

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—114th Cong., 2d Sess.

H. R. 4481

To amend the Foreign Assistance Act of 1961 to provide assistance for developing countries to promote quality basic education and to establish the goal of all children in school and learning as an objective of the United States foreign assistance policy, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mr. CORKER

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

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

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Education for All Act of 2016”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

Sec. 3. Assistance to promote sustainable, quality basic education.

Sec. 4. Comprehensive integrated United States strategy to promote basic edu-
cation.

Sec. 5. Improving coordination and oversight.

Sec. 6. Monitoring and evaluation of programs.

Sec. 7. Transparency and reporting to Congress.

1 **SEC. 2. DEFINITIONS.**

2 (a) **APPROPRIATE CONGRESSIONAL COMMITTEES.—**

3 In this Act, the term “appropriate congressional commit-
4 tees” means—

5 (1) the Committee on Appropriations of the
6 Senate;

7 (2) the Committee on Foreign Relations of the
8 Senate;

9 (3) the Committee on Appropriations of the
10 House of Representatives; and

11 (4) the Committee on Foreign Affairs of the
12 House of Representatives.

13 (b) **OTHER DEFINITIONS.—**In this Act, the terms
14 “basic education”, “marginalized children and vulnerable
15 groups”, “national education plan”, “partner country”,
16 and “relevant Executive branch agencies and officials”
17 have the meanings given such terms in section 105(c) of
18 the Foreign Assistance Act of 1961, as added by section
19 3.

20 **SEC. 3. ASSISTANCE TO PROMOTE SUSTAINABLE, QUALITY**
21 **BASIC EDUCATION.**

22 Section 105 of the Foreign Assistance Act of 1961
23 (22 U.S.C. 2151c) is amended by adding at the end the
24 following:

1 “(c) ASSISTANCE TO PROMOTE SUSTAINABLE, QUAL-
2 ITY BASIC EDUCATION.—

3 “(1) DEFINITIONS.—In this subsection:

4 “(A) BASIC EDUCATION.—The term ‘basic
5 education’ includes—

6 “(i) measurable improvements in lit-
7 eracy, numeracy, and other basic skills de-
8 velopment that prepare an individual to be
9 an active, productive member of society
10 and the workforce;

11 “(ii) workforce development, voca-
12 tional training, and digital literacy in-
13 formed by real market needs and opportu-
14 nities and that results in measurable im-
15 provements in employment;

16 “(iii) programs and activities designed
17 to demonstrably improve—

18 “(I) early childhood, preprimary
19 education, primary education, and
20 secondary education, which can be de-
21 livered in formal or nonformal edu-
22 cation settings; and

23 “(II) learning for out-of-school
24 youth and adults; and

1 “(iv) capacity building for teachers,
2 administrators, counselors, and youth
3 workers that results in measurable im-
4 provements in student literacy, numeracy,
5 or employment.

6 “(B) COMMUNITIES OF LEARNING.—The
7 term ‘communities of learning’ means a holistic
8 approach to education and community engage-
9 ment in which schools act as the primary re-
10 source center for delivery of a service to the
11 community at large, leveraging and maximizing
12 the impact of other development efforts and re-
13 ducing duplication and waste.

14 “(C) GENDER PARITY IN BASIC EDU-
15 CATION.—The term ‘gender parity in basic edu-
16 cation’ means that girls and boys have equal ac-
17 cess to quality basic education.

18 “(D) MARGINALIZED CHILDREN AND VUL-
19 NERABLE GROUPS.—The term ‘marginalized
20 children and vulnerable groups’ includes girls,
21 children affected by or emerging from armed
22 conflict or humanitarian crises, children with
23 disabilities, children in remote or rural areas
24 (including those who lack access to safe water
25 and sanitation), religious or ethnic minorities,

1 indigenous peoples, orphans and children af-
2 fected by HIV/AIDS, child laborers, married
3 adolescents, and victims of trafficking.

4 “(E) NATIONAL EDUCATION PLAN.—The
5 term ‘national education plan’ means a com-
6 prehensive national education plan developed by
7 partner country governments in consultation
8 with other stakeholders as a means for wide-
9 scale improvement of the country’s education
10 system, including explicit, credible strategies in-
11 formed by effective practices and standards to
12 achieve quality universal basic education.

13 “(F) NONFORMAL EDUCATION.—The term
14 ‘nonformal education’ means organized edu-
15 cational activities outside the established formal
16 system, whether operating separately or as an
17 important feature of a broader activity, that are
18 intended to provide students with measurable
19 improvements in literacy, numeracy, and other
20 basic skills development that prepare an indi-
21 vidual to be an active, productive member of so-
22 ciety and the workforce.

23 “(G) PARTNER COUNTRY.—The term
24 ‘partner country’ means a developing country
25 that participates in or benefits from basic edu-

1 cation programs under this subsection pursuant
2 to the prioritization criteria described in para-
3 graph (4), including level of need, opportunity
4 for impact, and the availability of resources.

5 “(H) RELEVANT EXECUTIVE BRANCH
6 AGENCIES AND OFFICIALS.—The term ‘relevant
7 Executive branch agencies and officials’ means
8 the Department of State, the United States
9 Agency for International Development, the De-
10 partment of the Treasury, the Department of
11 Labor, the Department of Education, the De-
12 partment of Agriculture, and the Department of
13 Defense, the Chief Executive Officer of the Mil-
14 lennium Challenge Corporation, the National
15 Security Advisor, and the Director of the Peace
16 Corps.

17 “(I) SUSTAINABILITY.—The term ‘sustain-
18 ability’ means, with respect to any basic edu-
19 cation program that receives funding pursuant
20 to this section, the ability of a service delivery
21 system, community, partner, or beneficiary to
22 maintain, over time, such basic education pro-
23 gram without the use of foreign assistance.

24 “(2) POLICY.—In carrying out this section, it
25 shall be the policy of the United States to work with

1 partner countries, as appropriate, other donors, mul-
2 tilateral institutions, the private sector, and non-
3 governmental and civil society organizations, includ-
4 ing faith-based organizations and organizations that
5 represent teachers, students, and parents, to pro-
6 mote sustainable, quality basic education through
7 programs and activities that—

8 “(A) take into consideration and help re-
9 spond to the needs, capacities, and commitment
10 of developing countries to achieve measurable
11 improvements in literacy, numeracy, and other
12 basic skills development that prepare an indi-
13 vidual to be an active, productive member of so-
14 ciety and the workforce;

15 “(B) strengthen educational systems, pro-
16 mote communities of learning, as appropriate,
17 expand access to safe learning environments, in-
18 cluding by breaking down the specific barriers
19 to basic education for women and girls, ensure
20 continuity of education, including in conflict
21 settings, measurably improve teacher skills and
22 learning outcomes, and support the engagement
23 of parents in the education of their children to
24 help partner countries ensure that all children,
25 including marginalized children and other vul-

1 nerable groups, have access to and benefit from
2 quality basic education; and

3 “(C) promote education as a foundation
4 for sustained economic growth and development
5 within a comprehensive assistance strategy that
6 places partner countries on a trajectory toward
7 graduation from assistance provided under this
8 section with clearly defined benchmarks of suc-
9 cess that are used as requirements for related
10 procurement vehicles, such as grants, contracts,
11 and cooperative agreements; and

12 “(D) monitor and evaluate the effective-
13 ness and quality of basic education programs in
14 partner countries.

15 “(3) PRINCIPLES.—In carrying out the policy
16 referred to in paragraph (2), the United States shall
17 be guided by the following principles of aid effective-
18 ness:

19 “(A) ALIGNMENT.—Assistance provided
20 under this section to support programs and ac-
21 tivities under this subsection shall be aligned
22 with and advance United States foreign policy
23 and economic interests.

24 “(B) COUNTRY OWNERSHIP.—To the
25 greatest extent practicable, assistance provided

1 under this section to support programs and ac-
2 tivities under this subsection should be aligned
3 with and support the national education plans
4 and country development strategies of partner
5 countries, including activities that are appro-
6 priate for and meet the needs of local and in-
7 digenous cultures.

8 “(C) COORDINATION.—

9 “(i) IN GENERAL.—Assistance pro-
10 vided under this section to support pro-
11 grams and activities under this subsection
12 should be coordinated with and leverage
13 the unique capabilities and resources of
14 local and national governments in partner
15 countries, other donors, multilateral insti-
16 tutions, the private sector, and nongovern-
17 mental and civil society organizations, in-
18 cluding faith-based organizations and orga-
19 nizations that represent teachers, students,
20 and parents.

21 “(ii) MULTILATERAL PROGRAMS AND
22 INITIATIVES.—Assistance provided under
23 this section to support programs and ac-
24 tivities under this subsection should be co-
25 ordinated with and support proven multi-

1 lateral education programs and financing
2 mechanisms, which may include the Global
3 Partnership for Education, that dem-
4 onstrate commitment to efficiency, effec-
5 tiveness, transparency, and accountability.

6 “(D) EFFICIENCY.—The President shall
7 seek to improve the efficiency and effectiveness
8 of assistance provided under this section to sup-
9 port programs and activities under this sub-
10 section by coordinating the related efforts of
11 relevant Executive branch agencies and offi-
12 cials.

13 “(E) EFFECTIVENESS.—Programs and ac-
14 tivities supported under this subsection—

15 “(i) shall be consistent with the poli-
16 cies and principles set forth in this sub-
17 section;

18 “(ii) shall be designed to achieve spe-
19 cific, measurable goals and objectives that
20 are directly related to the provision of
21 basic education (as defined in this section);
22 and

23 “(iii) shall include appropriate tar-
24 gets, metrics, and indicators that—

1 “(I) move a country along the
2 path to graduation from assistance
3 provided under this subsection; and

4 “(II) can be applied with reason-
5 able consistency across such programs
6 and activities to measure progress and
7 outcomes.

8 “(F) TRANSPARENCY AND ACCOUNT-
9 ABILITY.—Programs and activities supported
10 under this subsection shall be subject to rig-
11 orous monitoring and evaluation, which may in-
12 clude impact evaluations, the results of which
13 shall be made publically available in a fully
14 searchable, electronic format.

15 “(4) PRIORITY AND OTHER REQUIREMENTS.—
16 The President shall ensure that assistance provided
17 under this section to support programs and activities
18 under this subsection is aligned with the foreign pol-
19 icy and economic interests of the United States and,
20 subject to such alignment, priority is given to devel-
21 oping countries in which—

22 “(A) there is the greatest need and oppor-
23 tunity to expand access to basic education and
24 to improve learning outcomes, including for
25 marginalized and vulnerable groups, particu-

1 larly women and girls to ensure gender parity
2 in basic education, or populations affected by
3 conflict or crisis; and

4 “(B) such assistance can produce a sub-
5 stantial, measurable impact on children and
6 educational systems.”.

7 **SEC. 4. COMPREHENSIVE INTEGRATED UNITED STATES**
8 **STRATEGY TO PROMOTE BASIC EDUCATION.**

9 (a) STRATEGY REQUIRED.—Not later than October
10 1, 2017, the President shall submit to the appropriate con-
11 gressional committees a comprehensive United States
12 strategy to be carried out during fiscal years 2018 through
13 2022 to promote quality basic education in partner coun-
14 tries by—

15 (1) seeking to equitably expand access to basic
16 education for all children, particularly marginalized
17 children and vulnerable groups; and

18 (2) measurably improving the quality of basic
19 education and learning outcomes.

20 (b) REQUIREMENT TO CONSULT.—In developing the
21 strategy required under subsection (a), the President shall
22 consult with—

23 (1) the appropriate congressional committees;

24 (2) relevant Executive branch agencies and offi-
25 cials;

1 (3) partner country governments; and

2 (4) local and international nongovernmental or-
3 ganizations, including faith-based organizations and
4 organizations representing students, teachers, and
5 parents, and other development partners engaged in
6 basic education assistance programs in developing
7 countries.

8 (c) PUBLIC COMMENT.—The President shall provide
9 an opportunity for public comment on the strategy re-
10 quired under subsection (a).

11 (d) ELEMENTS.—The strategy required under sub-
12 section (a)—

13 (1) shall be developed and implemented con-
14 sistent with the principles set forth in section 105(c)
15 of the Foreign Assistance Act of 1961, as added by
16 section 3; and

17 (2) shall seek—

18 (A) to prioritize assistance provided under
19 this subsection to countries that are partners of
20 the United States and whose populations are
21 most in need of improved basic education, as
22 determined by indicators such as literacy and
23 numeracy rates;

24 (B) to build the capacity of relevant actors
25 in partner countries, including in government

1 and in civil society, to develop and implement
2 national education plans that measurably im-
3 prove basic education;

4 (C) to identify and replicate successful
5 interventions that improve access to and quality
6 of basic education in conflict settings and in
7 partner countries;

8 (D) to project general levels of resources
9 needed to achieve stated program objectives;

10 (E) to develop means to track implementa-
11 tion in partner countries and ensure that such
12 countries are expending appropriate domestic
13 resources and instituting any relevant legal,
14 regulatory, or institutional reforms needed to
15 achieve stated program objectives;

16 (F) to leverage United States capabilities,
17 including through technical assistance, training,
18 and research; and

19 (G) to improve coordination and reduce
20 duplication among relevant Executive branch
21 agencies and officials, other donors, multilateral
22 institutions, nongovernmental organizations,
23 and governments in partner countries.

1 **SEC. 5. IMPROVING COORDINATION AND OVERSIGHT.**

2 (a) SENIOR COORDINATOR OF UNITED STATES
3 INTERNATIONAL BASIC EDUCATION ASSISTANCE.—There
4 is established within the United States Agency for Inter-
5 national Development a Senior Coordinator of United
6 States International Basic Education Assistance (referred
7 to in this section as the “Senior Coordinator”). The Senior
8 Coordinator shall be appointed by the President, shall be
9 a current USAID employee serving in a career or non-
10 career position in the Senior Executive Service or at the
11 level of a Deputy Assistant Administrator or higher, and
12 shall serve concurrently as the Senior Coordinator.

13 (b) DUTIES.—

14 (1) IN GENERAL.—The Senior Coordinator
15 shall have primary responsibility for the oversight
16 and coordination of all resources and activities of the
17 United States Government relating to the promotion
18 of international basic education programs and activi-
19 ties.

20 (2) SPECIFIC DUTIES.—The Senior Coordinator
21 shall—

22 (A) facilitate program and policy coordina-
23 tion of international basic education programs
24 and activities among relevant Executive branch
25 agencies and officials, partner governments,

1 multilateral institutions, the private sector, and
2 nongovernmental and civil society organizations;

3 (B) develop and revise the strategy re-
4 quired under section 4;

5 (C) monitor, evaluate, and report on activi-
6 ties undertaken pursuant to the strategy re-
7 quired under section 4; and

8 (D) establish due diligence criteria for all
9 recipients of funds provided by the United
10 States to carry out activities under this Act and
11 the amendments made by this Act.

12 (c) OFFSET.—In order to eliminate duplication of ef-
13 fort and activities and to offset any costs incurred by the
14 United States Agency for International Development in
15 appointing the Senior Coordinator under subsection (a),
16 the President shall eliminate any positions within the
17 United States Agency for International Development (un-
18 less otherwise authorized or required by law) that the
19 President determines to be necessary to fully offset such
20 costs and eliminate duplication.

21 **SEC. 6. MONITORING AND EVALUATION OF PROGRAMS.**

22 The President shall seek to ensure that programs car-
23 ried out under the strategy required under section 4
24 shall—

1 (1) apply rigorous monitoring and evaluation
2 methodologies to determine if programs and activi-
3 ties provided under this subsection accomplish meas-
4 urable improvements in literacy, numeracy, or other
5 basic skills development that prepare an individual
6 to be an active, productive member of society and
7 the workforce;

8 (2) include methodological guidance in the im-
9 plementation plan and support systemic data collec-
10 tion using internationally comparable indicators,
11 norms, and methodologies, to the extent practicable
12 and appropriate;

13 (3) disaggregate all data collected and reported
14 by age, gender, marital status, disability, and loca-
15 tion, to the extent practicable and appropriate;

16 (4) include funding for both short- and long-
17 term monitoring and evaluation to enable assess-
18 ment of the sustainability and scalability of assist-
19 ance programs; and

20 (5) support the increased use and public avail-
21 ability of education data for improved decision mak-
22 ing, program effectiveness, and monitoring of global
23 progress.

1 **SEC. 7. TRANSPARENCY AND REPORTING TO CONGRESS.**

2 (a) ANNUAL REPORT ON THE IMPLEMENTATION OF
3 STRATEGY.—Not later than each March 31 immediately
4 following a fiscal year during which the strategy developed
5 pursuant to section 4(a) was carried out, the President
6 shall—

7 (1) submit a report to the appropriate congres-
8 sional committees that describes the implementation
9 of such strategy; and

10 (2) make the report described in paragraph (1)
11 available to the public.

12 (b) MATTERS TO BE INCLUDED.—The report re-
13 quired under subsection (a) shall include—

14 (1) a description of the efforts made by relevant
15 Executive branch agencies and officials to implement
16 the strategy developed pursuant to section 4, with a
17 particular focus on the activities carried out under
18 the strategy;

19 (2) a description of the extent to which each
20 partner country selected to receive assistance for
21 basic education meets the priority criteria specified
22 in section 105(c) of the Foreign Assistance Act, as
23 added by section 3; and

24 (3) a description of the progress achieved over
25 the reporting period toward meeting the goals, objec-
26 tives, benchmarks, and timeframes specified in the

1 strategy developed pursuant to section 4 at the pro-
2 gram level, as developed pursuant to monitoring and
3 evaluation specified in section 6, with particular em-
4 phasis on whether there are demonstrable student
5 improvements in literacy, numeracy, or other basic
6 skills development that prepare an individual to be
7 an active, productive member of society and the
8 workforce.