

111TH CONGRESS  
1ST SESSION

# H. R. 417

To provide for professional exchanges with Haiti, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2009

Ms. LEE of California (for herself, Mr. TOWNS, Mr. ENGEL, Mr. CONYERS, Mr. CROWLEY, Ms. CORRINE BROWN of Florida, Mr. MEEK of Florida, Mr. JOHNSON of Georgia, Mrs. CHRISTENSEN, Mr. LEWIS of Georgia, Ms. EDWARDS of Maryland, Mr. HASTINGS of Florida, Mr. RANGEL, and Mr. RUSH) introduced the following bill; which was referred to the Committee on Foreign Affairs

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## A BILL

To provide for professional exchanges with 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,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Next Steps for Haiti  
5       Act of 2009”.

6       **SEC. 2. FINDINGS.**

7       Congress finds the following:

1           (1) Haiti is the world's first black-led republic  
2           and the first Caribbean country to achieve independ-  
3           ence.

4           (2) Since its independence on January 1, 1804,  
5           the Government of Haiti has struggled to meet the  
6           promise of freedom and democracy expressed in the  
7           Preliminary Declaration of its 1805 Constitution.

8           (3) Many government changes in the last three  
9           decades, accompanied with ongoing violence, have  
10          contributed to the government's inability to provide  
11          security for its citizens and provide an environment  
12          conducive for the development of infrastructure.

13          (4) Since the return of Haiti's democracy, the  
14          country has taken steps to achieve a relative meas-  
15          ure of stability. However, the 40 percent rise in  
16          global food prices and subsequent 50 percent rise in  
17          the cost of Haiti's staple foods since mid-2007 has  
18          threatened Haiti's security and the capacity of Hai-  
19          ti's economy to prosper.

20          (5) Haiti today stands as the Western Hemi-  
21          sphere's poorest country, and would benefit greatly  
22          from technical assistance in the fields of health care,  
23          sanitation, capacity building, and the environment.

24          (6) United States Caribbean nationals have tra-  
25          ditionally contributed to the economic and social de-

1        velopment of their home countries through remit-  
2        tances. Diasporas serve as lobbies in their host coun-  
3        tries and as transnational networks and actors in  
4        their respective societies. Partnering with the re-  
5        sources of a diaspora can lead to staffing and train-  
6        ing of public administration, business development,  
7        job creation, and migration management.

8            (7) At least 3 million Haitians live abroad,  
9        mostly in the United States and Canada. Members  
10       of the Haitian diaspora are Haiti's first customers  
11       and investors in tourism, small business, and min-  
12       ing. Return trips by Haitians living abroad provide  
13       significant capital for local economies and tourism.

14           (8) According to the Inter-American Develop-  
15       ment Bank, remittances to families in Haiti reached  
16       an estimated 1.83 billion in 2007. These remittances  
17       account for 35 percent of Haiti's gross domestic  
18       product.

19           (9) The diaspora support is received from  
20       hometown associations of professionals focusing on  
21       specific fields. These help create small- and medium-  
22       sized businesses in Haiti, through micro-volunteer  
23       projects and the channeling of funds through local,  
24       departmental, and national initiatives.

1           (10) Mobilizing Haitians abroad is one means  
2           to advance state and economic reconstruction as well  
3           as reversing the brain drain and bring skilled and  
4           professional expatriates back to Haiti to greatly ex-  
5           pand the nation’s management capacity and work-  
6           force.

7   **SEC. 3. THE NEXT STEPS FOR HAITI ACT OF 2009.**

8           (a) PROGRAM AUTHORIZED.—The Director of For-  
9   eign Assistance, in consultation with the democratically  
10  elected Government of Haiti and Haitian civil society or-  
11  ganizations, is authorized to establish a professional ex-  
12  change program in Haiti, to be known as the “Haiti Pro-  
13  fessional Exchange Program” (in this Act referred to as  
14  the “Exchange Program”). At all major phases of the Ex-  
15  change Program, including establishing the Exchange  
16  Program’s priorities, identifying the most appropriate  
17  skills for Exchange Program participants, and selecting  
18  and supervising Exchange Program participants, the  
19  democratically elected Government of Haiti and Haitian  
20  civil society organizations shall be consulted.

21          (b) PURPOSE.—The purpose of the Exchange Pro-  
22  gram is to assign qualified Haitian Americans and others  
23  to provide technical assistance to help Haiti improve in  
24  areas vital to its growth and development, which may in-  
25  clude education, energy, environment, healthcare, infra-

1 structure, security, transportation, and disaster prepared-  
2 ness.

3 (c) COORDINATION.—In carrying out the Exchange  
4 Program, the Director of Foreign Assistance shall nego-  
5 tiate an agreement with the democratically elected Govern-  
6 ment of Haiti to—

7 (1) provide technical assistance in areas vital to  
8 Haiti's growth and development as provided under  
9 subsection (b); and

10 (2) identify, in accordance with Haitian needs  
11 and priorities, the sectors or professional fields to  
12 which Exchange Program participants may provide  
13 technical assistance and the objectives to be  
14 achieved, including specific projects or programs.

15 (d) CONSULTATION WITH HAITIAN CIVIL SOCIETY  
16 ORGANIZATIONS.—The democratically elected Govern-  
17 ment of Haiti should consult with Haitian civil society or-  
18 ganizations to identify the needs and priorities of Haiti  
19 to outline the sectors or professional fields to which Ex-  
20 change Program participants may provide technical assist-  
21 ance and the objectives to be achieved, including specific  
22 projects or programs.

23 (e) SELECTION OF INDIVIDUALS FOR PARTICIPATION  
24 IN THE EXCHANGE PROGRAM.—The Director of Foreign  
25 Assistance shall establish a selections committee, con-

1 sisting of representatives of the democratically elected  
2 Government of Haiti and Haitian civil society organiza-  
3 tions, to identify criteria that should be met by individuals  
4 who wish to participate in the Exchange Program. In ad-  
5 dition, the selections committee shall review potential eligi-  
6 ble applicants who wish to participate in the Exchange  
7 Program to ensure that they can act as experts.

8 (f) OUTREACH PROGRAM TO ENCOURAGE PARTICI-  
9 PATION IN THE EXCHANGE PROGRAM.—The Director of  
10 Foreign Assistance shall establish an outreach program to  
11 encourage participation in the Exchange Program, by in-  
12 dividuals who shall meet the following requirements:

13 (1) Are citizens of the United States or lawfully  
14 admitted for permanent residence in the United  
15 States.

16 (2) Are—

17 (A) fluent in Kreyol or are working to-  
18 wards a proficiency in Kreyol, or willing to un-  
19 dertake intensive Kreyol training; or

20 (B) fluent in French or are working to-  
21 wards a proficiency in French, or willing to un-  
22 dertake intensive French training.

23 (3) Possess skills or expertise to further the  
24 purposes of this Act.

1 (g) TERMS OF PARTICIPATION FOR INDIVIDUALS IN  
2 THE EXCHANGE PROGRAM.—

3 (1) ORIENTATION REQUIRED FOR INDIVIDUALS  
4 IN THE EXCHANGE PROGRAM.—Participants shall  
5 attend an orientation outlined by the Director of  
6 Foreign Assistance, in consultation with the selec-  
7 tion committee. The orientation shall consist of  
8 workshops and seminars designed to prepare partici-  
9 pants for their stay in Haiti. Topics addressed shall  
10 include the following:

11 (A) A review of the Exchange Program's  
12 goals and intentions.

13 (B) A review of Haiti's different ap-  
14 proaches to the country's development needs.

15 (C) A review of the potential cultural and  
16 behavioral barriers individuals may face while  
17 participating in the Exchange Program.

18 (2) LENGTH OF SERVICE IN EXCHANGE PRO-  
19 GRAM.—

20 (A) 27 MONTHS.—Individuals may partici-  
21 pate in the Exchange Program for not longer  
22 than 27 months.

23 (B) EXCEPTION.—If a participant would  
24 like to extend the duration of time of participa-  
25 tion in the program, an application for such an

1 extension shall be subject to approval of the Di-  
2 rector of Foreign Assistance, in consultation  
3 with the democratically elected Government of  
4 Haiti. Upon approval, individuals may partici-  
5 pate in the Exchange Program for one addi-  
6 tional year.

7 (C) COMPENSATION AND READJUSTMENT  
8 ALLOWANCE.—

9 (i) COMPENSATION.—An individual  
10 who participates in the Exchange Program  
11 shall receive monthly compensation equal  
12 to the average monthly salary of such indi-  
13 vidual's professional Haitian counterpart.

14 (ii) READJUSTMENT ALLOWANCE.—At  
15 the end of an individual's participation in  
16 the Exchange Program, the Director of  
17 Foreign Assistance shall provide to such  
18 individual a readjustment allowance in an  
19 amount equal to the number of months  
20 such individual participated in the Ex-  
21 change Program multiplied by \$250.

22 (3) ENACTMENT, NOTICE.—

23 (A) ESTABLISHMENT.—The Exchange  
24 Program shall be established not later than 180



1 days after the date of the enactment of this  
2 Act.

3 (B) NOTICE.—Not later than 30 days  
4 after the date on which the Director of Foreign  
5 Assistance establishes the Exchange Program  
6 under subsection (a), the Director shall—

7 (i) provide notice thereof to Congress;

8 and

9 (ii) submit to Congress information on  
10 the Exchange Program that contains the  
11 agreement governing the scope of work ne-  
12 gotiated with the democratically elected  
13 Government of Haiti, a recruitment plan  
14 for participants, and a description of the  
15 qualifications and other appropriate infor-  
16 mation relating to individuals who are to  
17 be recruited to participate in the Exchange  
18 Program, including the needs that the indi-  
19 viduals are expected to fill under the Ex-  
20 change Program.

21 (4) DEFINITIONS.—In this section:

22 (A) CIVIL SOCIETY.—The term “civil soci-  
23 ety” means voluntary civic and social organiza-  
24 tions and may include registered charities,

1 grassroots organizations, coalitions and advoca-  
2 cacy groups, and professional associations.

3 (B) EXPERT ADVISORS.—The term “expert  
4 advisors” means individuals who possess exten-  
5 sive experience in fields which will benefit Haiti  
6 that may include education, energy, environ-  
7 ment, health care, infrastructure, security,  
8 transportation, and disaster preparedness.

9 (5) AUTHORIZATION OF APPROPRIATIONS.—

10 (A) IN GENERAL.—There are authorized to  
11 be appropriated for each of fiscal years 2009  
12 through 2014 such sums as may be necessary  
13 to carry out this section.

14 (B) SENSE OF CONGRESS.—It is the sense  
15 of Congress that at least \$3,000,000 should be  
16 made available for each of the fiscal years speci-  
17 fied in subparagraph (A) to carry out this sec-  
18 tion.

19 (h) REPORTS.—

20 (1) IN GENERAL.—Not later than 18 months  
21 after the date of the enactment of this Act and an-  
22 nually thereafter, the Director of Foreign Assistance  
23 shall submit to Congress a report regarding the Ex-  
24 change Program.

1           (2) CONTENTS.—The reports shall include in-  
2           formation relating to the following:

3                   (A) Individuals and organizations selected  
4                   to participate and receive funds and a detailed  
5                   breakdown of the uses of such funds, including  
6                   purpose, locations, and results.

7                   (B) The potential for expansion of the Ex-  
8                   change Program.

9                   (C) The number of individuals recruited to  
10                  participate in the Exchange Program, their  
11                  countries of origin and their current residences,  
12                  and the ministry or agency and the locality in  
13                  which each individual is placed.

14                  (D) A statement of financial accounting.

15 **SEC. 4. LOAN FORGIVENESS FOR EXCHANGE PROGRAM**  
16 **PARTICIPANTS.**

17           (a) PROGRAM ESTABLISHED.—

18                   (1) PROGRAM AUTHORIZED.—The Secretary of  
19                  State, in cooperation with the Secretary of Edu-  
20                  cation, shall establish and implement a program to  
21                  cancel the obligation of loan borrowers to pay the  
22                  principal and interest on student loans for program  
23                  participants, during their service in the Exchange  
24                  Program under section 2.

1           (2) METHOD OF REPAYMENT.—The Secretary  
2       of State shall carry out such program by repaying  
3       in accordance with subsection (b) the principal and  
4       interest, not to exceed a total of \$10,000, on a loan  
5       made under title IV of the Higher Education Act of  
6       1965 (20 U.S.C. 1070 et seq.) for a borrower who—

7           (A) has obtained an undergraduate or  
8       graduate degree;

9           (B) is selected to participate in the Ex-  
10      change Program under section 2 of this Act;

11          (C) is a United States citizen or perma-  
12      nent legal resident; and

13          (D) is in repayment status on such loan  
14      and is not in default on a loan for which the  
15      borrower seeks forgiveness of principal and in-  
16      terest payments.

17      (b) TERMS.—

18          (1) PROMISE TO COMPLETE SERVICE REQUIRED  
19      FOR PAYMENT.—Any application for payment under  
20      subsection (a) shall contain an agreement by the ap-  
21      plicant that the applicant will continue in a quali-  
22      fying service described in subsection (a)(2)(B) for  
23      not less than 1 complete year, or will, upon a failure  
24      to complete such year, repay the United States the  
25      amount of the principal and interest repaid by the

1 Secretary under subsection (a), at a rate and sched-  
2 ule, and in accordance with regulations, prescribed  
3 by the Secretary. Such regulations may provide for  
4 waiver by the Secretary of such repayment obliga-  
5 tions upon proof of economic hardship as specified  
6 in such regulations.

7 (2) PAYMENT IN INSTALLMENTS.—After a bor-  
8 rower has been selected as a participant of the Ex-  
9 change Program under section 2, the Secretary shall  
10 make payments under this section while the bor-  
11 rower is in loan repayment status and continues as  
12 a participant of such program. The Secretary shall  
13 repay a portion of a borrower's outstanding loan,  
14 not to exceed a total of \$10,000, in the following in-  
15 crements:

16 (A) Up to \$2,000, or 20 percent of the  
17 borrower's outstanding loan balance, whichever  
18 is less, at the completion of the first year of  
19 such service.

20 (B) Up to \$2,500, or 25 percent of the  
21 borrower's outstanding loan balance, whichever  
22 is less, at the completion of the second year of  
23 such service.

24 (C) Up to \$5,000, or 50 percent of the  
25 borrower's outstanding loan balance, whichever

1           is less, at the completion of the third and final  
2           year of such service.

3       (c) REGULATIONS.—The Secretary of State is au-  
4       thorized to issue such regulations as may be necessary to  
5       carry out this section. Such regulations shall establish pro-  
6       cedures by which borrowers shall apply for loan repayment  
7       under this section.

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