

114TH CONGRESS
2D SESSION

S. 3256

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.

IN THE SENATE OF THE UNITED STATES

JULY 14, 2016

Mr. DURBIN (for himself, Mr. RUBIO, Mr. MARKEY, and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

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.

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; 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. Sense of Congress.
Sec. 3. Assistance to promote sustainable, quality basic education.
Sec. 4. Comprehensive integrated United States strategy to promote basic education.
Sec. 5. Improving coordination and oversight.
Sec. 6. Monitoring and evaluation of programs.
Sec. 7. Transparency and reporting to Congress.
Sec. 8. Definitions.

1 **SEC. 2. SENSE OF CONGRESS.**

2 It is the sense of Congress that—

3 (1) education lays the foundation for increased
4 civic participation, democratic governance, sustained
5 economic growth, and healthier, more stable soci-
6 eties;

7 (2) it is in the national interest of the United
8 States to promote access to sustainable, quality uni-
9 versal basic education in developing countries;

10 (3) United States resources and leadership
11 should be utilized in a manner that best ensures a
12 successful international effort to provide children in
13 developing countries with a quality basic education
14 in order to achieve the goal of quality universal basic
15 education; and

16 (4) promoting gender parity in basic education
17 from childhood through adolescence serves United
18 States diplomatic, economic, and security interests
19 worldwide.

1 **SEC. 3. ASSISTANCE TO PROMOTE SUSTAINABLE, QUALITY**
2 **BASIC EDUCATION.**

3 Section 105 of the Foreign Assistance Act of 1961
4 (22 U.S.C. 2151c) is amended by adding at the end the
5 following new subsection:

6 “(c) ASSISTANCE TO PROMOTE SUSTAINABLE,
7 QUALITY BASIC EDUCATION.—

8 “(1) POLICY.—In carrying out this section, it
9 shall be the policy of the United States to work with
10 partner countries, other donors, multilateral institu-
11 tions, the private sector, and nongovernmental and
12 civil society organizations, including as appropriate
13 faith-based organizations and organizations that rep-
14 resent teachers, students, and parents, to promote
15 sustainable, quality basic education through pro-
16 grams and activities that, consistent with Article 26
17 of the Universal Declaration of Human Rights—

18 “(A) align with and respond to the needs,
19 capacities, and commitment of developing coun-
20 tries to strengthen educational systems, expand
21 access to safe learning environments, ensure
22 continuity of education, measurably improve
23 teacher skills and learning outcomes, and sup-
24 port the engagement of parents in the edu-
25 cation of their children, so that all children, in-
26 cluding marginalized children and other vulner-

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

3 “(B) promote education as a foundation
4 for sustained economic growth and development
5 within a holistic assistance strategy that places
6 partner countries on a trajectory toward grad-
7 uation from assistance provided under this sec-
8 tion and contributes to improved—

9 “(i) early childhood development;

10 “(ii) life skills and workforce develop-
11 ment;

12 “(iii) economic opportunity;

13 “(iv) gender parity;

14 “(v) food and nutrition security;

15 “(vi) water, sanitation, and hygiene;

16 “(vii) health and disease prevention
17 and treatment;

18 “(viii) disaster preparedness;

19 “(ix) conflict and violence reduction,
20 mitigation, and prevention; and

21 “(x) democracy and governance; and

22 “(C) monitor and evaluate the effectiveness
23 and quality of basic education programs.

24 “(2) PRINCIPLES.—In carrying out the policy
25 referred to in paragraph (1), the United States shall

1 be guided by the following principles of aid effective-
2 ness:

3 “(A) ALIGNMENT.—Assistance provided
4 under this section to support programs and ac-
5 tivities under this subsection shall be aligned
6 with and advance United States diplomatic, de-
7 velopment, and national security interests.

8 “(B) COUNTRY OWNERSHIP.—To the
9 greatest extent practicable, assistance provided
10 under this section to support programs and ac-
11 tivities under this subsection should be aligned
12 with and support the national education plans
13 and country development strategies of partner
14 countries, including activities that are appro-
15 priate for and meet the needs of local and in-
16 digenous cultures.

17 “(C) COORDINATION.—

18 “(i) IN GENERAL.—Assistance pro-
19 vided under this section to support pro-
20 grams and activities under this subsection
21 should be coordinated with and leverage
22 the unique capabilities and resources of
23 local and national governments in partner
24 countries, other donors, multilateral insti-
25 tutions, the private sector, and nongovern-

1 mental and civil society organizations, in-
2 cluding as appropriate faith-based organi-
3 zations and organizations that represent
4 teachers, students, and parents.

5 “(ii) MULTILATERAL PROGRAMS AND
6 INITIATIVES.—Assistance provided under
7 this section to support programs and ac-
8 tivities under this subsection should be co-
9 ordinated with and support proven multi-
10 lateral education programs and financing
11 mechanisms, which may include the Global
12 Partnership for Education, that dem-
13 onstrate commitment to efficiency, effec-
14 tiveness, transparency, and accountability.

15 “(D) EFFICIENCY.—The President shall
16 seek to improve the efficiency and effectiveness
17 of assistance provided under this section to sup-
18 port programs and activities under this sub-
19 section by coordinating the related efforts of
20 relevant Executive branch agencies and offi-
21 cials, including efforts to increase gender parity
22 and to provide a continuity of basic education
23 activities in humanitarian responses and other
24 emergency settings.

1 “(E) EFFECTIVENESS.—Programs and ac-
2 tivities supported under this subsection shall be
3 designed to achieve specific, measurable goals
4 and objectives and shall include appropriate tar-
5 gets, metrics and indicators that can be applied
6 with reasonable consistency across such pro-
7 grams and activities to measure progress and
8 outcomes.

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

16 “(3) PRIORITY AND OTHER REQUIREMENTS.—
17 The President shall ensure that assistance provided
18 under this section to support programs and activities
19 under this subsection is aligned with the diplomatic,
20 economic, and national security interests of the
21 United States and that priority is given to devel-
22 oping countries in which—

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

1 marginalized and vulnerable groups, particu-
2 larly women and girls, or populations affected
3 by conflict or crisis; and

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

7 “(4) DEFINITIONS.—In this subsection:

8 “(A) BASIC EDUCATION.—The term ‘basic
9 education’ includes—

10 “(i) all program and policy efforts
11 aimed at improving early childhood,
12 preprimary education, primary education,
13 and secondary education, which can be de-
14 livered in formal and nonformal education
15 settings, and in programs promoting learn-
16 ing for out-of-school youth and adults;

17 “(ii) capacity building for teachers,
18 administrators, counselors, and youth
19 workers;

20 “(iii) literacy, numeracy, and other
21 basic skills development that prepare an
22 individual to be an active, productive mem-
23 ber of society and the workforce; and

24 “(iv) workforce development, voca-
25 tional training, and digital literacy that is

1 informed by real market needs and oppor-
2 tunities.

3 “(B) PARTNER COUNTRY.—The term
4 ‘partner country’ means a developing country
5 that participates in or benefits from basic edu-
6 cation programs under this subsection pursuant
7 to the prioritization criteria described in para-
8 graph (3), including level of need, opportunity
9 for impact, and the availability of resources.

10 “(C) RELEVANT EXECUTIVE BRANCH
11 AGENCIES AND OFFICIALS.—The term ‘relevant
12 Executive branch agencies and officials’
13 means—

14 “(i) the Department of State, the
15 United States Agency for International
16 Development, the Department of the
17 Treasury, the Department of Labor, the
18 Department of Education, the Department
19 of Health and Human Services, the De-
20 partment of Agriculture, and the Depart-
21 ment of Defense;

22 “(ii) the Chief Executive Officer of
23 the Millennium Challenge Corporation, the
24 Coordinator of United States Government
25 Activities to Combat HIV/AIDS Globally,

1 the National Security Advisor, the Director
2 of the Peace Corps, and the National Eco-
3 nomic Advisor; and

4 “(iii) any other department, agency,
5 or official of the United States Govern-
6 ment that participates in activities to pro-
7 mote quality basic education pursuant to
8 the authorities of such department, agency,
9 or official or pursuant to this Act.

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

19 “(E) HIV/AIDS.—The term ‘HIV/AIDS’
20 has the meaning given that term in section
21 104A(h).

22 “(F) MARGINALIZED CHILDREN AND VUL-
23 NERABLE GROUPS.—The term ‘marginalized
24 children and vulnerable groups’ includes girls,
25 children affected by or emerging from armed

1 conflict or humanitarian crises, children with
2 disabilities, children in remote or rural areas
3 (including those who lack access to safe water
4 and sanitation), religious or ethnic minorities,
5 indigenous peoples, orphans and children af-
6 fected by HIV/AIDS, child laborers, married
7 adolescents, and victims of trafficking.

8 “(G) GENDER PARITY IN BASIC EDU-
9 CATION.—The term ‘gender parity in basic edu-
10 cation’ means that girls and boys have equal ac-
11 cess to quality basic education.

12 “(H) NONFORMAL EDUCATION.—The term
13 ‘nonformal education’—

14 “(i) means organized educational ac-
15 tivities outside the established formal sys-
16 tem, whether operating separately or as an
17 important feature of a broader activity,
18 that are intended to serve identifiable
19 learning clienteles and learning objectives;
20 and

21 “(ii) includes youth programs and
22 community training offered by community
23 groups and organizations.

24 “(I) SUSTAINABILITY.—The term ‘sustain-
25 ability’ means, with respect to any basic edu-

1 cation program that receives funding pursuant
2 to this section, the ability of a service delivery
3 system, community, partner, or beneficiary to
4 maintain, over time, such basic education pro-
5 gram.”.

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

8 (a) STRATEGY REQUIRED.—Not later than October
9 1, 2016, October 1, 2021, and October 1, 2026, the Presi-
10 dent shall submit to the appropriate congressional com-
11 mittees a comprehensive United States strategy to pro-
12 mote quality basic education in partner countries by—

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

16 (2) measurably improving the quality of basic
17 education and learning outcomes.

18 (b) REQUIREMENT TO CONSULT.—In developing the
19 strategy required by subsection (a), the President shall
20 consult with—

21 (1) the appropriate congressional committees;

22 (2) relevant Executive branch agencies and offi-
23 cials;

24 (3) partner country governments; and

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

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

10 (d) INITIAL STRATEGY.—For the purposes of this
11 section, the strategy entitled “USAID education strat-
12 egy”, as in effect on the day before the date of the enact-
13 ment of this Act, shall be deemed to fulfill the initial re-
14 quirements of subsection (a) for 2016.

15 (e) ELEMENTS.—The strategy required by subsection
16 (a) shall be developed and implemented consistent with the
17 principles set forth in subsection (c) of section 105 of the
18 Foreign Assistance Act of 1961 (as added by section 3
19 of this Act) and shall seek to—

20 (1) build the capacity of relevant actors in part-
21 ner countries, including in government and in civil
22 society, to develop and implement national education
23 plans that are aligned with and advance country de-
24 velopment strategies;

1 (2) identify and replicate successful interven-
2 tions that improve access to and quality of edu-
3 cation;

4 (3) project general levels of resources needed to
5 achieve stated program objectives;

6 (4) leverage United States capabilities, includ-
7 ing through technical assistance, training and re-
8 search; and

9 (5) improve coordination and reduce duplication
10 among relevant Executive branch agencies and offi-
11 cials, other donors, multilateral institutions, non-
12 governmental organizations, and governments in
13 partner countries.

14 (f) ACTIVITIES SUPPORTED.—Assistance provided
15 under section 105 of the Foreign Assistance Act of 1961
16 (as amended by section 3 of this Act) should advance the
17 strategy required by subsection (a), including through ef-
18 forts to—

19 (1) ensure an adequate supply and continued
20 support for trained, effective teachers;

21 (2) design and deliver relevant curricula, uphold
22 quality standards, and supply appropriate teaching
23 and learning materials;

24 (3) build the capacity of basic education sys-
25 tems in partner countries by improving management

1 practices and supporting their ability to collect rel-
2 evant data and monitor, evaluate, and report on the
3 status and quality of education services, financing,
4 and student-learning outcomes;

5 (4) help mobilize domestic resources to elimi-
6 nate fees for public educational services, including
7 fees for tuition, uniforms, and materials;

8 (5) support education on human rights and
9 conflict-resolution while ensuring that schools are
10 not incubators for violent extremism;

11 (6) work with communities to help girls over-
12 come relevant barriers to their receiving a safe, qual-
13 ity basic education, including by improving girls'
14 safety in education settings, helping girls to obtain
15 the skills needed to find safe and legal employment
16 upon conclusion of their education, and countering
17 harmful practices such as child, early, and forced
18 marriage and gender-based violence;

19 (7) ensure access to education for the most
20 marginalized children and vulnerable groups, includ-
21 ing through the provision of appropriate infrastruc-
22 ture, flexible learning opportunities, accelerated and
23 second-chance classes, and opportunities that sup-
24 port leadership development;

1 (8) make schools safe and secure learning envi-
2 ronments without threat of physical, psychological,
3 and sexual violence, including by supporting safe
4 passage to and from schools and constructing sepa-
5 rate latrines for boys and girls; and

6 (9) support a communities-of-learning approach
7 that utilizes schools as centers of learning and devel-
8 opment for an entire community, to leverage and
9 maximize the impact of other development efforts,
10 and reduce duplication and waste.

11 (g) **ADDITIONAL ACTIVITIES SUPPORTED FOR COUN-**
12 **TRIES AFFECTED BY CONFLICT AND CRISES.**—In addi-
13 tion to the activities supported under subsection (f), as-
14 sistance provided under section 105 of the Foreign Assist-
15 ance Act of 1961 (as amended by section 3 of this Act)
16 to foreign countries or those parts of the territories of for-
17 eign countries that are affected by or emerging from
18 armed conflict, humanitarian crises, or other emergency
19 situations may be used to support efforts to—

20 (1) ensure a continuity of basic education for
21 all children through appropriate formal and non-
22 formal education programs and services;

23 (2) ensure that basic education assistance of
24 the United States to countries in emergency settings
25 shall be informed by the Minimum Standards of the

1 Inter-Agency Network for Education in Emergencies
2 (“INEE Minimum Standards”);

3 (3) coordinate basic education programs with
4 complementary services to protect children from
5 physical harm, psychological and social distress, re-
6 cruitment into armed groups, family separation, and
7 abuses related to their displacement;

8 (4) support, train, and provide professional de-
9 velopment for educators working in emergency set-
10 tings;

11 (5) help build national capacity to coordinate
12 and manage basic education during emergency re-
13 sponse and through recovery;

14 (6) promote the reintegration of teachers and
15 students affected by conflict, whether refugees or in-
16 ternally displaced, into educational systems; and

17 (7) ensure the safety of children in school, in-
18 cluding through support for—

19 (A) the provision of safe learning environ-
20 ments with appropriate facilities, especially for
21 girls;

22 (B) safe passage to and from school, in-
23 cluding landmine awareness, the designation of
24 schools as conflict-free zones, the adoption and
25 support of community-owned protective meas-

1 ures to reduce the incidence of attacks on edu-
2 cational facilities and personnel by local actors,
3 armed groups, and armed forces;

4 (C) out-of-school and flexible-hour edu-
5 cation programs in areas where security condi-
6 tions are prohibitive;

7 (D) safety plans in case of emergency with
8 clearly defined roles for school personnel; and

9 (E) appropriate infrastructure, including
10 emergency communication systems and access
11 to mobile telecommunications with local police
12 and security personnel.

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

14 (a) SENIOR COORDINATOR OF UNITED STATES
15 INTERNATIONAL BASIC EDUCATION ASSISTANCE.—There
16 is established within the United States Agency for Inter-
17 national Development a Senior Coordinator of United
18 States International Basic Education Assistance (referred
19 to in this Act as the “Senior Coordinator”), who shall be
20 appointed by the President.

21 (b) DUTIES.—

22 (1) IN GENERAL.—The Senior Coordinator
23 shall have primary responsibility for the oversight
24 and coordination of all resources and activities of the
25 United States Government relating to the promotion

1 of international basic education programs and activi-
2 ties.

3 (2) SPECIFIC DUTIES.—The Senior Coordinator
4 shall—

5 (A) facilitate program and policy coordina-
6 tion of international basic education programs
7 and activities among relevant Executive branch
8 agencies and officials, partner governments,
9 multilateral institutions, the private sector, and
10 nongovernmental and civil society organizations;

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

13 (C) monitor, evaluate, and report on activi-
14 ties undertaken pursuant to the strategy re-
15 quired under section 4; and

16 (D) establish due diligence criteria for all
17 recipients of funds provided by the United
18 States to carry out activities under this Act and
19 the amendments made by this Act.

20 (e) OFFSET.—To offset any costs incurred by the
21 United States Agency for International Development to
22 carry out the establishment and appointment of a Senior
23 Coordinator of United States International Basic Edu-
24 cation Assistance in accordance with subsection (a), the
25 President shall eliminate such positions within the United

1 States Agency for International Development, unless oth-
2 erwise authorized or required by law, as the President de-
3 termines to be necessary to fully offset such costs.

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

5 The President shall seek to ensure that programs car-
6 ried out under the strategy required under section 4
7 shall—

8 (1) apply rigorous monitoring and evaluation
9 methodologies to focus on learning and account-
10 ability;

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

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

19 (4) be planned and budgeted to include funding
20 for both short- and long-term monitoring and eval-
21 uation to enable assessment of the sustainability and
22 scalability of assistance programs; and

23 (5) support the increased use and public avail-
24 ability of education data for improved decision-

1 making, program effectiveness, and monitoring of
2 global progress.

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

4 (a) ANNUAL REPORT ON THE IMPLEMENTATION OF
5 STRATEGY.—Not later than March 31 of each year
6 through 2031, the President shall submit to the appro-
7 priate congressional committees a report on the implemen-
8 tation of the strategy developed pursuant to section 4 and
9 make the report available to the public.

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

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

16 (2) a description of the extent to which each
17 partner country selected to receive assistance for
18 basic education meets the priority criteria specified
19 in subsection (c) of section 105 of the Foreign As-
20 sistance Act (as added by section 3 of this Act); and

21 (3) a description of the progress achieved over
22 the reporting period toward meeting the goals, objec-
23 tives, benchmarks, and timeframes specified in the
24 strategy developed pursuant to section 4 at the pro-

1 gram level, as developed pursuant to monitoring and
2 evaluation specified in section 6.

3 **SEC. 8. DEFINITIONS.**

4 (a) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—
5 In this Act, the term “appropriate congressional commit-
6 tees” means—

- 7 (1) the Committee on Appropriations and the
8 Committee on Foreign Relations of the Senate; and
9 (2) the Committee on Appropriations and the
10 Committee on Foreign Affairs of the House of Rep-
11 resentatives.

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

○