

113TH CONGRESS  
1ST SESSION

# H. R. 3509

To direct the Secretary of State to submit to Congress a report on the status of post-earthquake recovery and development efforts in Haiti.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 15, 2013

Ms. LEE of California (for herself, Mr. ENGEL, Mr. ROYCE, Ms. CLARKE, Ms. WILSON of Florida, Ms. WATERS, Mr. CONYERS, Ms. ROS-LEHTINEN, Mr. RADEL, Mr. DIAZ-BALART, Mr. MEEKS, Ms. BASS, and Mr. RANGEL) introduced the following bill; which was referred to the Committee on Foreign Affairs

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## A BILL

To direct the Secretary of State to submit to Congress a report on the status of post-earthquake recovery and development efforts in Haiti.

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.**

4 This Act may be cited as the “Assessing Progress in  
5 Haiti Act of 2013”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1           (1) On January 12, 2010, a massive earth-  
2           quake struck near the Haitian capital city of Port-  
3           au-Prince, leaving an estimated 316,000 people  
4           dead, including 103 United States citizens, 101  
5           United Nations personnel, and nearly 18 percent of  
6           the nation's civil service, as well as 300,000 injured,  
7           115,000 homes destroyed, and 2,000,000 people dis-  
8           placed.

9           (2) According to the Post Disaster Needs As-  
10          sessment conducted by the Government of Haiti,  
11          with technical assistance from the United Nations,  
12          the World Bank, the Inter-American Development  
13          Bank, the Economic Commission for Latin America  
14          and the Caribbean, and the European Commission,  
15          an estimated 15 percent of the population were di-  
16          rectly affected by the disaster and related damages  
17          and economic losses totaled \$7,804,000,000.

18          (3) Even before the earthquake, Haiti had some  
19          of the lowest socioeconomic indicators and the sec-  
20          ond highest rate of income disparity in the world,  
21          conditions that have further complicated post-earth-  
22          quake recovery efforts and, according to the World  
23          Bank, have significantly reduced the prospects of  
24          economic growth spurring broader poverty reduction.

1           (4) Today, according to the United Nations, the  
2           Government of Haiti, Haitian civil society, and  
3           international nongovernmental organizations, more  
4           than 8,000,000 people in Haiti, out of a population  
5           of approximately 10,000,000, continue to struggle to  
6           meet their food security needs as a result of the  
7           earthquake, tropical storms and hurricanes, rising  
8           global food prices, and long term neglect of the agri-  
9           cultural sector.

10           (5) In October 2010, an unprecedented out-  
11           break of cholera in Haiti resulted in over half a mil-  
12           lion reported cases and over 8,000 deaths to date,  
13           further straining the capacity of Haiti's public  
14           health sector and increasing the urgency of resettle-  
15           ment and water, sanitation, and hygiene (WASH)  
16           efforts.

17           (6) The international community, led by the  
18           United States and the United Nations, mounted an  
19           unprecedented humanitarian response in Haiti, with  
20           donors pledging approximately \$14,000,000,000 for  
21           humanitarian relief and recovery efforts, including  
22           debt relief, supplemented by \$3,100,000,000 in pri-  
23           vate charitable contributions, of which approximately  
24           \$6,400,000,000 has been disbursed and an addi-

1 tional \$3,800,000,000 has been committed as of  
2 September 30, 2013.

3 (7) The emergency response of the men and  
4 women of the United States Government, led by the  
5 United States Agency for International Development  
6 (USAID) and the United States Southern Com-  
7 mand, as well as of cities, towns, individuals, busi-  
8 nesses, and philanthropic organizations across the  
9 United States, was particularly swift and resolute.

10 (8) Since 2010, a total of \$1,300,000,000 in  
11 United States assistance has been allocated for hu-  
12 manitarian relief and \$2,300,000,000 has been allo-  
13 cated for recovery, reconstruction, and development  
14 assistance in Haiti, including \$1,140,000,000 in  
15 emergency appropriations and \$95,000,000 that has  
16 been obligated specifically to respond to the cholera  
17 epidemic.

18 (9) Of the \$3,600,000,000 in United States as-  
19 sistance allocated for Haiti, \$651,000,000 was ap-  
20 portioned to the USAID to support an ambitious re-  
21 covery plan, including the construction of a power  
22 plant to provide electricity for the new Caracol In-  
23 dustrial Park (CIP) in northern Haiti, a new port  
24 near the CIP, and permanent housing in new settle-

1       ments in the Port-au-Prince, St-Marc, and Cap-  
2       Haïtien areas.

3           (10) On October 9, 2013, the Committee on  
4       Foreign Affairs of the House of Representatives held  
5       an oversight hearing on the status and effectiveness  
6       of post-earthquake United States aid to Haiti, fol-  
7       lowing a House of Representatives-mandated, year-  
8       long Government Accountability Office (GAO) report  
9       that was highly critical of some aspects of USAID's  
10      recovery effort.

11          (11) According to GAO, as of June 30, 2013,  
12      USAID had disbursed just 35 percent of its recon-  
13      struction funds in Haiti, the port project was 2  
14      years behind schedule and over budget by an esti-  
15      mated \$189,000,000, the housing project has been  
16      reduced by 80 percent, and the sustainability of the  
17      power plant, the port, and the housing projects were  
18      all at risk.

19          (12) GAO further found that Congress has not  
20      been provided with sufficient information to ensure  
21      that it is able to conduct effective oversight at a  
22      time when most funding remains to be disbursed,  
23      and specifically recommends that a periodic report-  
24      ing mechanism be instituted to fill this information  
25      gap.

1           (13) Donors have encountered significant chal-  
2           lenges in implementing recovery programs and near-  
3           ly 4 years after the earthquake an estimated  
4           279,000 people remain displaced in camps, unem-  
5           ployment remains high, corruption is rampant, land  
6           rights remain elusive, allegations of wage violations  
7           are widespread, the business climate is unfavorable,  
8           and government capacity remains weak.

9           (14) For Haiti to achieve stability and long  
10          term economic growth, donor assistance will have to  
11          be carefully coordinated with a commitment by the  
12          Haitian Government to transparency, a market  
13          economy, rule of law, and democracy.

14 **SEC. 3. STATEMENT OF POLICY.**

15          It is the policy of the United States to support the  
16          sustainable rebuilding and development of Haiti in a man-  
17          ner that—

18               (1) promotes efforts that are led by and sup-  
19               port the Haitian people and the Haitian Government  
20               at all levels so that Haitians lead the course of re-  
21               construction and development of Haiti;

22               (2) builds the long term capacity of the Govern-  
23               ment of Haiti and Haitian civil society;

1           (3) reflects the priorities and particular needs  
2 of both women and men so they may participate  
3 equally and to their maximum capacity;

4           (4) respects and helps restore Haiti's natural  
5 resources, as well as builds community-level resil-  
6 ience to environmental and weather-related impacts;

7           (5) provides timely and comprehensive reporting  
8 on goals and progress, as well as transparent post  
9 program evaluations and contracting data;

10           (6) prioritizes the local procurement of goods  
11 and services in Haiti where appropriate; and

12           (7) promotes the holding of free, fair, and time-  
13 ly elections in accordance with democratic principles  
14 and the Haitian Constitution.

15 **SEC. 4. REPORT.**

16           (a) **IN GENERAL.**—Not later than 120 days after the  
17 date of the enactment of this Act and every 180 days  
18 thereafter through September 30, 2016, the Secretary of  
19 State shall submit to Congress a report on the status of  
20 post-earthquake recovery and development efforts in  
21 Haiti.

22           (b) **CONTENTS.**—The report required by subsection  
23 (a) shall include—

24           (1) a summary of the Haiti Rebuilding and De-  
25 velopment Strategy, including any significant modi-

1       fications to the strategy over the reporting period  
2       and an explanation thereof;

3               (2) a breakdown of the work that the United  
4       States Government agencies other than USAID and  
5       the Department of State are conducting in the Haiti  
6       recovery effort, and the cost of that assistance;

7               (3) an assessment of the progress of United  
8       States efforts to advance the objectives of the Haiti  
9       Rebuilding and Development Strategy through the  
10       “Post-Earthquake USG Haiti Strategy: Toward Re-  
11       newal and Economic Opportunity” produced by the  
12       Department of State, compared to what remains to  
13       be achieved to meet specific goals, including—

14                   (A) a description of any significant  
15       changes to the Strategy over the reporting pe-  
16       riod and an explanation thereof;

17                   (B) an assessment of progress, or lack  
18       thereof, over the reporting period toward meet-  
19       ing the goals and objectives, benchmarks, and  
20       timeframes specified in the Strategy, includ-  
21       ing—

22                           (i) a description of progress toward  
23       designing and implementing a coordinated  
24       and sustainable housing reconstruction  
25       strategy that addresses land ownership, se-



1           cure land tenure, water and sanitation,  
2           and the unique concerns of vulnerable pop-  
3           ulations such as women and children, as  
4           well as neighborhood and community revi-  
5           talization, housing finance, and capacity  
6           building for the Government of Haiti to  
7           implement an effective housing policy;

8           (ii) a description of efforts to con-  
9           struct and sustain the proposed port, as  
10          well as an assessment of the current pro-  
11          jected timeline and cost for completion;  
12          and

13          (iii) a description of efforts to attract  
14          and leverage the investments of private  
15          sector partners to the CIP, including by  
16          addressing any policy impediments;

17          (C) a description of the quantitative and  
18          qualitative indicators used to evaluate the  
19          progress toward meeting the goals and objec-  
20          tives, benchmarks, and timeframes specified in  
21          Strategy at the project level;

22          (D) the amounts committed, obligated, and  
23          expended on programs and activities to imple-  
24          ment the Strategy, by sector and by imple-

1           menting partner at the principal and sub-  
2           recipient levels, where practicable; and

3           (E) a description of the risk mitigation  
4           measures put in place to limit the exposure of  
5           United States assistance provided under the  
6           Strategy to abuse and mismanagement;

7           (4) a description of measures taken to strength-  
8           en, and an assessment of, Haitian governmental and  
9           non-governmental organizational capacity to under-  
10          take and sustain United States-supported recovery  
11          programs;

12          (5) a description of United States efforts to  
13          consult and engage with Haitian Government min-  
14          istries and local authorities on the establishment of  
15          goals and timeframes, and on the design and imple-  
16          mentation of new programs under the Haiti Rebuild-  
17          ing and Development Strategy;

18          (6) a description of efforts to consult and en-  
19          gage with Haitian civil society and grassroots orga-  
20          nizations on the establishment of goals and time-  
21          frames, and on the design and implementation of  
22          new programs under the Haiti Rebuilding and De-  
23          velopment Strategy, as well as efforts to coordinate  
24          with and engage the Haitian diaspora;

1           (7) consistent with the Government of Haiti's  
2           ratification of the United Nations Convention  
3           Against Corruption, a description of United States  
4           and Haitian Government efforts to strengthen Hai-  
5           tian Government institutions established to address  
6           corruption, as well as related efforts to promote pub-  
7           lic accountability, meet public outreach and disclo-  
8           sure obligations, and support civil society participa-  
9           tion in anti-corruption efforts;

10           (8) a description of efforts to leverage public-  
11           private partnerships and increase the involvement of  
12           the Haitian private sector in recovery and develop-  
13           ment activities and coordinate programs with the  
14           private sector and other donors;

15           (9) a description and assessment of efforts to  
16           give priority to the particular needs and views of vul-  
17           nerable populations, including internally displaced  
18           persons, women, children, orphans, and persons with  
19           disabilities, in the design and implementation of new  
20           programs and infrastructure;

21           (10) an assessment of the impact that agri-  
22           culture and infrastructure programs are having on  
23           the food security, livelihoods, and land tenure secu-  
24           rity of smallholder farmers, particularly women;

1           (11) a description of mechanisms for commu-  
2           nicating the progress of recovery and development  
3           efforts to the Haitian people, including a description  
4           of efforts to provide documentation, reporting and  
5           procurement information in Haitian Creole; and

6           (12) a description of the steps Haiti is taking  
7           to strengthen its capacity to receive individuals who  
8           are removed, excluded, or deported from the United  
9           States.

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