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GLOBAL HEALTH INNOVATION ACT OF 2015; AGOA ENHANCEMENT ACT OF 2015; FIRST RESPONDERS PASSPORT ACT OF 2015; AND FOREIGN AID TRANSPARENCY AND ACCOUNTABILITY ACT OF 2015

MARKUP

BEFORE THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

ONE HUNDRED FOURTEENTH CONGRESS

FIRST SESSION

ON

H.R. 2241, H.R. 2845, H.R. 3750 and H.R. 3766

NOVEMBER 5, 2015

Serial No. 114–112

Printed for the use of the Committee on Foreign Affairs

Available via the World Wide Web: http://www.foreignaffairs.house.gov/ or http://www.gpo.gov/fdsys/

U.S. GOVERNMENT PUBLISHING OFFICE

97–463PDF WASHINGTON : 2015

For sale by the Superintendent of Documents, U.S. Government Publishing Office
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Fax: (202) 512–2104 Mail: Stop IDCC, Washington, DC 20402–0001

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GLOBAL HEALTH INNOVATION ACT OF 2015; AGOA ENHANCEMENT ACT OF 2015; FIRST RESPONDERS PASSPORT ACT OF 2015; AND FOREIGN AID TRANSPARENCY AND ACCOUNTABILITY ACT OF 2015

THURSDAY, NOVEMBER 5, 2015

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The committee met, pursuant to notice, at 11:18 a.m., in room 2172, Rayburn House Office Building, Hon. Edward Royce (chairman of the committee) presiding.

Chairman ROYCE. So this committee will come to order. And pursuant to notice, we meet today to mark up four bipartisan measures. Without objection, all members may have 5 days to submit any statements for the record or any extraneous materials that they want to include on today's business.

All members were notified yesterday we intend to consider today's measures en bloc. And so, without objection, the following items previously provided to members will be considered en bloc and are considered as read.

And those are H.R. 2241, the Global Health Innovation Act of 2015, with the Sires amendment 210 to H.R. 2241. Second, H.R. 2845, the African Growth and Opportunity Act Enhancement Act of 2015. Third, H.R. 3750, the First Responders Passport Act of 2015, with the Issa amendment 50 in the nature of a substitute to this House resolution. And H.R. 3766, the Foreign Aid Transparency and Accountability Act of 2015.

[The information referred to follows:]

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114TH CONGRESS
1ST SESSION

H. R. 2241

To direct the Administrator of the United States Agency for International Development to submit to Congress a report on the development and use of global health innovations in the programs, projects, and activities of the Agency.

IN THE HOUSE OF REPRESENTATIVES

MAY 5, 2015

Mr. SIRES (for himself and Mr. DIAZ-BALART) introduced the following bill; which was referred to the Committee on Foreign Affairs

---

A BILL

To direct the Administrator of the United States Agency for International Development to submit to Congress a report on the development and use of global health innovations in the programs, projects, and activities of the Agency.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Global Health Innovation Act of 2015".

SEC. 2. ANNUAL REPORT.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Administrator of the United States Agency for International Development shall submit to Congress a report on the development and use of global health innovations in the programs, projects, and activities of the Agency.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include the following:

(1) A description of—

(A) the extent to which global health innovations described in subsection (a) include drugs, diagnostics, devices, vaccines, electronic and mobile health technologies, and related behavior change and service delivery innovations;

(B) how innovation has advanced the Agency's commitments to achieving an HIV/AIDS-free generation, ending preventable child and maternal deaths, and protecting communities from infectious diseases, as well as furthered by the Global Health Strategic Framework;

(C) how goals are set for health product development in relation to the Agency's health-related goals and how progress and impact are measured towards those goals;

1 (D) how the Agency's investments in inno-
2 vation relate to its stated goals; and
3 (E) progress made towards health product
4 development goals.
5 (2) How the Agency both, independently and
6 with partners, donors, and public-private partner-
7 ships, is—
8 (A) leveraging United States investments
9 to achieve greater impact in health innovation;
10 (B) engaging in activities to develop, ad-
11 vance, and introduce affordable, available, and
12 appropriate global health products; and
13 (C) scaling up appropriate health innova-
14 tions in the development pipeline.
15 (3) A description of collaboration and coordina-
16 tion with other Federal departments and agencies,
17 including the Centers for Disease Control and Pre-
18 vention, in support of global health product develop-
19 ment, including a description of how the Agency is
20 working to ensure critical gaps in product develop-
21 ment for global health are being filled.
22 (4) A description of how the Agency is coordi-
23 nating and aligning global health innovation activi-
24 ties between the Global Development Lab, the Cen-

1 ter for Accelerating Innovation and Impact, and the
2 Bureau for Global Health.

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AMENDMENT TO H.R. 2241

OFFERED BY MR. SIRES OF NEW JERSEY

Page 2, line 3, after "thereafter" insert "for a period of 4 years".

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114TH CONGRESS
1ST SESSION

H. R. 2845

To promote access to benefits under the African Growth and Opportunity Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 19, 2015

Mr. ROYCE (for himself, Mr. ENGEL, Mr. SMITH of New Jersey, and Ms. BASS) introduced the following bill; which was referred to the Committee on Foreign Affairs

---

A BILL

To promote access to benefits under the African Growth and Opportunity Act, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "AGOA Enhancement Act of 2015".

SEC. 2. STATEMENT OF POLICY.

It is the policy of the United States to support efforts to—

(1) improve the rule of law, promote free and fair elections, strengthen and expand the private sector, and fight corruption in sub-Saharan Africa; and

(2) promote the role of women in social, political, and economic development in sub-Saharan Africa.

SEC. 3. ACTIVITIES IN SUPPORT OF TRANSPARENCY.

(a) AGOA WEBSITE.—

(1) IN GENERAL.—The President shall establish a website for the collection and dissemination of information regarding the African Growth and Opportunity Act (in this section referred to as the "AGOA website").

(2) CONTENTS.—The President shall publish on the AGOA website the information described in paragraph (1), including—

(A) information and technical assistance provided at United States Agency for International Development regional trade hubs; and

(B) a link to websites of United States embassies located in eligible sub-Saharan African countries.

(3) ACTIONS BY UNITED STATES EMBASSIES.—The Secretary of State should direct United States

1 embassies located in eligible sub-Saharan African
2 countries to—
3 (A) promote the use by such countries of
4 the benefits available under the African Growth
5 and Opportunity Act; and
6 (B) include on a publicly available Internet
7 website of such diplomatic missions a link to
8 the AGOA website.
9 (b) AGOA FORUM.—The President should, after
10 each meeting of the United States-Sub-Saharan Africa
11 Trade and Economic Cooperation Forum, publish on the
12 AGOA website established under subsection (a) the fol-
13 lowing:
14 (1) All outcomes of the meeting of the Forum,
15 including any commitments made by member coun-
16 tries and the private sector.
17 (2) An assessment of progress made with re-
18 spect to any commitments made by member coun-
19 tries the private sector from the previous meeting of
20 the Forum.
21 (c) OTHER INFORMATION.—The President should
22 disseminate information required by this section in a dig-
23 ital format to the public and publish such information on
24 the AGOA website established under subsection (a).

(d) DEFINITION.—In this section, the term "eligible sub-Saharan African country" means a country that the President has determined meets the eligibility requirements set forth in section 104 of the African Growth and Opportunity Act.

SEC. 4. ACTIVITIES IN SUPPORT OF TRADE CAPACITY BUILDING.

(a) IN GENERAL.—The President should take the following actions:

(1) Develop and implement policies to—

(A) encourage and facilitate trans-boundary cooperation among eligible sub-Saharan African countries in order to facilitate trade; and

(B) encourage the provision of technical assistance to eligible sub-Saharan African countries to establish and sustain adequate trade capacity development.

(2) Provide specific training for business in eligible sub-Saharan African countries and government trade officials of eligible sub-Saharan African countries on utilizing access to the benefits of the African Growth and Opportunity Act and other trade preference programs.

(3) Provide capacity building for African entrepreneurs and trade associations on production strat-

1 egies, quality standards, formation of cooperatives,
2 and market research and market development.
3 (4) Provide capacity building training to pro-
4 mote diversification of African products and value-
5 added processing.
6 (5) Provide capacity building and technical as-
7 sistance funding for African businesses and institu-
8 tions to help such businesses and institutions comply
9 with United States counter-terrorism initiatives and
10 policies.
11 (b) DEFINITION.—In this section, the term "eligible
12 sub-Saharan African country" means a country that the
13 President has determined meets the eligibility require-
14 ments set forth in section 104 of the African Growth and
15 Opportunity Act.

16 **SEC. 5. CONCURRENT COMPACTS UNDER THE MILLENNIUM**
17 **CHALLENGE ACT OF 2003.**

18 (a) IN GENERAL.—Section 609 of the Millennium
19 Challenge Act of 2003 (22 U.S.C. 7708) is amended—
20 (1) by striking the first sentence of subsection
21 (k);
22 (2) by redesignating subsection (k) (as so
23 amended) as subsection (l); and
24 (3) by inserting after subsection (j) the fol-
25 lowing:

"(k) CONCURRENT COMPACTS.—An eligible country that has entered into and has in effect a Compact under this section may enter into and have in effect at the same time not more than one additional Compact in accordance with the requirements of this title if—

"(1) one or both of the Compacts are or will be for purposes of regional economic integration, increased regional trade, or cross-border collaborations; and

"(2) the Board determines that the country is making considerable and demonstrable progress in implementing the terms of the existing Compact and supplementary agreements thereto.".

(b) CONFORMING AMENDMENT.—Section 613(b)(2)(A) of such Act (22 U.S.C. 7712(b)(2)(A)) is amended by striking "the" before "Compact" and inserting "any".

(c) APPLICABILITY.—The amendments made by this section apply with respect to Compacts entered into between the United States and an eligible country under the Millennium Challenge Act of 2003 before, on, or after the date of the enactment of this Act.

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114TH CONGRESS
1ST SESSION

H. R. 3750

To waive the passport fees for first responders proceeding abroad to aid a foreign country suffering from a natural disaster.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 9, 2015

Mr. ISSA (for himself, Mr. BRENDAN F. BOYLE of Pennsylvania, Mrs. COMSTOCK, Mr. ROYCE, Mr. ENGEL, Mr. WEBER of Texas, Mr. MARINO, and Mr. LOWENTHAL) introduced the following bill; which was referred to the Committee on Foreign Affairs

---

A BILL

To waive the passport fees for first responders proceeding abroad to aid a foreign country suffering from a natural disaster.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "First Responders Passport Act of 2015".

SEC. 2. PERSONS EXCUSED FROM PAYMENT OF FEES FOR EXECUTION AND ISSUANCE OF PASSPORTS.

(a) IN GENERAL.—Subsection (a) of section 1 of the Passport Act of June 4, 1920 (22 U.S.C. 214), is amend-

1 ed, in the third sentence, by inserting after "to attend a
2 funeral or memorial service for such member;" the fol-
3 lowing: "from an individual who has contracted with the
4 United States Government, including a volunteer, who is
5 proceeding abroad to aid a foreign country suffering from
6 a qualifying natural disaster as authorized by the Sec-
7 retary;".

8 (b) REPORT.—Not later than 90 days after the end
9 of the first full fiscal year after the date of the enactment
10 of this Act, the Secretary of State shall submit to the
11 Committee on Foreign Affairs of the House of Representa-
12 tives and the Committee on Foreign Relations of the Sen-
13 ate a report on the number of waivers of fees for the exe-
14 cution and issuance of passports to first responders under
15 section 1 of the Act of June 4, 1920, as amended by sub-
16 section (a) of this section, for such fiscal year.

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AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 3750 OFFERED BY MR. ISSA OF CALIFORNIA

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the "First Responders Pass-
3 port Act of 2015".

4 **SEC. 2. PASSPORTS FOR FIRST RESPONDERS.**

5 (a) IN GENERAL.—Subsection (a) of section 1 of the
6 Passport Act of June 4, 1920 (22 U.S.C. 214), is amend-
7 ed, in the third sentence, by inserting after "to attend a
8 funeral or memorial service for such member;" the fol-
9 lowing: "from an individual who is operating under a con-
10 tract, grant, or cooperative agreement with the United
11 States Government, including a volunteer, who is pro-
12 ceeding abroad to aid a foreign country suffering from a
13 natural disaster as determined by the Secretary;".

14 (b) REPORT.—Not later than 90 days after the end
15 of the first full fiscal year after the date of the enactment
16 of this Act, the Secretary of State shall submit to the
17 Committee on Foreign Affairs of the House of Representa-
18 tives and the Committee on Foreign Relations of the Sen-

1 ate a report on the number of waivers of fees for the exe-
2 cution and issuance of passports to first responders under
3 section 1 of the Act of June 4, 1920, as amended by sub-
4 section (a) of this section, for such fiscal year.

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114TH CONGRESS
1ST SESSION

H. R. 3766

To direct the President to establish guidelines for United States foreign development and economic assistance programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 20, 2015

Mr. POE of Texas (for himself and Mr. CONNOLLY) introduced the following bill; which was referred to the Committee on Foreign Affairs

---

A BILL

To direct the President to establish guidelines for United States foreign development and economic assistance programs, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Foreign Aid Transparency and Accountability Act of 2015".

SEC. 2. GUIDELINES FOR UNITED STATES FOREIGN DEVELOPMENT AND ECONOMIC ASSISTANCE PROGRAMS.

(a) PURPOSE.—The purpose of this section is to evaluate the performance of United States foreign develop-

1 ment and economic assistance and its contribution to the
2 policies, strategies, projects, program goals, and priorities
3 undertaken by the Federal Government, to foster and pro-
4 mote innovative programs to improve effectiveness, and to
5 coordinate the monitoring and evaluation processes of
6 Federal departments and agencies that administer United
7 States foreign development and economic assistance.

8 (b) ESTABLISHMENT OF GUIDELINES.—Not later
9 than 18 months after the date of the enactment of this
10 Act, the President shall set forth guidelines for the estab-
11 lishment of measurable goals, performance metrics, and
12 monitoring and evaluation plans that can be applied with
13 reasonable consistency to United States foreign develop-
14 ment and economic assistance. Such guidelines shall be
15 established according to best practices of monitoring and
16 evaluation studies and analyses.

17 (c) OBJECTIVES OF GUIDELINES.—

18 (1) IN GENERAL.—The guidelines established
19 under subsection (b) shall provide direction to Fed-
20 eral departments and agencies that administer
21 United States foreign development and economic as-
22 sistance on monitoring the use of resources, evalu-
23 ating the outcomes and impacts of United States
24 foreign development and economic assistance
25 projects and programs, and applying the findings

1 and conclusions of such evaluations to proposed
2 project and program design.
3 (2) OBJECTIVES.—Specifically, the guidelines
4 established under subsection (b) shall require Fed-
5 eral departments and agencies that administer
6 United States foreign development and economic as-
7 sistance to take the following actions:
8 (A) Establish annual monitoring and eval-
9 uation agendas and objectives to plan and man-
10 age the process of monitoring, evaluating, ana-
11 lyzing progress, and applying learning toward
12 achieving results.
13 (B) Develop specific project monitoring
14 and evaluation plans, to include measurable
15 goals and performance metrics, and identify the
16 resources necessary to conduct such evaluа-
17 tions, which should be covered by program
18 costs, during project design.
19 (C) Apply rigorous monitoring and evalua-
20 tion methodologies to such programs, including
21 through the use of impact evaluations, ex-post
22 evaluations, or other methods as appropriate,
23 that clearly define program logic, inputs, out-
24 puts, intermediate outcomes, and end outcomes.

1 (D) Disseminate guidelines for the develop-
2 ment and implementation of monitoring and
3 evaluation programs to all personnel, especially
4 in the field, who are responsible for the design,
5 implementation, and management of United
6 States foreign development and economic assist-
7 ance programs.
8 (E) Establish methodologies for the collec-
9 tion of data, including baseline data to serve as
10 a reference point against which progress can be
11 measured.
12 (F) Evaluate at least once in their lifetime
13 all programs whose dollar value equals or ex-
14 ceeds the median program size for the relevant
15 office or bureau or an equivalent calculation to
16 ensure the majority of program resources are
17 evaluated.
18 (G) Conduct impact evaluations on all pilot
19 programs before replicating wherever possible,
20 or provide a written justification for not con-
21 ducting an impact evaluation where such an
22 evaluation was deemed inappropriate or impos-
23 sible.
24 (H) Develop a clearinghouse capacity for
25 the collection and dissemination of knowledge

1 and lessons learned that serve as benchmarks to
2 guide future programs for United States devel-
3 opment professionals, implementing partners,
4 the donor community, and aid recipient govern-
5 ments, and as a repository of knowledge on les-
6 sons learned.
7 (I) Distribute evaluation reports internally.
8 (J) Develop a summary of each evaluation,
9 including a description of the evaluation meth-
10 odology and key findings and recommendations
11 made in the evaluation within 90 days after the
12 completion of the evaluation.
13 (K) Undertake collaborative partnerships
14 and coordinate efforts with the academic com-
15 munity, implementing partners, and national
16 and international institutions that have exper-
17 tise in program monitoring, evaluation, and
18 analysis when such partnerships provide needed
19 expertise or significantly improve the evaluation
20 and analysis.
21 (L) Ensure verifiable, valid, credible, pre-
22 cise, reliable, and timely data are available to
23 monitoring and evaluation personnel to permit
24 the objective evaluation of the effectiveness of
25 United States foreign development and eco-

1 nomic assistance programs, including an assess-
2 ment of assumptions and limitations in such
3 evaluations.
4 (M) Ensure that standards of professional
5 evaluation organizations for monitoring and
6 evaluation efforts are employed, including en-
7 suring the integrity and independence of evalua-
8 tions, permitting and encouraging the exercise
9 of professional judgment, and providing for
10 quality control and assurance in the monitoring
11 and evaluation process.
12 (d) PRESIDENTIAL REPORT.—Not later than 18
13 months after the date of the enactment of this Act, the
14 President shall submit to the appropriate congressional
15 committees a report that contains a detailed description
16 of the guidelines established under subsection (b). The re-
17 port shall be submitted in unclassified form, but it may
18 contain a classified annex.
19 (e) COMPTROLLER GENERAL REPORT.—The Comp-
20 troller General of the United States shall, not later than
21 1 year after the report required by subsection (d) is sub-
22 mitted to Congress, submit to the appropriate congres-
23 sional committees a report that analyzes—
24 (1) the guidelines established pursuant to sub-
25 section (b); and

(2) a side-by-side comparison of the President's budget request for that fiscal year of every operational unit that carries out United States foreign development and economic assistance and the performance of such units during the prior fiscal year.

SEC. 3. INFORMATION ON UNITED STATES FOREIGN DEVELOPMENT AND ECONOMIC ASSISTANCE PROGRAMS.

(a) PUBLICATION OF INFORMATION.—

(1) UPDATE OF EXISTING WEB SITE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall update the Department of State's Internet Web site, "ForeignAssistance.gov", to make publicly available comprehensive, timely, and comparable information on United States foreign development and economic assistance programs, including all information required pursuant to subsection (b) of this section that is then available to the Secretary of State.

(2) INFORMATION SHARING.—The head of each Federal department or agency that administers United States foreign development and economic assistance shall, not later than 2 years after the date of the enactment of this Act, and on a quarterly basis thereafter, provide to the Secretary of State

1 comprehensive information about the United States
2 foreign development and economic assistance pro-
3 grams carried out by such department or agency.
4 (3) UPDATES TO WEB SITE.—Not later than 2
5 years after the date of the enactment of this Act, the
6 Secretary of State shall publish, through the
7 "ForeignAssistance.gov" Web site or a successor on-
8 line publication, the information provided under sub-
9 section (b) of this section and shall update such in-
10 formation on a quarterly basis.
11 (b) MATTERS TO BE INCLUDED.—
12 (1) IN GENERAL.—The information described in
13 subsection (a) shall be published on a detailed
14 award-by-award and country-by-country basis unless
15 assistance is provided on a regional level, in which
16 case the information shall be published on an award-
17 by-award and region-by-region basis.
18 (2) TYPES OF INFORMATION.—
19 (A) IN GENERAL.—To ensure trans-
20 parency, accountability, and effectiveness of
21 United States foreign development and eco-
22 nomic assistance programs, the information de-
23 scribed in subsection (a) shall include all re-
24 gional, country, and sector assistance strategies,
25 annual budget documents, congressional budget

1 justifications, obligations, expenditures, evalua-
2 tions and summaries of evaluations as required
3 under section 2(c)(2)(J), and basic descriptive
4 summaries for United States foreign develop-
5 ment and economic assistance programs and
6 awards under such programs. Each type of in-
7 formation described in this paragraph shall be
8 published or updated on the Internet Web site
9 not later than 90 days after the date of
10 issuance of the information.
11 (B) RULE OF CONSTRUCTION.—Nothing in
12 subparagraph (A) shall be construed to require
13 a Federal department or agency that admin-
14 isters United States foreign development and
15 economic assistance to provide any information
16 that does not relate to or is not otherwise re-
17 quired by the United States foreign develop-
18 ment and economic assistance programs carried
19 out by such department or agency.
20 (3) REPORT IN LIEU OF INCLUSION.—
21 (A) HEALTH OR SECURITY OF IMPLE-
22 MENTING PARTNERS.—If the head of a Federal
23 department or agency makes a determination
24 that the inclusion of a required item of informa-
25 tion online would jeopardize the health or secu-

1 rity of an implementing partner or program
2 beneficiary or would require the release of pro-
3 prietary information of an implementing part-
4 ner or program beneficiary, the head of the
5 Federal department or agency shall provide
6 such determination in writing to the appro-
7 priate congressional committees, including the
8 basis for such determination and shall—
9 (i) provide a briefing to the appro-
10 priate congressional committees on such
11 information; or
12 (ii) submit to the appropriate congres-
13 sional committees such information in a
14 written report.
15 (B) NATIONAL INTERESTS OF THE UNITED
16 STATES.—If the Secretary of State makes a de-
17 termination that the inclusion of a required
18 item of information online would be detrimental
19 to the national interests of the United States,
20 the Secretary of State shall provide such deter-
21 mination in writing to the appropriate congres-
22 sional committees, including the basis for such
23 determination and shall—

(i) provide a briefing to the appropriate congressional committees on such information; or

(ii) submit to the appropriate congressional committees the item of information in a written report.

(C) FORM.—Any briefing or item of information provided under this paragraph may be provided in classified form, as appropriate.

(4) FAILURE TO COMPLY.—If a Federal department or agency fails to comply with the requirements of subsection (a), paragraph (1) or (2) of this subsection, or subsection (c) with respect to providing information described in subsection (a), and the information is not subject to a determination under subparagraph (A) or (B) of paragraph (3) of this subsection not to make the information publically available, the Director of the Office of Management and Budget, in consultation with the head of such department or agency, shall submit to the appropriate congressional committees not later than September 1, 2016, a consolidated report describing, with respect to each required item of information not made publicly available—

(A) a detailed explanation of the failure of not making such information publicly available; and

(B) the department's or agency's plan and timeline for immediately making such information publicly available, and for ensuring that such failures do not take place in following years.

(c) SCOPE OF INFORMATION.—The online publication required by subsection (a) shall, at a minimum, provide the information required by subsection (b)—

(1) in each fiscal year from 2016 through 2019, such information for fiscal years 2012 through the current fiscal year; and

(2) for fiscal year 2020 and each fiscal year thereafter, such information for the immediately preceding five fiscal years in a fully searchable form.

SEC. 4. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(2) EVALUATION.—The term "evaluation" means, with respect to a United States foreign development and economic assistance program, the systematic collection and analysis of information about the characteristics and outcomes of the program, including projects conducted under such program, as a basis for making judgments and evaluations regarding the program, to improve program effectiveness, and to inform decisions about current and future programming.

(3) UNITED STATES FOREIGN DEVELOPMENT AND ECONOMIC ASSISTANCE.—The term "United States foreign development and economic assistance" means assistance provided primarily for the purposes of foreign development and economic support, including assistance authorized under—

(A) part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), other than—

(i) title IV of chapter 2 of such part (relating to the Overseas Private Investment Corporation);

1 (ii) chapter 3 of such part (relating to
2 International Organizations and Pro-
3 grams); and
4 (iii) chapter 8 of such part (relating
5 to International Narcotics Control);
6 (B) chapter 4 of part II of the Foreign As-
7 sistance Act of 1961 (22 U.S.C. 2346 et seq.;
8 relating to Economic Support Fund);
9 (C) the Millennium Challenge Act of 2003
10 (22 U.S.C. 7701 et seq.); and
11 (D) the Food for Peace Act (7 U.S.C.
12 1721 et seq.).

○

Chairman ROYCE. And after recognizing myself and the ranking member, I will be pleased to recognize any member seeking recognition to speak on these measures.

So we begin with the AGOA Enhancement Act markup. And I will just tell you, just as a reminder, we recently passed AGOA and gave it a 10-year extension. And I thank the members for their help on that and thank Congresswoman Karen Bass in particular. We have been involved in this committee since 1998 when we wrote the original measure here, part of it, as cosponsors.

AGOA, obviously, allows qualified sub-Saharan African countries to export thousands and thousands of goods, like apparel and energy and other products, to the United States on a duty-free basis, but it is done in conjunction with changes made that help civil society in these African countries with respect to the rule of law and developing independent courts.

So it has helped draw hundreds of millions of dollars in foreign investment into the subcontinent, and it has helped put thousands of Africans into much needed work. It is good for exporters too. As you know, about two-thirds of the countries in Africa qualify for AGOA. But to qualify you have to take certain steps toward rule of law.

In May of this year, Congress successfully reauthorized AGOA, as I shared with you, for 10 years. This bill, the AGOA Enhancement Act, contains provisions that will improve trade capacity and relations between African companies and companies here in the United States. Namely, the Millennium Challenge Corporation, or MCC, will be allowed to enter into a second compact in an eligible country for purposes of promoting economic integration and trade, helping to unlock a region's full potential for growth. And the bill also modernizes AGOA's implementation by getting more information about its trade preferences online, so that companies on both sides of the Atlantic can better understand and utilize AGOA's benefits.

So I, again, want to thank our ranking member, Mr. Engel, and the Africa Subcommittee Chairman Smith for his work on this, and Ranking Member Bass, for their support.

Second, we have H.R. 3766, the Foreign Aid Transparency and Accountability Act, which will enhance—well, the bill will ensure that many Federal departments and agencies that implement these programs, these foreign aid programs, coordinate and not duplicate efforts and apply the lessons learned from evaluations so we can do more of what works in development and less of what doesn't work. And the bill is the result of years of consultation and collaboration between Congress and the administration and experts and advocates.

And I want to thank the bill's sponsor, Judge Poe, and his coauthor, Mr. Connolly, for their steadfast work and leadership in bringing this before us today.

Third, we have H.R. 3750, the First Responders Passport Act. This will allow the Secretary of State to waive passport fees for individuals working with the U.S. Government to respond to natural disasters abroad.

Many of us represent teams that deploy around the globe just hours after a disaster hits. This makes us very proud. But every

year, brave Americans volunteer to be on call for this duty, but as a result must bear the expense of ensuring their passports are up to date. And this act will provide a small but important benefit for those who represent us so well, such as the team that deployed to Nepal.

Lastly, H.R. 2241, the Global Health Innovation Act, directs the Administrator of U.S. Agency for International Development to provide Congress with five annual reports on the Agency's efforts to develop and apply new, innovative health technologies within U.S. Global Health Programs.

The reason that is of interest to us is because through USAID, through the Global Development Lab and the Center for Accelerating Innovation and Impact, they have partnered with a lot of private sector groups to develop and bring to scale low-cost, high-impact health technologies. We are seeing that impact particularly in maternal health.

So these reports will improve our oversight of this important effort. And I thank Mr. Sires for bringing this forward in a timely measure.

And I want to turn to Ranking Member Karen Bass of the Africa Subcommittee for her opening remarks.

Ms. BASS. Thank you, Mr. Chair.

In true fashion, the AGOA Enhancement Act is bipartisan. And I want to think Chairman Royce, Ranking Member Engel, and the Africa Subcommittee chair, Chris Smith, for their longstanding and consistent support of AGOA and their foresight regarding the need to ensure that the reauthorized AGOA is implemented in a transparent and effective manner and supported by complementary legislation, such as the AGOA Enhancement Act.

I also want to thank the HFAC committee staffers who worked long and hard and creatively on this bill to ensure its relevancy and complementary support of AGOA.

The AGOA Enhancement Act does exactly what its title suggests, it enhances AGOA by strengthening transparency and commonsense priorities aimed at enabling eligible AGOA countries to utilize AGOA benefits more effectively by obtaining greater access to information about AGOA, developing trade capacity building, and expanding regional economic coordination.

Transparency is addressed by requiring the administration to, for example, create an AGOA Web site for the collection and dissemination of information regarding AGOA. Trade capacity building is addressed by requiring that the administration encourage and facilitate transboundary cooperation among eligible African countries in order to facilitate trade and encourage the provision of technical assistance to eligible African countries.

H.R. 2845 also recognizes the unique role played by the U.S. Millennium Challenge Corporation, or MCC—and I want to take a moment to acknowledge MCC's leadership and their stellar staff—in economic development and its success working with nations to improve economic growth and address regional integration. MCC is enabled to work with partner countries on a regional basis. The MCC requested this authority as a way to better leverage and facilitate economic growth through its investments and supports this provision being included.

Over the next 10 years, Africa will become an even more important part of the world economy with a large youthful population that is increasingly university educated, tech savvy, and entrepreneurial. Without question, it is in the interest of the United States and the countries of Africa, the world's new economic frontier, that we work together toward a stronger and mutually beneficial economic relationship that will stand the test of time.

Thank you, and I yield back my time.

Chairman ROYCE. The ranking member, Mr. Eliot Engel.

Mr. ENGEL. Thank you, Mr. Chairman. Thank you for calling up these bipartisan measures. It is good, as always, to see our committee working together to advance legislation and getting it to the House floor.

Let me begin with Chairman Royce's measure, the African Growth and Opportunity Act Enhancement Act of 2015. Earlier this year, Congress authorized the African Growth and Opportunity Act through 2025. That bill seeks to promote trade between Africa and the United States, but it has become clear that a number of eligible countries lack sufficient capacity to reap the program's benefits.

H.R. 2845, which I am proud to cosponsor along with Rep. Bass and Rep. Smith, would encourage the United States to work with sub-Saharan African governments to improve the rule of law, strengthen and expand the private sector, reduce bureaucratic barriers to trade, and promote the role of women on the continent.

In short, this bill seeks to improve investment, trade, and job growth in the region. This, in turn, would strengthen the global economy and encourage development in sub-Saharan Africa, two priorities for this committee.

Let me next thank my friend, Albio Sires, for introducing H.R. 2241, the Global Health Innovation Act of 2015. The Ebola epidemic and other public health crises remind us there is a vital need for the United States to maintain our research and development efforts and response capabilities in the health field.

Over the years, USAID has made some major advances in health research and development. We have seen that through innovative programs such as the Malaria Vaccine Development Program. And successive administrations have rightly supported a significant expansion of those efforts.

H.R. 2241 directs USAID to report annually to Congress on its new programs, projects, and activities related to global health. It is important that the Agency continues to focus on innovation, and it is important for the Congress to make sure that the resources it receives are spent in the most effective way possible.

Next, I would like to thank Rep. Issa for introducing H.R. 3750, and I am proud to be a cosponsor of this measure. This bill would authorize the Secretary of State to waive passport fees for the brave Americans who help other countries in times of natural disaster.

USAID search-and-rescue teams based in Fairfax County, Virginia, Miami-Dade County, Florida, and Los Angeles County, California, have played an essential role in the aftermath of many overseas natural disasters, including earthquakes that have struck Nepal, Haiti, Japan, and New Zealand. These teams provide spe-

cialized capabilities and demonstrate our commitment to international partners during times of need.

We need to be ready to respond, and waiving passport fees is the least we can do for Americans who risk life and limb to help other countries during times of despair. The State Department and USAID support this measure, and I urge my colleagues to do so as well.

And finally, let me thank Congressman Poe for introducing the Foreign Aid Transparency and Accountability Act, along with Congressman Connolly for his hard work on this measure. The State Department, under Secretary Hillary Clinton, and USAID, under the leadership of Raj Shah, took major steps to improve monitoring, evaluation, and transparency in our foreign assistance programs.

These improvements include the first-ever Presidential policy directive on development in the Foreign Assistance Dashboard, an initiative that collects information from across the Federal Government, increasing transparency in foreign assistance programs.

This legislation seeks to double down on these groundbreaking efforts to help the government and the American people better understand how their development investments improve lives around the world.

So again, Mr. Chairman, thank you for your work, as usual, to move forward with these bills and on all these subjects. And, as always, thank you for working with us in a bipartisan manner. I yield back.

Chairman ROYCE. Thank you, Mr. Engel.

We go now to Judge Poe.

Mr. POE. I want to thank the chairman and the ranking member for moving this legislation forward. And I also want to thank my friend from Virginia, Mr. Connolly, for his work on the foreign aid bill that we are talking about today. H.R. 3766.

Foreign assistance has been around 50 years-plus. And what this legislation does is make that assistance transparent, let the American public and everyone else know what we are doing all over the world, and make it easy to understand. Some of the postings by government agencies regarding what they are doing are so complicated you can't figure out what that means.

So the transparency aspect is the first aspect of this legislation, transparent about foreign assistance, and make it easy for everyone to understand what we are doing, the good that we are doing throughout the world.

The second half of this legislation is to evaluate those programs. One would think that we have over the years evaluated foreign assistance, but we haven't really evaluated it to see whether it is working or not. So an evaluation is required of departments that give American money as assistance, evaluate those programs to see, first of all, if they are reaching the goal of the program and the assistance. And if it is not reaching that goal, then we need to evaluate whether we should continue that type of assistance.

We continue to give money to certain programs and we really don't know whether it is working to solve the problem of hunger or water or whatever it is somewhere in the world. So the evaluation must take place by all these departments, evaluate the things

that are working, things that continue to work and are doing good assistance. We may continue those. And if it is not working, then we need to stop that program.

So it is an audit, I would call it an audit of foreign assistance that we are doing. If it works, continue to do it. If not, then re-evaluate it, maybe we should not. One percent of the budget goes to foreign assistance. Therefore, with the limited money, we certainly should find out what we are doing, transparency, and we should also find out and evaluate all of the programs to see whether they are a success or not.

And thank you, Mr. Chairman. I will yield back.

Chairman ROYCE. Thank you, Mr. Poe.

Mr. Connolly, I want to recognize Mr. Connolly. He looks apprehensive here.

Mr. CONNOLLY. No. No. I wasn't quite sure what you were looking at.

I thank the chair and the ranking member for putting this on the agenda today. And I want to thank Judge Poe for his leadership. We have been doing this together for a couple of years now and we are so glad to have it.

This bill directs the President to establish monitoring and evaluation guidelines for the 22 Federal agencies charged with implementing development and economic assistance programs abroad, chief among them, of course, USAID. The guidelines will require M&E plans as part of the project development process and agencies will be encouraged to incorporate the findings of project evaluations and impact studies.

Aid programs that are held accountable for their performance and results can be made more effective, as Judge Poe just indicated, and their impact on communities and countries abroad more easily measured. And if we do that, as Judge Poe just said, we can dispel the notion in public polling that, apparently, foreign assistance is 26 percent of the Federal budget, when, of course, it is less than 1 percent.

The U.S. foreign assistance operation does not lack passion. The men and women who put themselves in harm's way in often very remote parts of the globe or take their families to those parts of the world in the interest of helping vulnerable populations certainly aren't seeking glory, fame, or fortune. They do it because they envision a path to prosperity for others even in the most poverty-stricken areas of the world.

While our passion is well defined, our mission and metrics are not. Regarding the mission, I was a staffer on the Senate Foreign Relations Committee that wrote the last foreign aid authorization bill passed by Congress back in 1986. In that time, we had, like, five principal goals. Today, we have 260.

And the mission is not clear. The mission statement just a year ago for USAID read: "USAID accelerates human progress in developing countries by reducing poverty, advancing democracy, building market economies, promoting security, responding to crises, and improving quality of life. Working with governance institutions and civil society, we assist individuals to build their own futures by mobilizing the full range of American public and private resources through our expert presence overseas." That is not a clear mission.

So I am hopeful, Mr. Chairman, this bill will help focus—refocus—U.S. foreign assistance programs in a more efficacious way. And I am proud to call myself a cosponsor of this legislation and am, again, grateful for Judge Poe for his leadership. I yield back.

Chairman ROYCE. Thank you, Mr. Connolly.

We are going to go to Mr. Issa and then to Mr. Sires.

Mr. ISSA. Thank you, Mr. Chairman. And in the case of H.R. 3750, I will be very brief.

The State Department has needed this authority for a long time, although on a routine basis there are as few as 450 individuals that this would cover in the way of first responders, and at any given time, with a typical 10-year passport, only a few would need it.

However, if there is a catastrophic event somewhere within the world and we call on a large number of first responders, many of whom may not have current passports, the ability to quickly waive it is a capability the State Department would want and need if the United States Government is directing these first responders to go to the distressed area.

And as CBO has scored it as narrowly targeted, fixed, and it will be a negligible amount and can be paid out of existing funds, it has no CBO score. It is something the State Department very much believes is in their best interest to have in the case of a major event and will have a de minimus cost compared to the cost of transporting those individuals and the benefit to America of having first responders go to the scene of a catastrophe.

And so I urge the support. And I yield back.

Chairman ROYCE. Thank you, Mr. Issa.

We go now to Mr. Sires.

Mr. SIRES. I want to start by thanking Chairman Royce, Ranking Member Engel for their work on global health and their efforts to mark up this bill. I would also like to thank the many members of this committee who have cosponsored this bill and all the staff that worked on this bill.

H.R. 2241, the Global Health Innovation Act, is a bill that will provide the oversight needed to gain a clearer picture of USAID's global health research and development. Over the years, research and development projects have greatly expanded at USAID in searching for advancement toward an HIV- and AIDS-free generation, in preventable maternal and childhood death, and preventable infectious disease.

This legislation is an effort to keep up with the scope of USAID's expanded effort and ensure their research and development activities reflect their goals and priorities. This report asks them to provide clarity on their goals and metrics to better understand their work. H.R. 2241 directs the USAID's Administrator to report annually to Congress on the development and use of global health innovations in USAID's programs, projects, and activities.

The report must also include how the Agency measures progress, investment, and development toward their health-related goals. Lastly, the amendment I introduced will sunset this requirement after five reports.

I thank the committee for their time and urge my colleagues to support this legislation. I yield back.

Chairman ROYCE. Thank you, Mr. Sires.

And I will remind members, you can put statements into the record. We are in the last 7 minutes of the vote or so. And if there are any necessary statements, I think we have covered those who are authors or coauthors of amendments.

Any other members seek time? If not, hearing no further requests for recognition, the question occurs on the items considered en bloc.

All those in favor, say aye.

All those opposed, no.

In the opinion of the Chair, the ayes have it and the measures considered en bloc are agreed to.

So, without objection, the measures considered en bloc are ordered favorably reported as amended and staff is directed to make any technical and conforming changes. And also, without objection, the chair is authorized to seek House consideration of these measures under suspension of the rules.

That concludes our business today. And I want to thank Ranking Member Engel and all of our committee members for their contributions and assistance with this markup today. We stand adjourned.

[Whereupon, at 11:41 a.m., the committee was adjourned.]

APPENDIX

Material Submitted for the Record

FULL COMMITTEE MARKUP NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128

Edward R. Royce (R-CA), Chairman

November 5, 2015

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN meeting of the Committee on Foreign Affairs, to be held in Room 2172 of the Rayburn House Office Building (and available live on the Committee website at http://www.ForeignAffairs.house.gov):

DATE: Thursday, November 5, 2015

TIME: 10:00 a.m.

MARKUP OF: H.R. 2241, Global Health Innovation Act of 2015;

H.R. 2845, African Growth and Opportunity Act Enhancement Act of 2015;

H.R. 3750, First Responders Passport Act of 2015; and

H.R. 3766, Foreign Aid Transparency and Accountability Act of 2015.

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF FULL COMMITTEE MARKUP

Day *Thursday* **Date** *11/5/2015* **Room** *2172*

Starting Time *11:18* **Ending Time** *11:41*

Recesses [*0*] (__ to __) (__ to __) (__ to __) (__ to __) (__ to __) (__ to __)

Presiding Member(s)

Chairman Edward R. Royce

Check all of the following that apply:

Open Session [✓]
Executive (closed) Session [ ]
Televised [✓]

Electronically Recorded (taped) [✓]
Stenographic Record [✓]

BILLS FOR MARKUP: *(Include bill number(s) and title(s) of legislation.)*

See attached.

COMMITTEE MEMBERS PRESENT:

See attached.

NON-COMMITTEE MEMBERS PRESENT:

STATEMENTS FOR THE RECORD: *(List any statements submitted for the record.)*

SFR - Rep. Chris Smith

ACTIONS TAKEN DURING THE MARKUP: *(Attach copies of legislation and amendments.)*

See markup summary.

RECORDED VOTES TAKEN (FOR MARKUP): *(Attach final vote tally sheet listing each member.)*

Subject	Yeas	Nays	Present	Not Voting

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED *11:41*

Doug Anderson, General Counsel

HOUSE COMMITTEE ON FOREIGN AFFAIRS

FULL COMMITTEE MARKUP

PRESENT	*MEMBER*
X	Edward R. Royce, CA
X	Christopher H. Smith, NJ
	Ileana Ros-Lehtinen, FL
	Dana Rohrabacher, CA
X	Steve Chabot, OH
	Joe Wilson, SC
	Michael T. McCaul, TX
X	Ted Poe, TX
X	Matt Salmon, AZ
X	Darrell Issa, CA
	Tom Marino, PA
	Jeff Duncan, SC
X	Mo Brooks, AL
	Paul Cook, CA
	Randy Weber, TX
	Scott Perry, PA
	Ron DeSantis, FL
	Mark Meadows, NC
X	Ted Yoho, FL
	Curt Clawson, FL
	Scott DesJarlais, TN
X	Reid Ribble, WI
X	Dave Trott, MI
	Lee Zeldin, NY
X	Dan Donovan, NY

PRESENT	*MEMBER*
X	Eliot L. Engel, NY
	Brad Sherman, CA
	Gregory W. Meeks, NY
X	Albio Sires, NJ
X	Gerald E. Connolly, VA
	Theodore E. Deutch, FL
	Brian Higgins, NY
X	Karen Bass, CA
	William Keating, MA
	David Cicilline, RI
X	Alan Grayson, FL
	Ami Bera, CA
X	Alan S. Lowenthal, CA
X	Grace Meng, NY
	Lois Frankel, FL
X	Tulsi Gabbard, HI
X	Joaquin Castro, TX
	Robin Kelly, IL
X	Brendan Boyle, PA

11/5/15 Foreign Affairs Committee Markup Summary

The Chair obtained unanimous consent to consider the following measures and amendments (previously provided to Members of the Committee) *en bloc*:

1) H.R. 2241 (Sires), Global Health Innovation Act of 2015;

    a. Sires 210

2) H.R. 2845 (Royce), African Growth and Opportunity Act Enhancement Act of 2015;

3) H.R. 3750 (Issa), First Responders Passport Act of 2015;

    a. Issa 50, an amendment in the nature of a substitute to H.R. 3750; and

4) H.R. 3766 (Poe), Foreign Aid Transparency and Accountability Act of 2015.

The items considered *en bloc* were agreed to by voice vote, and were ordered favorably reported, as amended, by unanimous consent.

By unanimous consent, the Chair was authorized to seek House consideration of these measures under suspension of the rules.

The Committee adjourned.

STATEMENT SUBMITTED BY THE HONORABLE CHRISTOPHER H. SMITH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY

HCFA Mark-Up Statements
November 5, 2015

H.R. 2845 – AGOA Enhancement Act

This Committee, and our Chairman specifically, has worked on improving the process of U.S. –Africa trade diligently over the past few years. Congress passed a 10-year extension of the African Growth and Opportunity Act, or AGOA, but we felt there was more to be done to enable AGOA.

H.R. 2845 – the AGOA Enhancement Act – provides for an online site for all information on AGOA. Fifteen years after AGOA was first signed into law, too many people still don't have a full picture of the opportunities this trade process can provide. It is past time for this gap to be closed.

In concert with more information is the mandate to engage in more robust training of current and potential AGOA producers in Africa. Capacity building for these businesses and trade associations will be vital if AGOA is to function effectively. The United States is a complex market, and if we are serious about facilitating African exports to this country, we must give producers all the information they need to be successful.

Finally, this bill allows the Millennium Challenge Corporation to combine compacts in the same region so that their effect with to beyond any one country's borders. Not only would this increase the attractiveness of African markets by providing for easier and broader access, but it also would encourage regional trade, which has been far below levels necessary for development and regional integration.

Mr. Chairman, I appreciate having worked with you, Mr. Engel and Ms. Bass to promote this worthy bill, which I believe will make a significant difference in the level of successful African participation in AGOA. I urge my colleagues to support it.

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I would like to thank my good friend and fellow member of the New Jersey delegation, Albio Sires, for his Global Health Innovation Act of 2015, H.R. 2241, of which I am a cosponsor.

I applaud Congressman Sires for introducing this bipartisan legislation which will allow us to exercise greater oversight over USAID programs and to gauge how effectively USAID is developing and utilizing innovations in health programs. By requiring USAID to report on its activities, his bill will enable us to better ascertain whether and how USAID is leveraging its interventions with other stakeholders, including via public-private partnerships.

I would like to thank Congressman Sires for reaching out and working with my staff both in this Congress and the last. [In particular I would like to acknowledge the work of Sadaf Khan from Mr. Sires staff, Mark Iozzi from Ranking Member Engel's staff, and Piero Tozzi from my own for their work on this bill, pushing USAID for clarification and accountability.]

I urge my colleagues to join me in supporting this legislation.

Thank you.

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