

111TH CONGRESS
2D SESSION

H. R. 6021

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

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2010

Mr. CONYERS (for himself, Mr. BERMAN, Ms. LEE of California, Ms. WATSON, Ms. WATERS, Mr. LEWIS of Georgia, Ms. NORTON, Ms. RICHARDSON, Mr. RUSH, Ms. SCHAKOWSKY, Ms. JACKSON LEE of Texas, Mrs. CHRISTENSEN, Mr. STARK, Mr. TOWNS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. CORRINE BROWN of Florida, Ms. CLARKE, and Mr. JACKSON of Illinois) introduced the following bill; which was referred to the Committee on Foreign Affairs

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,*

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) On January 12, 2010, Haiti suffered an
2 earthquake measuring 7.0 on the Richter magnitude
3 scale, the greatest natural disaster in Haiti's history,
4 which—

5 (A) devastated Port-au-Prince and the sur-
6 rounding areas;

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

8 (C) injured hundreds of thousands more
9 people;

10 (D) left many hundreds of thousands of
11 people homeless;

12 (E) left many people with newly acquired
13 disabilities, including limb loss and other phys-
14 ical and mental trauma; and

15 (F) disrupted social structures and families
16 through death, injury, and relocation.

17 (2) The scale of the initial relief effort was un-
18 precedented, with many countries, hundreds of orga-
19 nizations, and thousands of people generously con-
20 tributing to a massive influx of supplies, resources,
21 and personnel to support search and rescue oper-
22 ations and humanitarian assistance, underlying one
23 of the most effective relief efforts in history.

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

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

3 (B) approximately 120,000 people living
4 with HIV;

5 (C) 29,333 new cases of tuberculosis in
6 2007;

7 (D) nearly 50,000 children living in or-
8 phanages;

9 (E) 55 percent of school-aged children not
10 attending school; and

11 (F) an estimated 800,000 people with dis-
12 abilities.

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

19 (5) Although initial recovery efforts must con-
20 tinue to assist the people of Haiti struggling to se-
21 cure basic necessities, including food, water, health
22 care, shelter, and electricity, Haiti cannot afford to
23 only focus on its immediate needs.

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

1 (A) reconstruction should not follow the in-
2 efficient and poorly coordinated practices of the
3 past, but should build back better; and

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

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

10 (A) people committed to education and
11 hard work;

12 (B) proximity and duty-free access to
13 United States markets;

14 (C) a large, hardworking North American
15 diaspora, which remits generous amounts of
16 money back to Haiti every year; and

17 (D) many regional neighbors who are
18 peaceful, prosperous, and supportive of Haiti's
19 success.

20 (8) The experiences of other countries that have
21 successfully recovered from serious natural disasters
22 confirm that—

23 (A) when the people and other civil society
24 actors in an affected country play a significant
25 role in the design and execution of the rebuild-

1 ing efforts, the efforts are often more sustain-
2 able and more in line with the needs and aspi-
3 rations of local populations;

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

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

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

17 (E) education is critical to securing a bet-
18 ter future for the people in the affected coun-
19 try;

20 (F) removing gender disparities spurs mac-
21 roeconomic growth; and

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

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

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

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

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

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

17 (D) provide all children with access to edu-
18 cation.

19 (11) The impact of natural disaster on Haiti is
20 exacerbated by—

21 (A) the lack of enforcement of earthquake-
22 resistant construction procedures, weak building
23 codes, and massive private sector economic
24 losses that hinder the ability of people to pur-

1 chase materials of sufficient quality to rebuild
2 existing buildings;

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

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

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

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

21 (14) International donors and nongovernmental
22 organizations—

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

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

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

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;

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

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

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

21 (15) The circumstances following the earthquake in Haiti provide a real opportunity for Haiti—

(A) to break the cycle of poverty and unrealized expectations that has marked Haiti's history; and

(B) to establish a new framework for sustained economic development through a commitment of engagement from the United States, other donors, and multilateral organizations to support the Government of Haiti and the Haitian people as they undertake the long rebuilding process.

SEC. 3. DEFINITIONS.

In this Act:

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

(2) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(3) **HAITI REBUILDING AND DEVELOPMENT STRATEGY; STRATEGY.**—The terms “Haiti Rebuilding and Development Strategy” and “Strategy” 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 silience 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-

pendent living, and economic self-sufficiency for individuals with disabilities; and

(v) strengthening the child welfare system—

(I) to ensure the protection of children from violence, abuse, exploitation, and neglect;

(II) to support family preservation and reunification and prevent child abandonment, to the extent possible;

(III) to ensure that children without family care receive safe, developmentally appropriate care; and

(IV) to end the practice and exploitation of child domestic servants (referred to in Haiti as “restaveks”), by offering families education, support, and alternatives;

(3) support, pursuant to the strategic objectives in paragraph (2) and in coordination with other donors—

(A) the institutional development and capacity building of the Government of Haiti at

1 the national, local, and community levels so
2 that the Government of Haiti—

3 (i) can better ensure basic services to
4 its population, including health care, edu-
5 cation, and other basic social services; and

6 (ii) will be an effective steward of
7 state resources through a transparent
8 process of equitable resource allocation
9 that includes a broad range of participa-
10 tion from Haitian civil society;

11 (B) Haitian civil society organizations that
12 are committed to making a positive contribution
13 to the rebuilding and sustainable development
14 of Haiti;

15 (C) people-to-people engagement between
16 the United States and Haiti, through increased
17 educational, technical, and cultural exchanges
18 and other methods;

19 (D) significant contributions to a multilat-
20 eral trust fund that will be established to en-
21 hance the reconstruction and rebuilding of
22 Haiti; and

23 (E) a Haitian government budget that is
24 appropriately sized to fulfill the functions ex-
25 pected of the budget for the delivery of essential

1 public services, including arrangements to en-
2 sure transparency and accountability for the
3 funds provided to the budget of the Haitian
4 government; and

5 (4) promote development and rebuilding efforts
6 in Haiti that are led by, and in support of, all levels
7 of government in Haiti, including national and local
8 governments, so that—

9 (A) the Government and people of Haiti
10 lead the vision for reconstruction and rebuilding
11 of Haiti;

12 (B) resources are channeled in concrete
13 and specific ways toward key sectoral objectives
14 identified by the Government of Haiti and its
15 people;

16 (C) feasible steps are taken to recognize
17 and rectify the social injustice of poverty and
18 gender inequality and to decrease the vulner-
19 ability of the poor, through job creation, access
20 to education, the provision of health care, the
21 provision of safe shelter and settlements, and
22 food security;

23 (D) communities are placed at the center
24 of the rebuilding process, by employing local

1 labor and consulting local leaders and commu-
2 nities for their experience and vision;

3 (E) rebuilding and development programs
4 are environmentally sustainable and respectful
5 and restorative of Haiti's natural resources; and

6 (F) the Haiti Rebuilding and Development
7 Strategy builds from and supports—

8 (i) existing assessments for Haiti, in-
9 cluding the Post Disaster Needs Assess-
10 ment;

11 (ii) the Government of Haiti's Action
12 Plan for the Reconstruction and National
13 Development of Haiti;

14 (iii) other existing development plans
15 for Haiti, including the Poverty Reduction
16 Strategy Paper for Haiti; and

17 (iv) shared principles in the Paris
18 Declaration on Aid Effectiveness and the
19 Accra Agenda for Action.

20 **SEC. 5. SENIOR HAITI COORDINATOR.**

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

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

1 (2) shall report directly to the Secretary of
2 State, in consultation with the Administrator of the
3 United States Agency for International Develop-
4 ment.

5 (b) DUTIES.—

6 (1) IN GENERAL.—The Senior Haiti Coordi-
7 nator shall advise, oversee, and coordinate all poli-
8 cies of the United States Government related to
9 Haiti.

10 (2) SPECIFIC DUTIES.—The Senior Haiti Coordi-
11 nator shall—

12 (A) ensure interagency program and policy
13 coordination towards Haiti among relevant
14 agencies;

15 (B) help devise, promote and participate
16 in, in coordination with the Chief of Mission, ef-
17 fective international donor coordination mecha-
18 nisms;

19 (C) ensure that each relevant agency un-
20 dertakes programs primarily in those areas in
21 which the agency has the greatest expertise,
22 technical capabilities, and potential for success;
23 and

24 (D) provide input to the Administrator of
25 the United States Agency for International De-

1 velopment in the design of the Haiti Rebuilding
2 and Development Strategy.

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

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

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

13 (b) COMPONENTS.—The Haiti Rebuilding and Devel-
14 opment Strategy shall—

15 (1) include—

16 (A) specific and measurable goals;

17 (B) benchmarks and time frames;

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

20 (D) a detailed monitoring and evaluation
21 plan tied to measurable indicators addressing
22 progress toward achieving those policy objec-
23 tives, including impact evaluations of United
24 States assistance to Haiti; and

25 (2) to the greatest extent possible—

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

15 (B) consult with the academic and re-
16 search communities, nonprofit organizations,
17 foundations, other implementing partners, the
18 Government of Haiti, Haitian civil society, and
19 the Haitian diaspora;

20 (C) coordinate United States assistance ef-
21 forts with similar efforts of international orga-
22 nizations, international financial institutions,
23 the governments of developing and developed
24 countries, and United States and international
25 nongovernmental organizations;

1 (D) promote access to education for all
2 children;

3 (E) incorporate approaches directed at
4 reaching women living in poverty;

5 (F) incorporate best practices for improv-
6 ing child welfare and protection for orphans
7 and other vulnerable children; and

8 (G) maximize local and regional procure-
9 ment.

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

17 (d) REPORTS.—

18 (1) ANNUAL REPORTS.—Not later than 90 days
19 after the date of the enactment of this Act, and an-
20 nually thereafter, in accordance with the normal per-
21 formance reporting schedule, the Secretary of State
22 shall submit a report to the appropriate congress-
23 sional committees that includes—

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

1 (i) any changes made to the Strategy
2 during the preceding calendar year; and

3 (ii) an explanation of such changes;

4 (B) a description, by foreign assistance
5 framework objective, of the implementation of
6 the Strategy;

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

9 (i) the policy objectives set forth in
10 section 4; and

11 (ii) the specific goals, benchmarks,
12 and time frames specified in the Strategy;

13 (D) a description of all United States Gov-
14 ernment programs contributing to the achieve-
15 ment of the policy objectives set forth in section
16 4, including the amounts obligated and ex-
17 pended on such programs during the preceding
18 fiscal year; and

19 (E) an assessment of United States ef-
20 forts—

21 (i) to encourage and leverage business
22 and philanthropic participation toward
23 Haiti rebuilding and development; and

24 (ii) to coordinate United States Gov-
25 ernment programs with assistance provided

1 by international organizations, inter-
2 national financial institutions, the govern-
3 ments of developing and developed coun-
4 tries, and United States and international
5 nongovernmental organizations.

6 (2) GOVERNMENT ACCOUNTABILITY OFFICE RE-
7 PORT.—Not later than 270 days after the submis-
8 sion of each report under paragraph (1), the Comp-
9 troller General of the United States shall submit a
10 report to the appropriate congressional committees
11 that contains—

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

14 (B) recommendations relating to any addi-
15 tional actions the Comptroller General deter-
16 mines to be important to improve the provision
17 of assistance for Haiti to support rebuilding
18 and development.

19 (3) PROGRAM REVIEW.—

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

1 (i) an assessment of the progress
2 made during the preceding 2 years toward
3 meeting the policy objectives set forth in
4 section 4 and the specific goals, bench-
5 marks, and time frames specified in the
6 Haiti Rebuilding and Development Strat-
7 egy;

8 (ii) an evaluation of the impact during
9 the preceding 2 years of United States as-
10 sistance programs on Haitian rebuilding
11 and development; and

12 (iii) an assessment of the overall sta-
13 tus of broader rebuilding and development
14 taking place in Haiti, as outlined by the
15 Government of Haiti.

16 (B) BASIS FOR REPORT.—The report re-
17 quired under subparagraph (A) shall be based
18 on data quality assessments and impact evalua-
19 tions of quantitative and qualitative indicators.

20 (4) PUBLIC AVAILABILITY OF INFORMATION.—

21 The information requested in paragraphs (1) and
22 (3) for United States programs contributing to the
23 achievement of the policy objectives set forth in sec-
24 tion 4, including the amounts obligated and ex-

1 pended on such programs during preceding fiscal
2 years, shall—

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

5 (B) be presented in a detailed, program-
6 by-program basis.

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

12 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

13 (a) AMOUNTS AUTHORIZED.—There are authorized
14 to be appropriated to provide assistance for Haiti and to
15 carry out the other purposes of this Act, in addition to
16 amounts otherwise available for such purposes—

17 (1) \$1,500,000,000 for fiscal year 2010;

18 (2) \$500,000,000 for fiscal year 2011;

19 (3) \$500,000,000 for fiscal year 2012;

20 (4) \$500,000,000 for fiscal year 2013; and

21 (5) \$500,000,000 for fiscal year 2014.

22 (b) APPLICABILITY OF THE FOREIGN ASSISTANCE
23 ACT OF 1961 AND OTHER LAWS.—

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

4 (A) shall be considered to be economic as-
5 sistance under the Foreign Assistance Act of
6 1961 (22 U.S.C. 2151 et seq.) for purposes of
7 making available the administrative authorities
8 contained in that Act for the use of economic
9 assistance; and

10 (B) shall be provided in accordance with
11 the provisions of, the general authorities con-
12 tained in, and the limitations of, sections 116,
13 491, and 620M of the Foreign Assistance Act
14 of 1961 (22 U.S.C. 2151n, 2292, and 2378d),
15 respectively.

16 (2) TECHNICAL AMENDMENT.—Chapter 1 of
17 part III of the Foreign Assistance Act of 1961 (22
18 U.S.C. 2351 et seq.) is amended by redesignating
19 section 620J (as added by section 651 of the De-
20 partment of State, Foreign Operations, and Related
21 Programs Appropriations Act, 2008 (division J of
22 Public Law 110–161; 22 U.S.C. 2378d)) as section
23 620M.

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

1 (1) the Department of the Treasury may con-
2 tribute to a multi-donor trust fund for reconstruc-
3 tion and recovery expenses related to Haiti following
4 the earthquake of January 12, 2010; and

5 (2) remaining amounts may be transferred to
6 the “Development Credit Authority” account of the
7 United States Agency for International Development
8 for the cost of direct loans and loan guarantees, not-
9 withstanding the dollar limitations in such account
10 on transfers to the account.

11 (d) AVAILABILITY OF FUNDS.—

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

15 (2) REPORTS REQUIRED.—Of the amounts ap-
16 propriated for each fiscal year pursuant to sub-
17 section (a), none of the amounts may be made avail-
18 able for assistance to Haiti unless the Haiti Rebuild-
19 ing and Development Strategy reports are being
20 submitted to the appropriate congressional commit-
21 tees in accordance with section 6(d)(1).

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

1 (f) OFFICE OF THE INSPECTOR GENERAL.—Of the
2 amounts appropriated for a fiscal year pursuant to sub-
3 section (a), up to \$5,000,000 may be made available to
4 the Inspectors General of the Department of State, the
5 United States Agency for International Development, and
6 other relevant agencies to provide audits and program re-
7 views of programs and activities receiving assistance under
8 this Act.

○