

**Calendar No. 468**111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**S. 3317****[Report No. 111-225]**

To authorize appropriations for fiscal years 2010 through 2014 to promote long-term, sustainable rebuilding and development in Haiti, and for other purposes.

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**IN THE SENATE OF THE UNITED STATES**

MAY 5, 2010

Mr. KERRY (for himself, Mr. CORKER, Mr. CARDIN, Mr. DURBIN, Ms. LANDRIEU, and Ms. STABENOW) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

JULY 19, 2010

Reported by Mr. KERRY, with amendments and an amendment to the title  
[Omit the part struck through and insert the part printed in *italic*]

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**A BILL**

To authorize appropriations for fiscal years 2010 through 2014 to promote long-term, sustainable rebuilding and development in Haiti, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Haiti Empowerment,  
3 Assistance, and Rebuilding Act of 2010”.

4 **SEC. 2. FINDINGS.**

5 Congress makes the following findings:

6 (1) On January 12, 2010, Haiti suffered an  
7 earthquake measuring 7.0 on the Richter magnitude  
8 scale, the greatest natural disaster in Haiti’s history,  
9 which—

10 (A) devastated Port-au-Prince and the sur-  
11 rounding areas;

12 (B) killed more than 230,000 people;

13 (C) injured hundreds of thousands more  
14 people;

15 (D) left many hundreds of thousands of  
16 people homeless;

17 (E) left many people with newly acquired  
18 disabilities, including limb loss and other phys-  
19 ical and mental trauma; and

20 (F) disrupted social structures and families  
21 through death, injury, and relocation.

22 (2) The scale of the initial relief effort was un-  
23 precedented, with many countries, hundreds of orga-  
24 nizations, and thousands of people generously con-  
25 tributing to a massive influx of supplies, resources,  
26 and personnel to support search and rescue oper-

1 ations and humanitarian assistance, underlying one  
2 of the most effective relief efforts in history.

3 (3) Prior to the earthquake, Haiti was the poor-  
4 est country in the Western Hemisphere, with—

5 (A) an estimated 54 percent of its popu-  
6 lation living on less than \$1 per day;

7 (B) approximately 120,000 people living  
8 with HIV;

9 (C) 29,333 new cases of tuberculosis in  
10 2007;

11 (D) nearly 50,000 children living in or-  
12 phanages;

13 (E) 55 percent of school-aged children not  
14 attending school; and

15 (F) an estimated 800,000 people with dis-  
16 abilities.

17 (4) Despite these challenges, cautious signs of  
18 developmental progress and stability were beginning  
19 to emerge in Haiti before the earthquake after years  
20 of security challenges and natural disasters that  
21 weakened the economy and slowed the consolidation  
22 of democracy and good governance.

23 (5) Although initial recovery efforts must con-  
24 tinue to assist the people of Haiti struggling to se-  
25 cure basic necessities, including food, water, health

1 care, shelter, and electricity, Haiti cannot afford to  
2 only focus on its immediate needs.

3 (6) Haiti's leaders have advocated that—

4 (A) reconstruction should not follow the in-  
5 efficient and poorly coordinated practices of the  
6 past, but should build back better; and

7 (B) Haitians should be assisted and sup-  
8 ported in accelerating and implementing long-  
9 planned reforms and new ways of doing busi-  
10 ness in every sector.

11 (7) Haiti enjoys several advantages that can fa-  
12 cilitate its rebuilding, including—

13 (A) people committed to education and  
14 hard work;

15 (B) proximity and duty-free access to  
16 United States markets;

17 (C) a large, hardworking North American  
18 diaspora, which remits generous amounts of  
19 money back to Haiti every year; and

20 (D) many regional neighbors who are  
21 peaceful, prosperous, and supportive of Haiti's  
22 success.

23 (8) The experiences of other countries that have  
24 successfully recovered from serious natural disasters  
25 confirm that—

1 (A) when the people and other civil society  
2 actors in an affected country play a significant  
3 role in the design and execution of the rebuild-  
4 ing efforts, the efforts are often more sustain-  
5 able and more in line with the needs and aspi-  
6 rations of local populations;

7 (B) when the government of the affected  
8 country plays a leading role in the planning and  
9 execution of the rebuilding efforts, there is a  
10 higher probability of reforms being long-lasting  
11 and coordinated with the long-term planning  
12 and development efforts of the affected country;

13 (C) every effort should be made to incor-  
14 porate, at the earliest time possible, market-  
15 based employment and economic development  
16 opportunities to allow people to take ownership  
17 of their long-term self sufficiency;

18 (D) stability and security are essential pre-  
19 conditions to longer-term development;

20 (E) *high quality, public funded* education is  
21 critical to securing a better future for the peo-  
22 ple in the affected country;

23 (F) removing gender disparities spurs mac-  
24 roeconomic growth; and

1 (G) projects that integrate gender are  
2 more likely to achieve their overall goals.

3 (9) Employment is essential to breaking the vi-  
4 cious cycle of poverty, insecurity, and lack of faith  
5 in democracy.

6 (10) In addition to providing emergency assist-  
7 ance and relief, the Government of Haiti must grap-  
8 ple with the longer-term issues of how to—

9 (A) provide permanent, sustainable shelter  
10 to an estimated 1,300,000 Haitians displaced  
11 by the earthquake;

12 (B) ensure that communities are at the  
13 center of the rebuilding process, by employing  
14 local labor and consulting with local leaders and  
15 communities;

16 (C) provide health care in a sustainable  
17 and comprehensive manner that is accessible to  
18 all Haitians; and

19 (D) provide all children with access to edu-  
20 cation.

21 (11) The impact of natural disaster on Haiti is  
22 exacerbated by—

23 (A) the lack of enforcement of earthquake-  
24 resistant construction procedures, weak building  
25 codes, and massive private sector economic

1 losses that hinder the ability of people to pur-  
2 chase materials of sufficient quality to rebuild  
3 existing buildings;

4 (B) a government that has long struggled  
5 to provide its people with minimal public serv-  
6 ices, including security, clean water, shelter,  
7 electricity, health care, and education; and

8 (C) underinvestment in infrastructure and  
9 development in rural areas and secondary cities  
10 outside of Port-au-Prince.

11 (12) Assistance to Haiti should be delivered in  
12 a manner that enhances the ability of the Govern-  
13 ment of Haiti to improve democratic, transparent  
14 governance and to use credible government institu-  
15 tions to provide services to its people.

16 (13) Local communities should play a central  
17 role in the rebuilding of Haiti, while the national re-  
18 covery process is led by the Government of Haiti in  
19 such a way that foreign assistance upholds the pri-  
20 macy of Haitian government institutions in the re-  
21 building effort.

22 (14) International donors and nongovernmental  
23 organizations—

24 (A) have a responsibility to support the  
25 Government of Haiti in its rebuilding efforts;

1           (B) are critical to the success of the recovery and reconstruction efforts;

2  
3           (C) are key to the provision of services in the near term;

4  
5           (D) can build capacity for national institutions, both governmental and nongovernmental, to take over the management and provision of essential services over the medium term;

6  
7  
8  
9           (E) should support and encourage rebuilding and development of programs which are environmentally sustainable and respectful and restorative of Haiti's natural resources;

10  
11  
12  
13           (F) should work with the Government of Haiti to improve the educational system and to ensure that all children have access to an education; and

14  
15  
16  
17           (G) should work with the Government of Haiti and the international community to better predict, anticipate, and protect against future disasters.

18  
19  
20  
21           (15) The circumstances following the earthquake in Haiti provide a real opportunity for  
22  
23           Haiti—



1 (A) to break the cycle of poverty and unre-  
2 alized expectations that has marked Haiti's his-  
3 tory; and

4 (B) to establish a new framework for sus-  
5 tained economic development through a commit-  
6 ment of engagement from the United States,  
7 other donors, and multilateral organizations to  
8 support the Government of Haiti and the Hai-  
9 tian people as they undertake the long rebuild-  
10 ing process.

11 **SEC. 3. DEFINITIONS.**

12 In this Act:

13 (1) AGENCY.—The term “agency” has the  
14 meaning given the term in section 551(1) of title 5,  
15 United States Code.

16 (2) APPROPRIATE CONGRESSIONAL COMMIT-  
17 TEES.—The term “appropriate congressional com-  
18 mittees” means the Committee on Foreign Relations  
19 of the Senate and the Committee on Foreign Affairs  
20 of the House of Representatives.

21 (3) HAITI REBUILDING AND DEVELOPMENT  
22 STRATEGY; STRATEGY.—The terms “Haiti Rebuild-  
23 ing and Development Strategy” and “Strategy”  
24 mean the multi-year strategy to provide assistance in

1 support of the reconstruction and rebuilding of Haiti  
2 prepared pursuant to section 6.

3 (4) SENIOR HAITI COORDINATOR.—The term  
4 “Senior Haiti Coordinator” means the Senior Coor-  
5 dinator of the United States Government for Haiti  
6 appointed pursuant to section 5.

7 **SEC. 4. STATEMENT OF POLICY.**

8 It is the policy of the United States, in partnership  
9 with the Government of Haiti and in coordination with  
10 the international community, to—

11 (1) support the sustainable recovery and re-  
12 building of Haiti in a manner that—

13 (A) encourages greater economic equality;

14 (B) embraces Haitian independence, self-  
15 reliance, democratic governance, and efficiency;

16 (C) supports collaboration with the Haitian  
17 government and consultation with Haitian and  
18 international civil society; and

19 (D) incorporates the potential of both  
20 women and men to contribute equally and to  
21 their maximum efficiency;

22 (2) affirm and build a long-term partnership  
23 with Haiti in support of—

24 (A) just, democratic, and competent gov-  
25 ernance including—

- 1 (i) an independent, efficient, and ef-  
2 fective judicial system;
- 3 (ii) parliamentary strengthening;
- 4 (iii) political pluralism, equality, and  
5 the rule of law;
- 6 (iv) civil society, governance institu-  
7 tions, and political parties that are rep-  
8 resentative and peaceful;
- 9 (v) transparency and accountability  
10 among all branches of government and ju-  
11 dicial proceedings, including supporting  
12 anti-corruption efforts among bureaucrats,  
13 elected officials, and public servants at all  
14 levels of security and government adminis-  
15 tration; and
- 16 (vi) security, by—
- 17 (I) ensuring legitimate state ef-  
18 forts to prevent and respond to crime,  
19 especially violence;
- 20 (II) instilling public order and  
21 confidence in, and increasing the ca-  
22 pacity of, Haitian security institu-  
23 tions; and

1 (III) reforming local and national  
2 police forces through professional  
3 training and equipment;

4 (B) providing a foundation for economic  
5 growth and economic sustainability, through in-  
6 vestments—

7 (i) in essential infrastructure, includ-  
8 ing transport and energy;

9 (ii) in sustainable urban development  
10 and improved urban management by iden-  
11 tifying, developing, and implementing a  
12 long-term, sustainable framework for fu-  
13 ture growth and development in urban  
14 areas that will ensure appropriate environ-  
15 mental and resource management, appro-  
16 priate disaster response plans, and expand  
17 access to basic shelter, affordable urban  
18 housing, energy, clean water, sanitation  
19 services, and essential urban services and  
20 infrastructure;

21 (iii) to rebuild Haiti's competitiveness  
22 and private sector in order to foster em-  
23 ployment generation, including policies to  
24 encourage investment and open world con-  
25 sumer markets to Haitian exports;

1 (iv) in food security and rural and ag-  
2 ricultural development, particularly of food  
3 staples and other crops that provide eco-  
4 nomic growth and income opportunities in  
5 times of shortage; and

6 (v) that recognize and address where  
7 obstacles related to gender limit, hinder, or  
8 suppress women's economic productivity  
9 and gain;

10 (C) environmentally sustainable programs  
11 that are respectful and restorative of Haiti's  
12 natural resources and build community-level re-  
13 siliance to environmental and weather-related  
14 impacts, including—

15 (i) programs to reduce and mitigate  
16 the effects of natural disaster, including  
17 floods and hurricanes;

18 (ii) programs to address land use,  
19 land tenure, land for reconstruction, and  
20 land price escalation issues;

21 (iii) programs and associated support  
22 to reduce deforestation and increase the  
23 rates of afforestation and reforestation in  
24 Haiti, including through diversification of  
25 Haiti's energy sources; and

1 (iv) programs to address safe drinking  
2 water, sanitation, hygiene, water resource  
3 management, and other water related  
4 issues;

5 (D) investments in people, particularly  
6 women and children, including—

7 (i) supporting the Government of  
8 Haiti, in coordination with nongovern-  
9 mental education providers, to rehabilitate  
10 and improve Haiti's education sector with  
11 the goal of providing access to quality edu-  
12 cation for all children;

13 (ii) ensuring that women's needs are  
14 appropriately integrated across all sectors,  
15 including governance, security, and devel-  
16 opment, and in program assessment, de-  
17 sign, implementation, monitoring, and eval-  
18 uation, with a goal of promoting access, in-  
19 clusion, and empowerment;

20 (iii) health care delivery and capacity  
21 building to strengthen the overall health  
22 care system;

23 (iv) supporting programs, activities,  
24 and initiatives that provide or promote  
25 equal opportunity, full participation, inde-

1           pendent living, and economic self-suffi-  
2           ciency for individuals with disabilities; and

3           (v) strengthening the child welfare  
4           system—

5           (I) to ensure the protection of  
6           children from violence, abuse, exploi-  
7           tation, *trafficking*, and neglect;

8           (II) to support family preserva-  
9           tion and reunification and prevent  
10          child abandonment; ~~to the extent pos-~~  
11          sible;

12          (III) to ensure that children  
13          without *permanent* family care receive  
14          safe, developmentally appropriate  
15          care, *including children in foster, resi-*  
16          *dential, or institutional care;* ~~and,~~

17          (IV) *to ensure that children who*  
18          *cannot be reunified with family have*  
19          *access to family-based care through*  
20          *kinship, guardianship, domestic adop-*  
21          *tion, or, in appropriate cases, inter-*  
22          *national adoption; and*

23          (V) to end the practice and ex-  
24          ploitation of child domestic servants  
25          (referred to in Haiti as “restaveks”),

1 by offering families education, sup-  
2 port, and alternatives;

3 (3) support, pursuant to the strategic objectives  
4 in paragraph (2) and in coordination with other do-  
5 nors—

6 (A) the institutional development and ca-  
7 pacity building of the Government of Haiti at  
8 the national, local, and community levels so  
9 that the Government of Haiti—

10 (i) can better ensure basic services to  
11 its population, including health care, edu-  
12 cation, and other basic social services; and

13 (ii) will be an effective steward of  
14 state resources through a transparent  
15 process of equitable resource allocation  
16 that includes a broad range of participa-  
17 tion from Haitian civil society;

18 (B) Haitian civil society organizations that  
19 are committed to making a positive contribution  
20 to the rebuilding and sustainable development  
21 of Haiti;

22 (C) people-to-people engagement between  
23 the United States and Haiti, through increased  
24 educational, technical, and cultural exchanges  
25 and other methods;



1 (D) significant contributions to a multilat-  
2 eral trust fund that will be established to en-  
3 hance the reconstruction and rebuilding of  
4 Haiti; and

5 (E) a Haitian government budget that is  
6 appropriately sized to fulfill the functions ex-  
7 pected of the budget for the delivery of essential  
8 public services, including arrangements to en-  
9 sure transparency and accountability for the  
10 funds provided to the budget of the Haitian  
11 government; and

12 (4) promote development and rebuilding efforts  
13 in Haiti that are led by, and in support of, all levels  
14 of government in Haiti, including national and local  
15 governments, so that—

16 (A) the Government and people of Haiti  
17 lead the vision for reconstruction and rebuilding  
18 of Haiti;

19 (B) resources are channeled in concrete  
20 and specific ways toward key sectoral objectives  
21 identified by the Government of Haiti and its  
22 people;

23 (C) feasible steps are taken to recognize  
24 and rectify the social injustice of poverty and  
25 gender inequality and to decrease the vulner-

1 ability of the poor, *including poor families*,  
2 through job creation, access to education, the  
3 provision of health care, the provision of safe  
4 shelter and settlements, and food security;

5 (D) communities are placed at the center  
6 of the rebuilding process, by employing local  
7 labor and consulting local leaders and commu-  
8 nities for their experience and vision;

9 (E) rebuilding and development programs  
10 are environmentally sustainable and respectful  
11 and restorative of Haiti's natural resources; and

12 (F) the Haiti Rebuilding and Development  
13 Strategy builds from and supports—

14 (i) existing assessments for Haiti, in-  
15 cluding the Post Disaster Needs Assess-  
16 ment;

17 (ii) the Government of Haiti's Action  
18 Plan for the Reconstruction and National  
19 Development of Haiti;

20 (iii) other existing development plans  
21 for Haiti, including the Poverty Reduction  
22 Strategy Paper for Haiti; and

23 (iv) shared principles in the Paris  
24 Declaration on Aid Effectiveness and the  
25 Accra Agenda for Action.

1 **SEC. 5. SENIOR HAITI COORDINATOR.**

2 (a) IN GENERAL.—There shall be established within  
3 the Department of State a Senior Coordinator of the  
4 United States Government for Haiti, who—

5 (1) shall be appointed by the President; and

6 (2) shall report directly to the Secretary of  
7 State, in consultation with the Administrator of the  
8 United States Agency for International Develop-  
9 ment.

10 (b) DUTIES.—

11 (1) IN GENERAL.—The Senior Haiti Coordi-  
12 nator shall advise, oversee, and coordinate all poli-  
13 cies of the United States Government related to  
14 Haiti.

15 (2) SPECIFIC DUTIES.—The Senior Haiti Coordi-  
16 nator shall—

17 (A) ensure interagency program and policy  
18 coordination towards Haiti among relevant  
19 agencies;

20 (B) help devise, promote and participate  
21 in, in coordination with the Chief of Mission, ef-  
22 fective international donor coordination mecha-  
23 nisms;

24 (C) ensure that each relevant agency un-  
25 dertakes programs primarily in those areas in  
26 which the agency has the greatest expertise,

1 technical capabilities, and potential for success;  
2 and

3 (D) provide input to the Administrator of  
4 the United States Agency for International De-  
5 velopment in the design of the Haiti Rebuilding  
6 and Development Strategy.

7 (c) EFFECTIVE DATE.—This section shall be effective  
8 during the 5-year period beginning on the date of the en-  
9 actment of this Act.

10 **SEC. 6. HAITI REBUILDING AND DEVELOPMENT STRATEGY.**

11 (a) IN GENERAL.—The Administrator of the United  
12 States Agency for International Development, with input  
13 provided by the Senior Haiti Coordinator, shall prepare  
14 and submit to the appropriate congressional committees  
15 a multi-year strategy to provide assistance in support of  
16 the reconstruction and rebuilding of Haiti.

17 (b) COMPONENTS.—The Haiti Rebuilding and Devel-  
18 opment Strategy shall—

19 (1) include—

20 (A) specific and measurable goals;

21 (B) benchmarks and time frames;

22 (C) an implementation plan to achieve the  
23 policy objectives set forth in section 4; and

24 (D) a detailed monitoring and evaluation  
25 plan tied to measurable indicators addressing

1 progress toward achieving those policy objec-  
2 tives, including impact evaluations of United  
3 States assistance to Haiti; and

4 (2) to the greatest extent possible—

5 (A) leverage private sector resources  
6 through different agencies, including assistance  
7 that allows Haiti to make greater use of the  
8 trade preferences provided under section 213A  
9 of the Caribbean Basin Economic Recovery Act  
10 (19 U.S.C. 2703a) (as added by the Haitian  
11 Hemispheric Opportunity Through Partnership  
12 Act of 2006 (title V of division D of Public Law  
13 109–432; 120 Stat. 3181) (commonly known as  
14 the “HOPE Act”) and amended by the Haitian  
15 Hemispheric Opportunity Through Partnership  
16 Act of 2008 (part I of subtitle D of title XV of  
17 Public Law 110–246; 122 Stat. 2289) (com-  
18 monly known as the “HOPE II Act”));

19 (B) consult with the academic and re-  
20 search communities, nonprofit organizations,  
21 foundations, other implementing partners, the  
22 Government of Haiti, Haitian civil society, and  
23 the Haitian diaspora;

24 (C) coordinate United States assistance ef-  
25 forts with similar efforts of international orga-

1 nizations, international financial institutions,  
2 the governments of developing and developed  
3 countries, and United States and international  
4 nongovernmental organizations;

5 (D) promote access to *high quality, public*  
6 *funded* education for all children;

7 (E) incorporate approaches directed at  
8 reaching women living in poverty;

9 (F) incorporate best practices for improv-  
10 ing child welfare and protection for orphans  
11 and other vulnerable children; and

12 (G) maximize local and regional procure-  
13 ment.

14 (c) PRIOR CONSULTATION.—Not later than 30 days  
15 before the initial submission of the Haiti Rebuilding and  
16 Development Strategy, the Administrator of the United  
17 States Agency for International Development, in conjunc-  
18 tion with the Senior Haiti Coordinator, shall consult with  
19 the appropriate congressional committees on the contents  
20 of the Strategy.

21 (d) REPORTS.—

22 (1) ANNUAL REPORTS.—Not later than 90 days  
23 after the date of the enactment of this Act, and an-  
24 nually thereafter, in accordance with the normal per-  
25 formance reporting schedule, the Secretary of State

1 shall submit a report to the appropriate congress-  
2 sional committees that includes—

3 (A) a copy of the Haiti Rebuilding and De-  
4 velopment Strategy, including—

5 (i) any changes made to the Strategy  
6 during the preceding calendar year; and

7 (ii) an explanation of such changes;

8 (B) a description, by foreign assistance  
9 framework objective, of the implementation of  
10 the Strategy;

11 (C) an assessment of progress made during  
12 the preceding fiscal year toward meeting—

13 (i) the policy objectives set forth in  
14 section 4; and

15 (ii) the specific goals, benchmarks,  
16 and time frames specified in the Strategy;

17 (D) a description of all United States Gov-  
18 ernment programs contributing to the achieve-  
19 ment of the policy objectives set forth in section  
20 4, including the amounts obligated and ex-  
21 pended on such programs during the preceding  
22 fiscal year; and

23 (E) an assessment of United States ef-  
24 forts—

1 (i) to encourage and leverage business  
2 and philanthropic participation toward  
3 Haiti rebuilding and development; and

4 (ii) to coordinate United States Gov-  
5 ernment programs with assistance provided  
6 by international organizations, inter-  
7 national financial institutions, the govern-  
8 ments of developing and developed coun-  
9 tries, and United States and international  
10 nongovernmental organizations.

11 ~~(2) GOVERNMENT ACCOUNTABILITY OFFICE RE-~~  
12 ~~PORT.—Not later than 270 days after the submis-~~  
13 ~~sion of each report under paragraph (1), the Comp-~~  
14 ~~troller General of the United States shall submit a~~  
15 ~~report to the appropriate congressional committees~~  
16 ~~that contains—~~

17 ~~(A) a review of, and comments addressing,~~  
18 ~~the report submitted under paragraph (1); and~~

19 ~~(B) recommendations relating to any addi-~~  
20 ~~tional actions the Comptroller General deter-~~  
21 ~~mines to be important to improve the provision~~  
22 ~~of assistance for Haiti to support rebuilding~~  
23 ~~and development.~~

24 ~~(2) GOVERNMENT ACCOUNTABILITY OFFICE RE-~~  
25 ~~PORT.—Not later than 270 days after the submission~~



1       of the first report under paragraph (1), and on a  
2       periodic basis thereafter, the Comptroller General of  
3       the United States shall submit, to the appropriate  
4       congressional committees—

5               (A) a review of, and comments addressing,  
6       the report submitted under paragraph (1);

7               (B) an examination of obligations, expendi-  
8       tures, and activities relating to any additional  
9       actions the Comptroller General determines to be  
10      important, with recommendations to improve the  
11      provision of assistance for Haiti to support re-  
12      building and development; and

13              (C) additional reviews, as appropriate, that  
14      focus on long-term, sustainable economic develop-  
15      ment activities.

16      (3) PROGRAM REVIEW.—

17              (A) IN GENERAL.—Concurrent with the  
18      submission of the second annual report under  
19      paragraph (1), the Secretary of State shall sub-  
20      mit a report to the appropriate congressional  
21      committees that contains—

22              (i) an assessment of the progress  
23      made during the preceding 2 years toward  
24      meeting the policy objectives set forth in  
25      section 4 and the specific goals, bench-

1 marks, and time frames specified in the  
2 Haiti Rebuilding and Development Strat-  
3 egy;

4 (ii) an evaluation of the impact during  
5 the preceding 2 years of United States as-  
6 sistance programs on Haitian rebuilding  
7 and development; and

8 (iii) an assessment of the overall sta-  
9 tus of broader rebuilding and development  
10 taking place in Haiti, as outlined by the  
11 Government of Haiti.

12 (B) BASIS FOR REPORT.—The report re-  
13 quired under subparagraph (A) shall be based  
14 on data quality assessments and impact evalua-  
15 tions of quantitative and qualitative indicators.

16 (4) PUBLIC AVAILABILITY OF INFORMATION.—  
17 The information requested in paragraphs (1) and  
18 (3) for United States programs contributing to the  
19 achievement of the policy objectives set forth in sec-  
20 tion 4, including the amounts obligated and ex-  
21 pended on such programs during preceding fiscal  
22 years, shall—

23 (A) be made publically accessible in a time-  
24 ly manner on a single, consolidated website; and

1 (B) be presented in a detailed, program-  
2 by-program basis.

3 (5) UNCLASSIFIED SUMMARY.—If detailed in-  
4 formation is classified, an unclassified summary  
5 shall be posted and the classified details shall be  
6 submitted separately to the appropriate congres-  
7 sional committees.

8 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

9 (a) AMOUNTS AUTHORIZED.—There are authorized  
10 to be appropriated to *carry out the policy objectives set*  
11 *forth in section 4 and the other purposes of this Act*~~provide~~  
12 ~~assistance for Haiti and to carry out the other purposes~~  
13 ~~of this Act, in addition to amounts otherwise available for~~  
14 ~~such purposes—~~

15 (1) \$1,500,000,000 for fiscal year 2010; *and*

16 (2) \$500,000,000 for fiscal year 2011;

17 ~~(3) \$500,000,000 for fiscal year 2012;~~

18 ~~(4) \$500,000,000 for fiscal year 2013; and~~

19 ~~(5) \$500,000,000 for fiscal year 2014.~~

20 (b) APPLICABILITY OF THE FOREIGN ASSISTANCE  
21 ACT OF 1961 AND OTHER LAWS.—

22 (1) IN GENERAL.—Amounts made available to  
23 carry out the purposes of this Act, including  
24 amounts authorized to be appropriated by this Act—

1           (A) *for economic assistance shall be pro-*  
2 *vided in accordance with the provisions of, and*  
3 *the general authorities contained in, sections*  
4 *116, 491, and 620M of the Foreign Assistance*  
5 *Act of 1961 (22 U.S.C. 2151n, 2292, and 2378d),*  
6 *respectively; and*

7           (B) *for assistance to security forces shall be*  
8 *subject to the applicable requirements under the*  
9 *Foreign Assistance Act of 1961 (22 U.S.C. 2151*  
10 *et seq.) and the Arms Export Control Act (22*  
11 *U.S.C. (2751 et seq.).*

12           ~~(A) shall be considered to be economic as-~~  
13 ~~istance under the Foreign Assistance Act of~~  
14 ~~1961 (22 U.S.C. 2151 et seq.) for purposes of~~  
15 ~~making available the administrative authorities~~  
16 ~~contained in that Act for the use of economic~~  
17 ~~assistance; and~~

18           ~~(B) shall be provided in accordance with~~  
19 ~~the provisions of, the general authorities con-~~  
20 ~~tained in, and the limitations of, sections 116,~~  
21 ~~491, and 620M of the Foreign Assistance Act~~  
22 ~~of 1961 (22 U.S.C. 2151n, 2292, and 2378d),~~  
23 ~~respectively.~~

24           (2) *ADMINISTRATIVE AUTHORITIES.—The ad-*  
25 *ministrative authorities under the Foreign Assistance*

1 *Act of 1961 (22 U.S.C. 2151 et seq.) may be utilized*  
2 *in providing assistance furnished with amounts made*  
3 *available to carry out the purposes of this Act, includ-*  
4 *ing amounts authorized to be appropriated by this*  
5 *Act.*

6 (3) TECHNICAL AMENDMENT.—Chapter 1 of  
7 part III of the Foreign Assistance Act of 1961 (22  
8 U.S.C. 2351 et seq.) is amended by redesignating  
9 section 620 J (as added by section 651 of the De-  
10 partment of State, Foreign Operations, and Related  
11 Programs Appropriations Act, 2008 (division J of  
12 Public Law 110–161; 22 U.S.C. 2378d)) as section  
13 620M.

14 (c) TRANSFERS.—Of the amounts appropriated for  
15 each fiscal year pursuant to subsection (a)—

16 (1) the Department of the Treasury may con-  
17 tribute to a multi-donor trust fund for reconstruc-  
18 tion and recovery expenses related to Haiti following  
19 the earthquake of January 12, 2010, *subject to the*  
20 *regular notification procedures of the appropriate*  
21 *congressional committees; and*

22 (2) ~~remaining~~ amounts may be transferred to  
23 the “Development Credit Authority” account of the  
24 United States Agency for International Development  
25 for the cost of direct loans and loan guarantees, not-

1 withstanding the dollar limitations in such account  
2 on transfers to the account.

3 (d) AVAILABILITY OF FUNDS.—

4 (1) IN GENERAL.—Amounts appropriated for  
5 each fiscal year pursuant to subsection (a) shall re-  
6 main available until expended.

7 (2) REPORTS REQUIRED.—Of the amounts ap-  
8 propriated for each fiscal year pursuant to sub-  
9 section (a), none of the amounts may be made avail-  
10 able for assistance to Haiti unless the Haiti Rebuild-  
11 ing and Development Strategy reports are being  
12 submitted to the appropriate congressional commit-  
13 tees in accordance with section 6(d)(1).

14 (e) PREFERENCE FOR BUILDING LOCAL CAPAC-  
15 ITY.—In providing assistance under this Act, the Presi-  
16 dent is encouraged to utilize Haitian firms and community  
17 and local nongovernmental organizations, as appropriate.

18 (f) OFFICE OF THE INSPECTOR GENERAL.—Of the  
19 amounts appropriated for a fiscal year pursuant to sub-  
20 section (a), up to \$5,000,000 may be made available to  
21 the Inspectors General of the Department of State, the  
22 United States Agency for International Development, and  
23 other relevant agencies to provide audits and program re-  
24 views of programs and activities receiving assistance under  
25 this Act.

Amend the title so as to read: “To authorize appropriations for fiscal years 2010 and 2011 to promote long-term, sustainable rebuilding and development in Haiti, and for other purposes.”.

Calendar No. 468

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 3317**

[Report No. 111-225]

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## **A BILL**

To authorize appropriations for fiscal years 2010 through 2014 to promote long-term, sustainable rebuilding and development in Haiti, and for other purposes.

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JULY 19, 2010

Reported with amendments and an amendment to the title