 11. COMPTROLLER GENERAL REPORT ON EFFECTIVE-**
21 **NESS AND EFFICIENCY OF UNITED STATES**
22 **EFFORTS TO PROVIDE SAFE WATER AND**
23 **SANITATION FOR DEVELOPING COUNTRIES.**

24 (a) REPORT REQUIRED.—Not later than one year
25 after the date of the enactment of this Act, the Comp-

1 troller General of the United States shall submit to the
2 Committee on Foreign Affairs of the House of Representa-
3 tives and the Committee on Foreign Relations of the Sen-
4 ate a report on the effectiveness and efficiency of United
5 States efforts to provide safe water and sanitation for de-
6 veloping countries.

7 (b) ELEMENTS.—In preparing the report required by
8 subsection (a), the Comptroller General shall, at a min-
9 imum—

10 (1) identify all programs (and respective Fed-
11 eral agencies) in the Federal Government that per-
12 form the mission of providing safe water and sanita-
13 tion for developing countries, including capacity-
14 building, professional exchanges, and other related
15 programs;

16 (2) list the actual costs for the implementation,
17 operation, and support of the individual programs;

18 (3) assess the effectiveness of these programs in
19 meeting their goals;

20 (4) assess the efficiency of these programs com-
21 pared to each other and to programs to provide simi-
22 lar aid performed by nongovernmental organizations
23 and other governments, and identify best practices
24 from this assessment;

1 (5) identify and assess programs that are dupli-
2 cative of each other or of efforts by nongovernmental
3 organizations and other governments;

4 (6) assess whether appropriate oversight of
5 these programs is being conducted by Federal agen-
6 cies, especially in the programs in which Federal
7 agencies are utilizing contractors instead of govern-
8 ment employees to perform this mission; and

9 (7) make such recommendations as the Comp-
10 troller General considers appropriate.

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