

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—115th Cong., 1st Sess.

S. 1928

To establish a review of United States multilateral aid.

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.**

4 This Act may be cited as the “Multilateral Aid Re-
5 view Act of 2017”.

6 **SEC. 2. PURPOSE.**

7 The purpose of this Act is to establish a United
8 States Multilateral Aid Review (in this Act referred to as
9 the “Review”) to publicly assess the value of United States
10 Government investments in multilateral entities.

1 **SEC. 3. APPROPRIATE CONGRESSIONAL COMMITTEES DE-**
2 **FINED.**

3 In this Act, the term “appropriate congressional com-
4 mittees” means—

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

7 (2) the Committee on Foreign Affairs, the
8 Committee on Financial Services, and the Com-
9 mittee on Appropriations of the House of Represent-
10 atives.

11 **SEC. 4. OBJECTIVES.**

12 The objectives of the Review are as follows:

13 (1) Provide a tool to guide the United States
14 Government’s decision making and prioritization
15 with regard to funding multilateral entities and to
16 provide a methodological basis for allocating scarce
17 budgetary resources to entities that advance relevant
18 United States foreign policy objectives.

19 (2) Incentivize improvements in the perform-
20 ance of multilateral entities to achieve better out-
21 comes on the ground in developing, fragile, and cri-
22 sis-afflicted regions.

23 (3) Protect United States taxpayer investments
24 in foreign assistance by improving transparency with
25 regard to the funding of multilateral entities.

1 **SEC. 5. SCOPE.**

2 The Review shall include in its assessment multilat-
3 eral entities to which the United States Government con-
4 tributes voluntary or assessed funding, whether cash or
5 in-kind, including the following entities:

6 (1) The World Bank Group, including the
7 International Bank for Reconstruction and Develop-
8 ment, the International Development Association,
9 and the International Finance Corporation.

10 (2) The regional development banks, including
11 the Asian Development Bank, the African Develop-
12 ment Bank, the Inter-American Development Bank,
13 the European Bank for Reconstruction and Develop-
14 ment, and the North American Development Bank.

15 (3) Climate Investment Funds.

16 (4) The Food and Agriculture Organization.

17 (5) Gavi, the Vaccine Alliance.

18 (6) The Global Environment Facility.

19 (7) The Global Fund to Fight AIDS, Tuber-
20 culosis and Malaria.

21 (8) The Great Lakes Fishery Commission.

22 (9) The Green Climate Fund.

23 (10) The Inter-American Institute for Coopera-
24 tion for Agriculture.

25 (11) The International Civil Aviation Organiza-
26 tion.

1 (12) The International Committee of the Red
2 Cross.

3 (13) The International Fund for Agricultural
4 Development.

5 (14) The International Labour Organization.

6 (15) The International Organization for Migra-
7 tion.

8 (16) The International Telecommunication
9 Union.

10 (17) The Joint UN Program on HIV/AIDS.

11 (18) The Multilateral Fund for the Implemen-
12 tation of the Montreal Protocol.

13 (19) The Office of the United Nations High
14 Commissioner for Human Rights.

15 (20) The Office of the United Nations High
16 Commissioner for Refugees.

17 (21) The Organisation for Economic Co-oper-
18 ation and Development.

19 (22) The Organization of American States.

20 (23) The Pacific Forum Fisheries Agency.

21 (24) The Pan American Health Organization.

22 (25) The United Nations Children's Fund.

23 (26) The United Nations Department of Eco-
24 nomic and Social Affairs.

1 (27) The United Nations Development Pro-
2 gramme.

3 (28) The United Nations Entity for Gender
4 Equality and the Empowerment of Women.

5 (29) The United Nations Environment Pro-
6 gramme.

7 (30) The United Nations Framework Conven-
8 tion on Climate Change.

9 (31) The United Nations Office for Project
10 Services.

11 (32) The United Nations Office for the Coordi-
12 nation of Humanitarian Affairs.

13 (33) The United Nations Office on Drugs and
14 Crime.

15 (34) The United Nations Population Fund.

16 (35) The United Nations Relief and Works
17 Agency for Palestine Refugees in the Near East.

18 (36) The United Nations Voluntary Fund for
19 Victims of Torture.

20 (37) The World Food Program.

21 (38) The World Health Organization.

22 (39) The World Meteorological Organization.

23 **SEC. 6. TRIENNIAL REPORT ON REVIEW.**

24 (a) IN GENERAL.—Not later than twenty-one months
25 after the date of the enactment of this Act, and every

1 three years thereafter, the United States Multilateral Aid
2 Review Task Force established under section 7, in regular
3 consultation with the Peer Review Group established
4 under section 8, shall submit to the appropriate congress-
5 sional committees a final report on the findings of the Re-
6 view. The Secretary of State shall publish the report on
7 the Internet website of the Department of State within
8 seven days of submitting the report to the appropriate
9 congressional committees.

10 (b) METHODOLOGY.—

11 (1) USE OF CRITERIA.—The Task Force shall
12 establish an analytical framework and assessment
13 scorecard for the Review using the criteria set forth
14 in subsection (c).

15 (2) CONSULTATION WITH CONGRESS.—Not
16 later than 120 days after the date of the enactment
17 of this Act, the Task Force shall submit the method-
18 ology for the initial Review to the appropriate con-
19 gressional committees. The Task Force may not pro-
20 ceed with the Review until 30 days after submission
21 of the methodology to the appropriate congressional
22 committees, taking into consideration the views of
23 the Chairmen and Ranking Members of each of the
24 appropriate congressional committees. For each sub-
25 sequent Review, the Task Force shall consult with

1 the Chairmen and Ranking Members of each of the
2 appropriate congressional committees regarding any
3 changes to the methodology.

4 (3) PUBLICATION OF CRITERIA AND METHOD-
5 OLOGY.—Final criteria and methodology shall be
6 published on the Internet website of the Department
7 of State not later than 60 days after the submission
8 of the methodology to the appropriate congressional
9 committees under paragraph (2).

10 (c) ASSESSMENT CRITERIA.—The assessment score-
11 card shall include the following criteria:

12 (1) RELATIONSHIP OF STATED GOALS TO AC-
13 TUAL RESULTS.—The extent to which the stated
14 mission, goals, and objectives of the entity have been
15 achieved during the review period, including—

16 (A) an identification of the stated mission,
17 goals, and objectives of each entity;

18 (B) an evaluation of the major projects
19 and programs selected for implementation by
20 the entity in comparison with the stated mis-
21 sion, goals, and objectives of the entity;

22 (C) an evaluation of whether the major
23 projects and programs selected by the entity
24 within the given review period were more likely

1 than not to further the achievement of the stat-
2 ed mission, goals, and objectives of the entity;

3 (D) an evaluation of the extent to which
4 the major selected projects and programs met
5 their own stated implementation timelines and
6 achieved declared results; and

7 (E) an evaluation of whether the entity op-
8 timizes resources to achieve the stated mission,
9 goals, and objectives of the entity.

10 (2) RESPONSIBLE MANAGEMENT.—The extent
11 to which management of the entity follows best man-
12 agement practices, including—

13 (A) an evaluation of the ratio of manage-
14 ment and administrative expenses to program
15 expenses, including an evaluation of entity re-
16 sources spent on nonprogrammatic expenses;

17 (B) an evaluation of program expense
18 growth, including a comparison of the annual
19 growth of program expenses to the annual
20 growth of management and administrative ex-
21 penses; and

22 (C) an evaluation of whether the entity has
23 established appropriate levels of senior manage-
24 ment compensation.

1 (3) ACCOUNTABILITY AND TRANSPARENCY.—

2 The extent to which the policies and procedures of
3 the entity follow best practices of accountability and
4 transparency, taking into consideration credible re-
5 porting regarding unauthorized conversion or diver-
6 sion of entity resources, and including—

7 (A) an evaluation of whether the entity has
8 established and enforced appropriate auditing
9 procedures;

10 (B) an evaluation of the whether the entity
11 has established and enforced appropriate rules
12 to reduce the risk of conflicts of interest among
13 the senior leadership of the entity;

14 (C) an evaluation of whether the entity has
15 established and enforced appropriate whistle-
16 blower policies;

17 (D) an evaluation of whether the entity
18 has established and maintained appropriate
19 records retention policies and guidelines;

20 (E) an evaluation of whether the entity has
21 established and maintained best practices with
22 respect to transparency and public disclosure;
23 and

24 (F) an evaluation of whether the entity has
25 established and maintained best practices with

1 respect to disclosure of the compensation of
2 senior leadership officials.

3 (4) ALIGNMENT WITH UNITED STATES FOREIGN
4 POLICY OBJECTIVES.—The extent to which the poli-
5 cies and practices of the entity align with relevant
6 United States foreign policy objectives, including—

7 (A) an evaluation of the entity’s stated
8 mission, goals, and objectives in comparison to
9 relevant United States foreign policy objectives;

10 (B) an evaluation of whether continued
11 participation by the United States in the entity
12 contributes a net benefit towards achieving rel-
13 evant United States foreign policy objectives,
14 including the reasons for the conclusion; and

15 (C) an evaluation of any divergence be-
16 tween the actions of the entity and relevant
17 United States foreign policy objectives.

18 (5) MULTILATERAL APPROACH COMPARED TO
19 BILATERAL APPROACH.—The extent to which pur-
20 suing relevant United States foreign policy objectives
21 through a multilateral approach is effective and cost-
22 efficient compared to a bilateral approach, includ-
23 ing—

24 (A) an evaluation of whether relevant
25 United States foreign policy objectives are effec-

1 tively pursued through the entity, compared to
2 existing or potential bilateral approaches; and

3 (B) an evaluation of whether relevant
4 United States foreign policy objectives are pur-
5 sued on a cost-effective basis through the enti-
6 ty, compared to existing or potential bilateral
7 approaches.

8 (6) REDUNDANCIES AND OVERLAP.—The extent
9 to which the mission, goals, and objectives of the en-
10 tity overlap with the mission, goals, and objectives of
11 other multilateral institutions to which United
12 States Government entities contribute voluntary or
13 assessed funding, whether cash or in-kind, includ-
14 ing—

15 (A) an identification of significant
16 redundancies or overlap with the mission, goals,
17 and objectives of other multilateral entities to
18 which United States Government entities con-
19 tribute voluntary or assessed funding, whether
20 cash or in-kind; and

21 (B) a comparison of the extent to which
22 relevant United States foreign policy objectives
23 are effectively pursued on a cost-effective basis
24 through each of the overlapping entities.

1 **SEC. 7. UNITED STATES MULTILATERAL REVIEW TASK**
2 **FORCE.**

3 (a) **ESTABLISHMENT.**—The President shall establish
4 an interagency Multilateral Review Task Force (referred
5 to in this Act as the “Task Force”) to review and assess
6 United States participation in multilateral entities identi-
7 fied in section 5 and to develop and transmit to the appro-
8 priate congressional committees the reports required
9 under section 6.

10 (b) **LEADERSHIP.**—The Task Force shall be chaired
11 by the Secretary of State. The Secretary may delegate his
12 or her responsibilities under this Act to an appropriate
13 senior Senate-confirmed official.

14 (c) **MEMBERSHIP.**—The President may appoint to
15 the interagency Task Force senior Senate-confirmed offi-
16 cials from the Department of State, the Department of
17 the Treasury, the United States Agency for International
18 Development, the Office of Management and Budget, and
19 any other relevant executive branch department or agency.

20 (d) **CONSULTATION.**—In the preparation of each re-
21 port under section 6, including the initial review of meth-
22 odology, the Task Force shall consult regularly with the
23 Peer Review Group established under section 8.

1 **SEC. 8. UNITED STATES MULTILATERAL AID REVIEW PEER**
2 **REVIEW GROUP.**

3 (a) **ESTABLISHMENT.**—There is established the
4 United States Multilateral Aid Review Peer Review Group
5 (referred to in this Act as the “Peer Review Group”).

6 (b) **MEMBERSHIP.**—

7 (1) **COMPOSITION.**—The Peer Review Group
8 shall be composed of 8 nongovernmental volunteer
9 members, of whom—

10 (A) 2 shall be appointed by the majority
11 leader of the Senate;

12 (B) 2 shall be appointed by the minority
13 leader of the Senate;

14 (C) 2 shall be appointed by the Speaker of
15 the House of Representatives; and

16 (D) 2 shall be appointed by the minority
17 leader of the House of Representatives.

18 (2) **APPOINTMENT CRITERIA.**—The members of
19 the Peer Review Group shall have appropriate exper-
20 tise and knowledge of the multilateral entities sub-
21 ject to the Review established by this Act. In making
22 appointments to the Peer Review Group, potential
23 conflicts of interest should be taken into account.

24 (3) **DATE.**—The initial appointments of the
25 members of the Peer Review Group shall be made
26 not later than 100 days after the date of the enact-

1 ment of this Act, and the terms of such appoint-
2 ments shall begin on that date.

3 (4) CHAIRMAN AND VICE CHAIRMAN.—The Peer
4 Review Group shall select a Chairman and Vice
5 Chairman from among the members of the Peer Re-
6 view Group.

7 (c) EXPERT ANALYSIS.—The Peer Review Group
8 shall meet regularly with the Task Force, including re-
9 garding the initial review of methodology, to offer their
10 expertise of the funding and performance of multilateral
11 entities.

12 (d) REVIEW OF REPORT.—

13 (1) IN GENERAL.—Not later than 180 days be-
14 fore submitting each report required under section
15 6(a), the Task Force shall transmit a draft of the
16 report to the Peer Review Group and the appro-
17 priate congressional committees.

18 (2) REVIEW.—The Peer Review Group shall re-
19 view the draft report submitted under paragraph (1)
20 and provide to the Task Force and the appropriate
21 congressional committees not later than 90 days be-
22 fore the submission of each report required under
23 section 6(a) the following:

24 (A) An analysis of the conclusions of the
25 report.

1 (B) An analysis of the established meth-
2 odologies used to reach conclusions in the re-
3 port.

4 (C) An analysis of the evidence used to
5 reach conclusions in the report.

6 (D) Any additional comments to improve
7 the evaluations and analysis of the report.

8 (e) PERIOD OF APPOINTMENT; VACANCIES.—

9 (1) IN GENERAL.—Each member of the Peer
10 Review Group shall be appointed for a 6-year term
11 and may be reappointed under subsection (b)(1) for
12 one additional term.

13 (2) VACANCIES.—Any vacancy in the Peer Re-
14 view Group—

15 (A) shall not affect the powers of the Peer
16 Review Group; and

17 (B) shall be filled in the same manner as
18 the original appointment.

19 (f) MEETINGS.—

20 (1) IN GENERAL.—The Peer Review Group
21 shall meet at the call of the Chairman.

22 (2) INITIAL MEETING.—Not later than 120
23 days after the date of the enactment of this Act, the
24 Peer Review Group shall hold its first meeting.

1 (3) QUORUM.—A majority of the members of
2 the Peer Group shall constitute a quorum, but a
3 lesser number of members may hold meetings.

4 **SEC. 9. TERMINATION OF AUTHORITIES.**

5 The authorities and requirements provided under this
6 Act shall terminate 11 years after the date of the enact-
7 ment of this Act.