

111TH CONGRESS
2D SESSION

H. R. 4952

To establish the Office of the Special Coordinator for Assistance to Haiti, to establish the Office of the Special Inspector General for Assistance to Haiti, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 2010

Ms. ROS-LEHTINEN (for herself, Mr. MACK, Mr. MARIO DIAZ-BALART of Florida, and Mr. LINCOLN DIAZ-BALART of Florida) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To establish the Office of the Special Coordinator for Assistance to Haiti, to establish the Office of the Special Inspector General for Assistance to 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 AND TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Haiti Assistance Implementation, Transparency, and In-
6 spection Act” or “HAITI Act”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

- Sec. 1. Short title and table of contents.
 Sec. 2. Appropriate committees of Congress defined.

TITLE I—OFFICE OF THE SPECIAL COORDINATOR FOR
ASSISTANCE TO HAITI

- Sec. 101. Statement of policy.
 Sec. 102. Establishment.
 Sec. 103. Coordinator of Office.
 Sec. 104. Duties.
 Sec. 105. Interagency coordination and partnerships.
 Sec. 106. Report.
 Sec. 107. Termination.

TITLE II—OFFICE OF THE SPECIAL INSPECTOR GENERAL FOR
ASSISTANCE TO HAITI

- Sec. 201. Finding and declaration of policy.
 Sec. 202. Statement of policy.
 Sec. 203. Purposes.
 Sec. 204. Office of Special Inspector General.
 Sec. 205. Appointment of Special Inspector General; removal.
 Sec. 206. Special Assistant Inspectors General.
 Sec. 207. Supervision.
 Sec. 208. Duties.
 Sec. 209. Powers and authorities.
 Sec. 210. Personnel, facilities, and other resources.
 Sec. 211. Reports.
 Sec. 212. Report coordination.
 Sec. 213. Transparency.
 Sec. 214. Waiver.
 Sec. 215. Cooperation by Government of Haiti.
 Sec. 216. Termination.

TITLE III—ACTIONS BY PRESIDENT AND SECRETARY OF STATE

- Sec. 301. Findings.
 Sec. 302. Actions by President and Secretary of State.
 Sec. 303. Report.

1 SEC. 2. APPROPRIATE COMMITTEES OF CONGRESS DE-
2 FINED.

3 In this Act, the term “appropriate committees of
4 Congress” means—

- 5** (1) the Committees on Appropriations and For-
6 eign Affairs of the House of Representatives; and
7 (2) the Committees on Appropriations and For-
8 eign Relations of the Senate.

1 **TITLE I—OFFICE OF THE SPE-**
2 **CIAL COORDINATOR FOR AS-**
3 **SISTANCE TO HAITI**

4 **SEC. 101. STATEMENT OF POLICY.**

5 It is the policy of the United States to ensure that
6 United States Government assistance for relief, recovery,
7 reconstruction, and development of Haiti and assistance
8 for such purposes from other donors should be obligated
9 and expended with the greatest degree of transparency,
10 accountability, and oversight possible and that effective
11 coordination of such assistance is a vital tool in achieving
12 those objectives.

13 **SEC. 102. ESTABLISHMENT.**

14 There is hereby established in the Executive Office
15 of the President the Office of the Special Coordinator for
16 Assistance to Haiti (hereinafter in this title referred to
17 as the “Office”).

18 **SEC. 103. COORDINATOR OF OFFICE.**

19 The President shall appoint a Special Coordinator of
20 the Office (hereinafter in this title referred to as the “Spe-
21 cial Coordinator”) who shall be the head of the Office and
22 shall report to the President.

23 **SEC. 104. DUTIES.**

24 The duties of the Office shall include the following:

1 (1) Providing advice to the President on United
2 States Government programs for relief, recovery, re-
3 construction, and development of Haiti.

4 (2) Working with United States Government
5 departments and agencies to ensure that such pro-
6 grams are prioritized within such departments and
7 agencies and avoid duplication with respect to pro-
8 grams of other departments and agencies.

9 (3) Developing and implementing a comprehen-
10 sive Government-wide strategy for the coordination
11 and oversight of such programs.

12 (4) Directly approving such programs, including
13 projects and activities under such programs.

14 (5) Maintaining an inventory of such programs
15 and assessing and identifying any need for improve-
16 ments in such programs and resolving policy and
17 program disputes among United States Government
18 departments and agencies with respect to such pro-
19 grams.

20 (6) Establishing indicators to measure progress
21 with respect to such programs and ensuring ade-
22 quate monitoring and evaluation of such programs.

23 (7) Working with the heads of United States
24 Government departments and agencies, including the
25 Director of the Office of Management and Budget,

1 to take actions to ensure that funding for such pro-
2 grams is obligated and expended in an effective
3 manner.

4 (8) Taking actions to ensure coordination of
5 such programs with programs of other official do-
6 nors and international and multilateral organiza-
7 tions.

8 (9) Representing the United States in inter-
9 national meetings or conferences relating to pro-
10 grams for relief, recovery, reconstruction, and devel-
11 opment of Haiti.

12 (10) Overseeing the use by United States Gov-
13 ernment departments and agencies of grants, con-
14 tracts, cooperative agreements, collaborative agree-
15 ments, and other agreements or instruments utilized
16 for such programs.

17 (11) Overseeing efforts by United States Gov-
18 ernment departments and agencies to coordinate do-
19 nations or investments by private entities or individ-
20 uals for relief, recovery, reconstruction, and develop-
21 ment of Haiti through public-private partnerships
22 and other means.

23 (12) Ensuring due diligence and evaluation with
24 respect to recipients of assistance under such pro-
25 grams.

1 (13) Measuring and evaluating the progress of
2 Haiti in carrying out economic and political reforms
3 that will end Haiti's reliance on foreign assistance.

4 (14) Monthly notification to and regular con-
5 sultation with Congress with respect to such pro-
6 grams.

7 **SEC. 105. INTERAGENCY COORDINATION AND PARTNER-**
8 **SHIPS.**

9 (a) INTERAGENCY COORDINATION.—In carrying out
10 the duties of the Office under section 104, the Special Co-
11 ordinator shall coordinate with, and receive the coopera-
12 tion of, the Secretary of State, the Administrator of the
13 United States Agency for International Development, and
14 the heads of other United States Government departments
15 and agencies responsible for United States Government
16 programs for relief, recovery, reconstruction, and develop-
17 ment of Haiti.

18 (b) PARTNERSHIPS.—The Special Coordinator, in co-
19 ordination and cooperation with the Secretary of State
20 and the Administrator of the United States Agency for
21 International Development, shall seek to support, pro-
22 mote, and sustain partnerships between the United States
23 Government and private entities (including foundations,
24 universities, corporations, community-based organizations,
25 and other nongovernmental organizations) to establish

1 and oversee public-private partnerships in or on behalf of
2 Haiti.

3 **SEC. 106. REPORT.**

4 (a) IN GENERAL.—Not later than March 31, 2011,
5 and March 31, 2012, the Special Coordinator shall submit
6 to the appropriate committees of Congress a report on the
7 implementation of this title during the one-year period
8 ending on the date of the submission of the report.

9 (b) MATTERS TO BE INCLUDED.—The report re-
10 quired under subsection (a) shall include, for the period
11 covered by such report, the following:

12 (1) A detailed description of obligations and ex-
13 penditures of funds for United States Government
14 programs for relief, recovery, reconstruction, and de-
15 velopment of Haiti, including estimates of amounts
16 required to complete such unfinished programs,
17 projects, and activities.

18 (2) A detailed description of obligations and ex-
19 penditures of funds by other official donors and
20 international and multilateral organizations for re-
21 lief, recovery, reconstruction, and development of
22 Haiti.

23 (3) A detailed description of operating expenses
24 of the Office and personnel or other support pro-

1 vided to the Office by United States Government de-
2 partments and agencies.

3 **SEC. 107. TERMINATION.**

4 The Office shall terminate on the date that is two
5 years after the date of the enactment of this Act.

6 **TITLE II—OFFICE OF THE SPE-**
7 **CIAL INSPECTOR GENERAL**
8 **FOR ASSISTANCE TO HAITI**

9 **SEC. 201. FINDING AND DECLARATION OF POLICY.**

10 Congress finds and declares that United States Gov-
11 ernment programs for relief, recovery, reconstruction, and
12 development of Haiti and international programs for such
13 purposes must be subject to appropriate oversight in-
14 tended to ensure transparency and prevent any corruption,
15 waste, or inappropriate manipulation of such assistance

16 **SEC. 202. STATEMENT OF POLICY.**

17 It is in the interest of the United States to ensure
18 that United States Government programs for relief, recov-
19 ery, reconstruction, and development of Haiti are subject
20 to strict standards of accountability and oversight.

21 **SEC. 203. PURPOSES.**

22 The purposes of this title are as follows:

- 23 (1) To provide for the independent and objec-
24 tive conduct and supervision of audits and investiga-
25 tions relating to United States Government pro-

1 grams for relief, recovery, reconstruction, and devel-
2 opment of Haiti.

3 (2) To provide for the independent and objec-
4 tive recommendations on policies designed to pro-
5 mote efficiency and effectiveness in the administra-
6 tion of such programs.

7 (3) To ensure the effectiveness of such pro-
8 grams and to ensure that such programs remain
9 transparent, accountable, and operate in compliance
10 with the general established policies of the United
11 States Government.

12 (4) To prevent the possibility of misconduct,
13 waste, fraud, and any other types of criminal activ-
14 ity that may result in the misuse of United States
15 foreign assistance funds allocated to Haiti under
16 such programs.

17 (5) To provide for an independent and objective
18 means of keeping the President, Secretary of State,
19 Administrator of the United States Agency of Inter-
20 national Development, and Congress fully and cur-
21 rently informed about problems and deficiencies re-
22 lating to the administration of such programs and
23 the necessity for and progress toward corrective ac-
24 tion.

1 **SEC. 204. OFFICE OF SPECIAL INSPECTOR GENERAL.**

2 There is hereby established the Office of the Special
3 Inspector General for Assistance to Haiti (hereinafter in
4 this title referred to as the “Office”) to carry out the pur-
5 poses of section 203.

6 **SEC. 205. APPOINTMENT OF SPECIAL INSPECTOR GEN-**
7 **ERAL; REMOVAL.**

8 (a) APPOINTMENT.—The head of the Office is the
9 Special Inspector General for Assistance to Haiti (herein-
10 after in this title referred to as the “Special Inspector
11 General”), who shall be appointed by the President.

12 (b) QUALIFICATIONS.—The appointment of the Spe-
13 cial Inspector General shall be made solely on the basis
14 of integrity and demonstrated ability in accounting, audit-
15 ing, financial analysis, law, management analysis, public
16 administration, or investigations.

17 (c) DEADLINE FOR APPOINTMENT.—The appoint-
18 ment of an individual as Special Inspector General shall
19 be made not later than 30 days after the date of the enact-
20 ment of this Act.

21 (d) COMPENSATION.—The annual rate of basic pay
22 of the Special Inspector General shall be the annual rate
23 of basic pay provided for positions at level IV of the Exec-
24 utive Schedule under section 5315 of title 5, United States
25 Code.

1 (e) PROHIBITION ON POLITICAL ACTIVITIES.—For
2 purposes of section 7324 of title 5, United States Code,
3 the Special Inspector General shall not be considered an
4 employee who determines policies to be pursued by the
5 United States in the nationwide administration of Federal
6 law.

7 (f) REMOVAL.—The Special Inspector General shall
8 be removable from office in accordance with the provisions
9 of section 3(b) of the Inspector General Act of 1978 (5
10 U.S.C. App.).

11 **SEC. 206. SPECIAL ASSISTANT INSPECTORS GENERAL.**

12 The Special Inspector General shall, in accordance
13 with applicable laws and regulations governing the civil
14 service—

15 (1) appoint a Special Assistant Inspector Gen-
16 eral for Auditing who shall have the responsibility
17 for supervising the performance of auditing activities
18 relating to assistance programs and operations of
19 the United States in and on behalf of Haiti;

20 (2) appoint a Special Assistant Inspector Gen-
21 eral for Investigations who shall have the responsi-
22 bility for supervising the performance of investiga-
23 tive activities relating to such programs and oper-
24 ations.

1 **SEC. 207. SUPERVISION.**

2 (a) IN GENERAL.—Except as provided in subsection
3 (b), the Special Inspector General shall report directly to,
4 and be under the general supervision of the Secretary of
5 State.

6 (b) INDEPENDENCE TO CONDUCT INVESTIGATIONS
7 AND AUDITS.—No officer of the Department of Defense,
8 the Department of State, the United States Agency for
9 International Development or any other applicable officer
10 shall prevent or prohibit the Special Inspector General
11 from initiating, carrying out, or completing any audit or
12 investigation, or from issuing any subpoena during the
13 course of any audit or investigation.

14 **SEC. 208. DUTIES.**

15 (a) OVERSIGHT.—It shall be the duty of the Special
16 Inspector General to conduct, supervise, and coordinate
17 audits and investigations of the treatment, handling, and
18 expenditure of amounts appropriated or otherwise made
19 available for United States Government programs for re-
20 lief, recovery, reconstruction, and development of Haiti,
21 including—

22 (1) the oversight and accounting of the obliga-
23 tion and expenditure of such funds;

24 (2) the monitoring and review of recovery and
25 assistance relief activities funded by such funds;

1 (3) the development of a comprehensive plan
2 for audits relating to recovery, relief, and assistance
3 efforts for Haiti;

4 (4) the monitoring and review of contracts
5 funded by such funds;

6 (5) the monitoring and review of the transfer of
7 such funds and associated information between and
8 among other departments, agencies, and entities of
9 the Federal Government, and private and non-
10 governmental entities; and

11 (6) the maintenance of records on the use of
12 such funds to facilitate future audits and investiga-
13 tions of the use of such funds.

14 (b) OTHER DUTIES RELATING TO OVERSIGHT.—The
15 Special Inspector General shall establish, maintain, and
16 oversee such systems, procedures, and controls as the Spe-
17 cial Inspector General considers appropriate to discharge
18 the duties under paragraph (1).

19 (c) DUTIES AND RESPONSIBILITIES UNDER INSPEC-
20 TOR GENERAL ACT OF 1978.—In addition to the duties
21 specified in paragraphs (1) and (2), the Special Inspector
22 General shall also have the duties and responsibilities of
23 inspectors general under the Inspector General Act of
24 1978.

25 (d) COORDINATION OF EFFORTS.—

1 (1) IN GENERAL.—In carrying out the duties,
2 responsibilities, and authorities of the Special In-
3 specter General under this title, the Special Inspec-
4 tor General shall coordinate with, and receive the co-
5 operation of, the Inspector General of the Depart-
6 ment of State and the Inspector General of the
7 United States Agency for International Develop-
8 ment.

9 (2) OTHER COORDINATION OF EFFORTS.—In
10 carrying out the duties, responsibilities, and authori-
11 ties of the Special Inspector General under this title,
12 the Special Inspector General shall coordinate with,
13 and seek to receive the cooperation of, the inter-
14 national community, including all country donors
15 and international organizations involved in the im-
16 plementation and execution of recovery and relief ef-
17 forts in Haiti.

18 **SEC. 209. POWERS AND AUTHORITIES.**

19 (a) IN GENERAL.—In carrying out the duties speci-
20 fied in section 208, the Special Inspector General shall
21 have the authorities provided in section 6 of the Inspector
22 General Act of 1978.

23 (b) AUDIT STANDARDS.—The Special Inspector Gen-
24 eral shall carry out the duties specified in subsection (f)(1)

1 in accordance with section 4(b)(1) of the Inspector Gen-
2 eral Act of 1978.

3 **SEC. 210. PERSONNEL, FACILITIES, AND OTHER RE-**
4 **SOURCES.**

5 (a) PERSONNEL.—The Special Inspector General
6 may select, appoint, and employ such officers and employ-
7 ees as may be necessary for carrying out the duties of the
8 Office, subject to the provisions of title 5, United States
9 Code, governing appointments in the competitive service,
10 and the provisions of chapter 51 and subchapter III of
11 chapter 53 of such title, relating to classification and Gen-
12 eral Schedule pay rates.

13 (b) EMPLOYMENT OF EXPERTS AND CONSULT-
14 ANTS.—The Special Inspector General may obtain services
15 as authorized by section 3109 of title 5, United States
16 Code, at daily rates not to exceed the equivalent rate pre-
17 scribed for grade GS–15 of the General Schedule by sec-
18 tion 5332 of such title.

19 (c) CONTRACTING AUTHORITY.—To the extent and
20 in such amounts as may be provided in advance by appro-
21 priations Acts, the Special Inspector General may enter
22 into contracts and other arrangements for audits, studies,
23 analyses, and other services with public agencies and with
24 private persons, and make such payments as may be nec-
25 essary to carry out the duties of the Office.

1 (d) RESOURCES.—The Secretary of State, in con-
2 sultation with the Administrator of the United States
3 Agency for International Development, shall provide the
4 Special Inspector General with appropriate and adequate
5 office space, together with such equipment, office supplies,
6 and communications facilities and services as may be nec-
7 essary for the operation of such offices, and shall provide
8 necessary maintenance services for such offices and the
9 equipment and facilities located therein.

10 (e) ASSISTANCE FROM FEDERAL AGENCIES.—

11 (1) IN GENERAL.—Upon request of the Special
12 Inspector General for information or assistance from
13 any department, agency, or other entity of the Fed-
14 eral Government, the head of such entity shall, inso-
15 far as is practicable and not in contravention of any
16 existing law, furnish such information or assistance
17 to the Special Inspector General, or an authorized
18 designee.

19 (2) REPORTING OF REFUSED ASSISTANCE.—

20 Whenever information or assistance requested by the
21 Special Inspector General is, in the judgment of the
22 Special Inspector General, unreasonably refused or
23 not provided, the Special Inspector General shall re-
24 port the circumstances to the Secretary of State, in
25 consultation with the Administrator of the United

1 States Agency for International Development and to
2 the appropriate committees of Congress without
3 delay.

4 **SEC. 211. REPORTS.**

5 (a) QUARTERLY REPORTS.—Not later than March
6 30, 2011, and every calendar quarter thereafter, the Spe-
7 cial Inspector General shall submit to the appropriate
8 committees of Congress a report summarizing the imple-
9 mentation of this title during the 120-day period ending
10 on the date of such report. Each report shall include, for
11 the period covered by such report, a detailed statement
12 of all obligations, expenditures, and revenues associated
13 with United States Government programs for relief, recov-
14 ery, reconstruction, and development of Haiti, including
15 the following:

16 (1) Obligations and expenditures of appro-
17 priated funds.

18 (2) A project-by-project and program-by-pro-
19 gram accounting of the costs incurred to date, to-
20 gether with the estimate of the Office of the costs
21 to complete each project and each program.

22 (3) Revenues of the Haitian Government attrib-
23 utable to or consisting of funds provided by foreign
24 nations or international organizations, and any obli-
25 gations or expenditures of such revenues.

1 (4) Revenues of the Haitian Government attrib-
2 utable to or consisting of foreign assets seized or
3 frozen, and any obligations or expenditures of such
4 revenues.

5 (5) Operating expenses of the Office and of any
6 other agencies or entities receiving appropriated
7 funds.

8 (6) In the case of any contract described in sec-
9 tion 210(c)—

10 (A) the amount of the contract or other
11 agreement;

12 (B) a brief discussion of the scope of the
13 contract or other agreement;

14 (C) a discussion of how the Office identi-
15 fied, and solicited offers from, potential con-
16 tractors to perform the contract, together with
17 a list of the potential contractors that were
18 issued solicitations for the offers; and

19 (D) the justification and approval docu-
20 ments on which was based the determination to
21 use procedures other than procedures that pro-
22 vide for full and open competition.

23 (b) SEMIANNUAL REPORTS.—Not later than April
24 30, 2011, and semiannually thereafter, the Special Inspec-
25 tor General shall submit to the appropriate committees of

1 Congress a report the implementation of this title meeting
2 the requirements of section 5 of the Inspector General Act
3 of 1978.

4 (c) PUBLIC AVAILABILITY.—The Special Inspector
5 General shall publish each report under this section on
6 the Internet Web site of the Office.

7 (d) FORM.—Each report required under this section
8 shall be submitted in unclassified form, but may include
9 a classified annex if the Special Inspector General con-
10 siderers it necessary.

11 (e) RULE OF CONSTRUCTION.—Nothing in this sec-
12 tion shall be construed to authorize the public disclosure
13 of information that is—

14 (1) specifically prohibited from disclosure by
15 any other provision of law;

16 (2) specifically required by Executive order to
17 be protected from disclosure in the interest of na-
18 tional defense or national security or in the conduct
19 of foreign affairs; or

20 (3) a part of an ongoing criminal investigation.

21 **SEC. 212. REPORT COORDINATION.**

22 (a) SUBMISSION TO STATE AND USAID.—The Spe-
23 cial Inspector General shall also submit each report re-
24 quired under section 211 to the Secretary of State and

1 the Administrator of the United States Agency for Inter-
2 national Development.

3 (b) SUBMISSION TO CONGRESS.—

4 (1) IN GENERAL.—Not later than 30 days after
5 receipt of a report under subsection (a), the Sec-
6 retary of State, in consultation with the Adminis-
7 trator of the United States Agency for International
8 Development may submit to the appropriate commit-
9 tees of Congress any comments on the matters cov-
10 ered by the report as the Secretary of State, in con-
11 sultation with the Administrator of the United
12 States Agency for International Development Assist-
13 ance considers appropriate.

14 (2) FORM.—Any comments on the matters cov-
15 ered by the report shall be submitted in unclassified
16 form, but may include a classified annex if the Sec-
17 retary of State, in consultation with the Adminis-
18 trator of the United States Agency for International
19 Development, considers it necessary.

20 **SEC. 213. TRANSPARENCY.**

21 Not later than 60 days after the date of the submis-
22 sion to Congress of a report under section 211, the Special
23 Inspector General shall make copies of such report avail-
24 able to the public upon request, and at a reasonable cost.

1 **SEC. 214. WAIVER.**

2 (a) **AUTHORITY.**—The President may waive the re-
3 quirement under subsection (a) or (c) of section 211 for
4 the inclusion in a report under such subsection of any ele-
5 ment otherwise provided for under such subsection if the
6 President determines that the waiver is justified for na-
7 tional security reasons.

8 (b) **NOTICE OF WAIVER.**—The President shall pub-
9 lish a notice of each waiver made under this section in
10 the Federal Register no later than the date on which the
11 reports required under subsection (a) or (c) of section 211
12 are submitted to Congress. The reports required under
13 subsection (a) or (c) of section 211 shall specify whether
14 waivers under this section were made and with respect to
15 which elements.

16 **SEC. 215. COOPERATION BY GOVERNMENT OF HAITI.**

17 Notwithstanding any other provision of law, the Sec-
18 retary of State shall seek to ensure that there is full and
19 binding agreement by the Government of Haiti and any
20 State-owned enterprises or organizations for the provision
21 to the Special Inspector General of any and all documents
22 requested by the Special Inspector General pertaining to
23 such Government's disposition of revenues, management
24 of contracts and receipts, and use of assistance provided
25 by the United States Government and any other donor.

1 **SEC. 216. TERMINATION.**

2 The Office shall terminate 180 days after the date
3 on which amounts appropriated or otherwise made avail-
4 able for United States Government programs for relief,
5 recovery, reconstruction, and development of Haiti that
6 are unexpended are less than \$25,000,000.

7 **TITLE III—ACTIONS BY PRESI-**
8 **DENT AND SECRETARY OF**
9 **STATE**

10 **SEC. 301. FINDINGS.**

11 Congress finds the following:

12 (1) Immediate international relief assistance to
13 Haiti has reached an estimated \$2 billion, including
14 nearly \$500 million provided by the United States
15 Government and more than \$470 million from pri-
16 vate charities in the United States.

17 (2) A successful international response to the
18 current situation in Haiti and its long-term develop-
19 ment will require careful coordination of assistance
20 provided by the United States and other countries,
21 assistance provided through the United Nations and
22 other international organizations, loans and credits
23 from multilateral financial institutions, and private
24 donations.

25 (3) The United States has historically been the
26 largest donor of bilateral assistance to Haiti, pro-

1 viding more than \$1 billion in assistance over the
2 last three years alone.

3 (4) United States assistance to Haiti and its
4 people has focused on improving health, fostering
5 economic growth, and strengthening peace and secu-
6 rity, and the program of the United States Agency
7 for International Development in Haiti has sought
8 to support that country's efforts to transform itself
9 into a secure, prosperous, democratic nation that
10 meets the needs of its citizens and contributes to
11 Caribbean stability.

12 (5) The United States Government's Millen-
13 nium Challenge Corporation (MCC) was created in
14 2004 as a supplemental or alternative approach to
15 traditional development assistance, seeking to allevi-
16 ate global poverty by tying its assistance to a recipi-
17 ent country's commitment to sound policies, the
18 planning and implementation of country-led pro-
19 grams, and the achievement of defined objectives
20 through those programs.

21 (6) In order to be eligible for MCC assistance,
22 a country is required to demonstrate a commitment
23 to policies that promote political and economic free-
24 dom, investments in education and health, the sus-
25 tainable use of natural resources, control of corrup-

1 tion, and respect for civil liberties and the rule of
2 law.

3 (7) A long-term United States bilateral assist-
4 ance program for Haiti that is broadened to include
5 a strengthened focus on governing justly and demo-
6 cratically, ensuring greater economic opportunity,
7 and providing quality education may assist Haiti in
8 becoming eligible for MCC assistance in the future.

9 (8) Any United States long-term development
10 assistance to Haiti must also balance United States
11 national security interests, foreign policy objectives,
12 and domestic priorities.

13 **SEC. 302. ACTIONS BY PRESIDENT AND SECRETARY OF**
14 **STATE.**

15 (a) PRESIDENT.—The President shall—

16 (1) ensure that United States Government pro-
17 grams for relief, recovery, reconstruction, and devel-
18 opment of Haiti are grounded in an exhaustive
19 United States assessment of Haiti’s development
20 needs and capacity; and

21 (2) seek to lead efforts to ensure that any
22 pledged international assistance for Haiti is based
23 on defined objectives and includes measures that
24 provide for mutual accountability, oversight, and
25 transparency.

1 (b) SECRETARY OF STATE.—

2 (1) REPORT.—The Secretary of State shall sub-
3 mit to the Committee on Foreign Affairs of the
4 House of Representatives and the Committee on
5 Foreign Relations of the Senate a report on the
6 findings and conclusions of the Department of
7 State’s “Haiti Policy and Foreign Assistance Re-
8 view”, begun in April 2009, before entering into any
9 United States commitment for long-term develop-
10 ment assistance to Haiti.

11 (2) ADDITIONAL REQUIREMENT.—The Sec-
12 retary of State shall incorporate into the Depart-
13 ment of State’s assessment of Haiti’s long-term de-
14 velopment assistance needs a focus on those sectors
15 that are aligned with the Millennium Challenge Cor-
16 poration eligibility criteria of “Ruling Justly”, “Eco-
17 nomic Freedom”, and “Investing in People”.

18 **SEC. 303. REPORT.**

19 (a) IN GENERAL.—Not later than December 31,
20 2010, the Secretary of State shall submit to the Com-
21 mittee on Foreign Affairs of the House of Representatives
22 and the Committee on Foreign Relations of the Senate
23 a report that contains a detailed description of the status
24 of implementation of United States Government programs

1 for relief, recovery, reconstruction, and development of
2 Haiti.

3 (b) MATTERS TO BE INCLUDED.—The report re-
4 quired under subsection (a) shall include a description of
5 any plans to transfer leadership of certain United States
6 assistance efforts to relevant Haitian entities and rec-
7 ommended actions for the Government of Haiti to ensure
8 progress of long-term development efforts following the
9 initial recovery period in Haiti.

○