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[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.

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*]

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;

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, *trafficking*, and neglect;

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

(III) to ensure that children without *permanent* family care receive safe, developmentally appropriate care, *including children in foster, residential, or institutional care*; ~~and~~,

(IV) *to ensure that children who cannot be reunified with family have access to family-based care through kinship, guardianship, domestic adoption, or, in appropriate cases, international adoption; and*

(V) to end the practice and exploitation of child domestic servants (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—

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

(ii) to coordinate United States Government programs with assistance provided by international organizations, international financial institutions, the governments of developing and developed countries, and United States and international nongovernmental organizations.

~~(2) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—Not later than 270 days after the submission of each report under paragraph (1), the Comptroller General of the United States shall submit a report to the appropriate congressional committees that contains—~~

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

~~(B) recommendations relating to any additional actions the Comptroller General determines to be important to improve the provision of assistance for Haiti to support rebuilding and development.~~

(2) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—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 ~~sistance 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

11TH CONGRESS
2^D Session

S. 3317

[Report No. 111-225]

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.

JULY 19, 2010

Reported with amendments and an amendment to the title