

Calendar No. 357

114TH CONGRESS
2D SESSION**S. 1882**

To support the sustainable recovery and rebuilding of Nepal following the recent, devastating earthquakes near Kathmandu.

IN THE SENATE OF THE UNITED STATES

JULY 29, 2015

Mr. CARDIN (for himself, Mr. KIRK, Mr. MARKEY, Mrs. GILLIBRAND, and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

FEBRUARY 2, 2016

Reported by Mr. CORKER, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To support the sustainable recovery and rebuilding of Nepal following the recent, devastating earthquakes near Kathmandu.

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 “Nepal Recovery Act”.

5 **SEC. 2. DEFINITIONS.**

6 In this Act:

1 ~~(1) APPROPRIATE CONGRESSIONAL COMMIT-~~
 2 ~~TEES.—The term “appropriate congressional com-~~
 3 ~~mittees” means—~~

4 ~~(A) the Committee on Foreign Relations of~~
 5 ~~the Senate;~~

6 ~~(B) the Committee on Appropriations of~~
 7 ~~the Senate;~~

8 ~~(C) the Committee on Foreign Affairs of~~
 9 ~~the House of Representatives; and~~

10 ~~(D) the Committee on Appropriations of~~
 11 ~~the House of Representatives.~~

12 ~~(2) INTERNATIONAL FINANCIAL INSTITU-~~
 13 ~~TION.—The term “international financial institu-~~
 14 ~~tion” means—~~

15 ~~(A) each of the institutions listed in sec-~~
 16 ~~tion 1701(c)(2) of the International Financial~~
 17 ~~Institutions Act (22 U.S.C. 262r(c)(2)); and~~

18 ~~(B) the International Development Fund~~
 19 ~~for Agricultural Development.~~

20 **SEC. 3. FINDINGS.**

21 Congress makes the following findings:

22 ~~(1) On April 25, 2015, an earthquake meas-~~
 23 ~~uring 7.8 on the Richter scale and a subsequent~~
 24 ~~earthquake on May 12 measuring 7.3 on the Richter~~
 25 ~~scale and numerous aftershocks—~~

1 (A) devastated Kathmandu, Nepal and the
2 surrounding areas;

3 (B) killed more than 8,700 people;

4 (C) injured hundreds of thousands addi-
5 tional people;

6 (D) destroyed or damaged more than
7 770,000 homes, leaving the families who had
8 been living in those homes without shelter;

9 (E) damaged or destroyed more than
10 47,000 classrooms;

11 (F) damaged or destroyed over 1,000
12 health facilities including primary health care
13 centers and birthing centers;

14 (G) left many people with newly acquired
15 disabilities, including lost limbs and other phys-
16 ical and mental trauma;

17 (H) severely impacted livelihoods and food
18 security for millions of people, including the de-
19 struction of stockpiled grains and the loss of
20 more than 17,000 cattle and 40,000 smaller do-
21 mesticated animals; and

22 (I) disrupted social structures and families
23 through death, injury, and relocation.

1 ~~(2)~~ The earthquake devastated Nepal's infra-
 2 structure, including homes, offices, factories, roads,
 3 bridges, communications, and other facilities.

4 ~~(3)~~ American citizens were also killed in the
 5 widespread destruction caused by the earthquake.

6 ~~(4)~~ Six American service members and 2 mem-
 7 bers of the Nepalese Army lost their lives in a heli-
 8 copter accident while working to relieve the suffering
 9 of the Nepalese people following the earthquake.

10 ~~(5)~~ The World Bank and the Government of
 11 Nepal conducted a post disaster needs assessment
 12 that estimated almost \$6,700,000,000 in sector spe-
 13 cific damage, losses, and recovery needs.

14 ~~(6)~~ In Nepal, which is one of the poorest coun-
 15 tries in the world—

16 ~~(A)~~ an estimated 25 percent of the popu-
 17 lation lives on less than \$1.25 per day;

18 ~~(B)~~ there is a 46-percent unemployment
 19 rate, with the majority of the population en-
 20 gaged in subsistence agriculture;

21 ~~(C)~~ only 25 percent of Nepalese participate
 22 in the formal banking system, with the majority
 23 of Nepalese severely lacking access to credit
 24 and financial services, making accessing credit
 25 for rebuilding difficult; and

1 (D) has one of the slowest economic
2 growth rates in the region.

3 (7) Nepal bears a significant burden of national
4 debt, which hinders recovery.

5 (8) Some of the investments created from loans
6 to Nepal were lost in the earthquake, but the coun-
7 try is still obligated to pay off the loans.

8 (9) The geography of Nepal poses a significant
9 challenge to relief, reconstruction, and development
10 that requires extraordinary efforts and assets to
11 overcome.

12 (10) The United States Government, the Gov-
13 ernment of Nepal, and civil society organizations
14 have invested in disaster risk reduction efforts for
15 nearly 20 years. Those efforts have reduced suf-
16 fering and prevented greater loss of life and prop-
17 erty.

18 (11) In recent years, the Government and peo-
19 ple of Nepal have taken important steps forward to
20 resolve civil conflict, reconcile, and promote economic
21 growth and development.

22 (12) Nepal has qualified for the Millennium
23 Challenge Corporation Threshold Program and has
24 been selected for a Millennium Challenge Corpora-

1 tion Compact, based on its performance on key se-
2 lection criteria.

3 ~~(13)~~ United States trade preference programs,
4 which extend duty-free tariff treatment, could accel-
5 erate Nepal's efforts to reestablish economic growth.

6 ~~(14)~~ The earthquake has significantly increased
7 the costs and uncertainty of doing business in
8 Nepal.

9 ~~(15)~~ A strong and unequivocal commitment
10 from the United States is needed—

11 (A) to help Nepal offset the costs of doing
12 business in Nepal;

13 (B) to preserve the gains made with
14 United States assistance; and

15 (C) to encourage buyers and investors to
16 stand with Nepal through this crisis.

17 **SEC. 4. STATEMENT OF POLICY.**

18 It is the policy of the United States, in partnership
19 with the Government of Nepal and in coordination with
20 the international community—

21 ~~(1)~~ to support the sustainable recovery and re-
22 building of Nepal in a manner that—

23 (A) encourages greater economic growth;

24 (B) embraces the independence, resilience,
25 and democratic governance of Nepal;

1 (C) supports collaboration with the Gov-
2 ernment of Nepal and consultation with Nepa-
3 lese and international civil society and including
4 the participation of affected communities in
5 planning and implementing recovery and recon-
6 struction;

7 (D) is transparent and equitably reaches
8 the most severely affected communities, particu-
9 larly those in hard-to-reach areas or who are
10 otherwise marginalized;

11 (E) dedicates significant resources to ad-
12 dressing the vulnerability of young girls and
13 boys who are often at much higher risk of traf-
14 ficking, sexual exploitation, child labor, and
15 other forms of abuse during emergencies;

16 (F) prohibits the participation of the
17 United States in any construction effort, which
18 uses forced or child labor, unregistered recruit-
19 ment agencies, or pays wages through means
20 other than directly to the laborer or to their
21 bank account;

22 (G) promotes—

23 (i) the utilization of full-time, Nepa-
24 lese laborers that are paid not less than a
25 living wage; and

1 (ii) compliance with Nepalese labor
 2 law and International Labor Organization
 3 core labor standards, including workplace
 4 health and safety;

5 (H) incorporates the potential of women
 6 and men to contribute equally and to their max-
 7 imum efficiency;

8 (I) harnesses the energy of youth, who
 9 make up 33 percent of Nepal's population, to
 10 rebuild Nepal;

11 (J) rebuilds in ways that foster resilience
 12 to future earthquakes, landslides, and other
 13 natural disasters that threaten Nepal;

14 (K) enables a rapid return to school for
 15 children, including the rapid construction and
 16 effective utilization of medium term temporary
 17 school structures; and

18 (L) coordinates activities with the Millen-
 19 nium Challenge Corporation and other agencies
 20 to assure the optimal effectiveness of United
 21 States efforts.

22 (2) to strongly encourage the completion and
 23 ratification of a new constitution that will serve as
 24 a strong foundation for Nepal to build back the sys-

1 tems and infrastructure even better than before the
2 disaster;

3 ~~(3)~~ to encourage all international donors to con-
4 tribute and coordinate in a transparent manner and
5 report all contributions through international mecha-
6 nisms to enable the most efficient allocation of all
7 reconstruction resources;

8 (4) to ensure that previously ongoing develop-
9 ment investments in health, education, economic
10 growth, food security, and other areas continue,
11 where appropriate, and are not diverted to other
12 purposes, and additional resources are dedicated for
13 earthquake recovery;

14 ~~(5)~~ to support debt relief for the Government of
15 Nepal in order to expand and hasten government-led
16 reconstruction;

17 (6) to affirm and build a long-term partnership
18 with Nepal in support of providing a foundation for
19 economic growth and sustainability through invest-
20 ments—

21 ~~(A)~~ in essential infrastructure, including
22 transport, financial services, and energy;

23 (B) to rebuild Nepal's competitiveness and
24 private sector in order to foster employment
25 generation, including policies to encourage in-

1 vestment and open world consumer markets to
 2 Nepalese exports;

3 ~~(C) in food security and rural and agricul-~~
 4 ~~tural development, particularly of food staples~~
 5 ~~and other crops that provide economic growth~~
 6 ~~and build lasting food security; and~~

7 ~~(D) that recognize and address how obsta-~~
 8 ~~cles related to gender limit, hinder, or suppress~~
 9 ~~the economic productivity and gain of women;~~

10 ~~(7) to reduce barriers to fast and effective re-~~
 11 ~~covery and reconstruction including by limiting or~~
 12 ~~eliminating unnecessary importation duties or re-~~
 13 ~~strictions on relief and recovery commodities that~~
 14 ~~will be provided to Nepalese in need and not sold;~~

15 ~~(8) to ensure, with the Government of Nepal,~~
 16 ~~that affected children are protected from potential~~
 17 ~~violence, abuse, neglect, and exploitation and have~~
 18 ~~the ability to access child protection services, includ-~~
 19 ~~ing psychosocial support;~~

20 ~~(9) to support, in coordination with other do-~~
 21 ~~nors—~~

22 ~~(A) the institutional development and ca-~~
 23 ~~capacity building of the Government of Nepal at~~
 24 ~~the national, local, and community levels so~~
 25 ~~that the Government of Nepal can ensure basic~~

1 services for its population, including health
2 care, education, and other basic social services;

3 ~~(B)~~ significant contributions to a multilat-
4 eral trust fund that will be established to en-
5 hance the reconstruction and rebuilding of
6 Nepal;

7 ~~(C)~~ the Government and people of Nepal to
8 lead the vision for reconstruction and rebuilding
9 of Nepal; and

10 ~~(D)~~ communities to fully participate in the
11 recovery and reconstruction process, by employ-
12 ing local labor and consulting local leaders, af-
13 fected communities, and civil society for their
14 experience and vision;

15 ~~(10)~~ to address the stateless populations in
16 Nepal displaced by the earthquake including people
17 who—

18 ~~(A)~~ are least likely to receive support
19 through the regular government systems; and

20 ~~(B)~~ may have particularly greater needs;

21 ~~(11)~~ to prioritize the provision of excess defense
22 articles, including small aircraft, to Nepal to assist
23 in search, relief, and rescue efforts related to earth-
24 quakes and future humanitarian crises; and

1 ~~(12)~~ to utilize every regulatory and administra-
 2 tive flexibility available to minimize bureaucratic re-
 3 quirements and expedite all relief and recovery ac-
 4 tions.

5 **SEC. 5. FINANCIAL ASSISTANCE.**

6 ~~(a)~~ DEBT RELIEF FOR NEPAL.—

7 ~~(1)~~ CANCELLATION OF DEBT.—The Secretary
 8 of the Treasury should direct the United States Ex-
 9 ecutive Director to each international financial insti-
 10 tution to advocate, by voice and vote, in such institu-
 11 tion—

12 ~~(A)~~ the cancellation of any and all remain-
 13 ing debt obligations of Nepal, including debt ob-
 14 ligations incurred after the date of the enact-
 15 ment of this Act;

16 ~~(B)~~ the provision of debt service relief for
 17 all remaining payments of Nepal until the debt
 18 can be cancelled; and

19 ~~(C)~~ to the extent practicable, the extension
 20 of any new assistance to Nepal primarily in the
 21 form of grants instead of loans.

22 ~~(2)~~ SECURING OTHER RELIEF FOR NEPAL.—

23 The Secretary of the Treasury and the Secretary of
 24 State should use all appropriate diplomatic influence

1 to secure the cancellation of any and all remaining
 2 bilateral debt of Nepal.

3 (b) ~~TRUST FUND FOR INFRASTRUCTURE INVEST-~~
 4 ~~MENT.~~—The Secretary of the Treasury should support the
 5 creation and utilization of a World Bank trust fund for
 6 Nepal that would leverage potential United States con-
 7 tributions and promote bilateral donations to such a fund
 8 for the purpose of promoting transparency, donor coordi-
 9 nation, and Nepalese ownership, and consultation with
 10 civil society, particularly when making investments in Ne-
 11 pal’s infrastructure, such as—

- 12 (1) electric grids;
- 13 (2) roads;
- 14 (3) water and sanitation facilities;
- 15 (4) agricultural infrastructure;
- 16 (5) historical heritage sites; and
- 17 (6) other critical infrastructure projects.

18 (c) ~~NEPAL RECOVERY PRIVATE INVESTMENT~~
 19 ~~FUND.~~—

20 (1) ~~IN GENERAL.~~—The United States Govern-
 21 ment may establish a Nepal Recovery Private Invest-
 22 ment Fund (referred to in this subsection as the
 23 “Fund”), made available from existing appropria-
 24 tions, to provide loans, equity investments and other

1 forms of support to small- and medium-sized private
2 enterprises with the purpose of—

3 (A) promoting the development of Nepal's
4 private sector, particularly small- and medium-
5 sized enterprises;

6 (B) promoting and testing innovative poli-
7 cies and practices to strengthen Nepal's private
8 sector;

9 (C) enhancing domestic engineering, con-
10 struction, and accounting capacity;

11 (D) advancing good governance and trans-
12 parency in Nepal, particularly within the pri-
13 vate sector;

14 (E) creating jobs; and

15 (F) fostering greater adherence to Nepal's
16 tax code.

17 (2) SEED CAPITALIZATION.—The United States
18 Agency for International Development may provide a
19 seed investment to capitalize the funds to be
20 matched or exceeded by investments from private eq-
21 uity firms, as well as private funds raised from other
22 limited investors.

23 (3) ADMINISTRATION.—The Fund shall be ad-
24 ministered by an entity, either established or des-
25 ignated by the United States Government for this

1 purpose, which is under the supervision of a board
 2 of directors consisting of 4 private citizens from the
 3 United States and 3 private citizens from Nepal.

4 (4) DURATION.—The Fund should liquidate its
 5 assets and dissolve not later than April 25, 2030,
 6 unless the Secretary of State determines that the
 7 Fund should be extended. Any long-term profits
 8 from the Fund shall be used in Nepal to further the
 9 purposes of disaster risk reduction and prepared-
 10 ness.

11 (d) FAST-TRACK OF INVESTMENT FEASIBILITY AND
 12 ASSESSMENT STUDIES.—

13 (1) IN GENERAL.—The Director of the United
 14 States Trade and Development Agency shall
 15 proactively explore and may provide accelerated re-
 16 sponse in Nepal for—

17 (A) project identification and investment
 18 analyses;

19 (B) trade capacity building and sector de-
 20 velopment activities, including technical assist-
 21 ance and feasibility studies that support invest-
 22 ments in infrastructure that contribute to over-
 23 seas development; and

24 (C) trade capacity building and sector de-
 25 velopment assistance supporting the establish-

1 ment of industry standards, rules, regulations,
 2 market liberalization, and other policy reform
 3 with a particular focus on engineering and con-
 4 struction.

5 **SEC. 6. REPORTS.**

6 (a) ~~REPORT ON IMPACT OF DISASTER RISK REDUC-~~
 7 ~~TION EFFORTS.~~—Not later than 1 year after the date of
 8 the enactment of this Act, the Administrator of the United
 9 States Agency for International Development (referred to
 10 in this section as the “Administrator”) shall submit a re-
 11 port to the appropriate congressional committees that—

12 (1) analyzes how the United States investments
 13 in Nepal during the last 20 years in disaster risk re-
 14 duction and earthquake resilience saved lives, re-
 15 duced suffering, and reduced property damage and
 16 economic losses during the earthquake and subse-
 17 quent aftershocks; and

18 (2) includes a set of recommendations for how
 19 disaster risk and recovery programs can be improved
 20 in Nepal and other countries with substantial dis-
 21 aster risk and recovery programming.

22 (b) ~~REPORT ON HUMANITARIAN RELIEF EFFORTS.~~—
 23 Not later than 1 year after the date of the enactment of
 24 this Act, the Administrator, in consultation with the Sec-
 25 retary of Defense, shall submit a report to the appropriate

1 congressional committees that describes the cost, effective-
 2 ness, timeliness, and impact of the international humani-
 3 tarian assistance provided to Nepal.

4 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

5 (a) AMOUNTS AUTHORIZED.—In addition to funding
 6 previously dedicated to development in Nepal and any
 7 international disaster assistance resources made available
 8 for immediate humanitarian response activities, there are
 9 authorized to be appropriated, either as part of the regular
 10 appropriation process or as part of supplementary appro-
 11 priations, to carry out the policies and objectives set forth
 12 in this Act—

13 (1) \$200,000,000 for fiscal year 2016;

14 (2) \$200,000,000 for fiscal year 2017; and

15 (3) \$100,000,000 for fiscal year 2018.

16 (b) TRANSFERS.—Of the amounts appropriated for
 17 each fiscal year pursuant to subsection (a)—

18 (1) the Department of the Treasury and the
 19 United States Agency for International Development
 20 may contribute to a multi-donor trust fund for re-
 21 construction and recovery expenses related to Nepal
 22 following the earthquake of April 25, 2015, subject
 23 to the regular notification procedures of the appro-
 24 priate congressional committees; and

1 (2) amounts may be transferred to the “Devel-
 2 opment Credit Authority” account of the United
 3 States Agency for International Development for the
 4 cost of direct loans and loan guarantees, notwith-
 5 standing the otherwise applicable dollar limitations
 6 on transfers to such account.

7 (e) AVAILABILITY OF FUNDS.—Amounts appro-
 8 priated for each fiscal year pursuant to subsection (a)
 9 shall remain available until expended.

10 **SECTION 1. SHORT TITLE.**

11 *This Act may be cited as the “Nepal Recovery Act”.*

12 **SEC. 2. DEFINITIONS.**

13 *In this Act:*

14 (1) ADMINISTRATOR.—The term “Adminis-
 15 trator” means the Administrator of the United States
 16 Agency for International Development.

17 (2) APPROPRIATE CONGRESSIONAL COMMIT-
 18 TEES.—The term “appropriate congressional commit-
 19 tees” means—

20 (A) the Committee on Foreign Relations of
 21 the Senate;

22 (B) the Committee on Appropriations of the
 23 Senate;

24 (C) the Committee on Foreign Affairs of the
 25 House of Representatives; and

1 (D) the Committee on Appropriations of the
2 House of Representatives.

3 (3) *INTERNATIONAL FINANCIAL INSTITUTION.*—
4 The term “international financial institution”
5 means—

6 (A) each of the institutions listed in section
7 1701(c)(2) of the International Financial Insti-
8 tutions Act (22 U.S.C. 262r(c)(2)); and

9 (B) the International Development Fund for
10 Agricultural Development.

11 **SEC. 3. FINDINGS.**

12 Congress makes the following findings:

13 (1) On April 25, 2015, an earthquake measuring
14 7.8 on the Richter scale and a subsequent earthquake
15 on May 12 measuring 7.3 on the Richter scale and
16 numerous aftershocks—

17 (A) devastated Kathmandu, Nepal and the
18 surrounding areas;

19 (B) killed more than 8,700 people;

20 (C) injured hundreds of thousands addi-
21 tional people;

22 (D) destroyed or damaged more than
23 770,000 homes, leaving the families who had
24 been living in those homes without shelter;

1 (E) damaged or destroyed more than 47,000
2 classrooms;

3 (F) damaged or destroyed over 1,000 health
4 facilities including primary health care centers
5 and birthing centers;

6 (G) left many people with newly acquired
7 disabilities, including lost limbs and other phys-
8 ical and mental trauma;

9 (H) severely impacted livelihoods and food
10 security for millions of people, including the de-
11 struction of stockpiled grains and the loss of
12 more than 17,000 cattle and 40,000 smaller do-
13 mesticated animals; and

14 (I) disrupted social structures and families
15 through death, injury, and relocation.

16 (2) The earthquake devastated Nepal's infra-
17 structure, including homes, offices, factories, roads,
18 bridges, communications, and other facilities.

19 (3) American citizens were also killed in the
20 widespread destruction caused by the earthquake.

21 (4) Six American service members and 2 mem-
22 bers of the Nepalese Army lost their lives in a heli-
23 copter accident while working to relieve the suffering
24 of the Nepalese people following the earthquake.

1 (5) *The World Bank and the Government of*
 2 *Nepal conducted a post disaster needs assessment that*
 3 *estimated almost \$6,700,000,000 in sector specific*
 4 *damage, losses, and recovery needs.*

5 (6) *In Nepal, which is one of the poorest coun-*
 6 *tries in the world—*

7 (A) *an estimated 25 percent of the popu-*
 8 *lation lives on less than \$1.25 per day;*

9 (B) *there is a 46 percent unemployment*
 10 *rate, with the majority of the population engaged*
 11 *in subsistence agriculture;*

12 (C) *only 25 percent of Nepalese participate*
 13 *in the formal banking system, with the majority*
 14 *of Nepalese severely lacking access to credit and*
 15 *financial services, making accessing credit for re-*
 16 *building difficult; and*

17 (D) *has 1 of the slowest economic growth*
 18 *rates in the region.*

19 (7) *The geography of Nepal poses a significant*
 20 *challenge to relief, reconstruction, and development*
 21 *that requires extraordinary efforts and assets to over-*
 22 *come.*

23 (8) *The United States Government, the Govern-*
 24 *ment of Nepal, and civil society organizations have*
 25 *invested in disaster risk reduction efforts for nearly*

1 20 years. Those efforts have reduced suffering and
2 prevented greater loss of life and property.

3 (9) In recent years, the Government and people
4 of Nepal have taken important steps forward to re-
5 solve civil conflict, reconcile, and promote economic
6 growth and development.

7 (10) Nepal has qualified for the Millennium
8 Challenge Corporation Threshold Program and has
9 been selected for a Millennium Challenge Corporation
10 Compact, based on its performance on key selection
11 criteria.

12 (11) The earthquake has significantly increased
13 the costs and uncertainty of doing business in Nepal.

14 **SEC. 4. STATEMENT OF POLICY.**

15 It is the policy of the United States, in partnership
16 with the Government of Nepal and in coordination with
17 the international community—

18 (1) to support the sustainable recovery and re-
19 building of Nepal in a manner that—

20 (A) encourages greater economic growth;

21 (B) embraces the independence, resilience,
22 and democratic governance of Nepal;

23 (C) supports collaboration with the Govern-
24 ment of Nepal and consultation with Nepalese
25 and international civil society and including the

1 *participation of affected communities in plan-*
2 *ning and implementing recovery and reconstruc-*
3 *tion;*

4 *(D) ensures that the National Reconstruc-*
5 *tion Authority institutes strong internal account-*
6 *ing and accountability measures;*

7 *(E) seeks to reach the most severely affected*
8 *communities, particularly those who live in*
9 *hard-to-reach areas or who are otherwise*
10 *marginalized;*

11 *(F) seeks to address the vulnerability of*
12 *young girls and boys who are often at much*
13 *higher risk of trafficking, sexual exploitation,*
14 *child labor, and other forms of abuse during*
15 *emergencies;*

16 *(G) prohibits the participation of the*
17 *United States in any construction effort, which*
18 *uses forced or child labor, unregistered recruit-*
19 *ment agencies, or pays wages through means*
20 *other than directly to the laborer or to their bank*
21 *account;*

22 *(H) promotes compliance with Nepalese*
23 *labor law and internationally recognized core*
24 *labor standards, as set forth in the International*
25 *Labor Organization Declaration on Funda-*

1 *mental Principles and Rights at Work and its'*
 2 *follow-up;*

3 *(I) harnesses the energy of youth, who make*
 4 *up 33 percent of Nepal's population, to rebuild*
 5 *Nepal;*

6 *(J) includes regulatory reforms that im-*
 7 *prove the environment for investors;*

8 *(K) supports the role of women in the recon-*
 9 *struction and recovery effort;*

10 *(L) rebuilds in ways that foster resilience to*
 11 *future earthquakes, landslides, and other natural*
 12 *disasters that threaten Nepal;*

13 *(M) enables a rapid return to school for*
 14 *children, including the rapid construction and*
 15 *effective utilization of medium term temporary*
 16 *school structures; and*

17 *(N) coordinates activities with the Millen-*
 18 *nium Challenge Corporation and other agencies*
 19 *to assure the optimal efficiency and effectiveness*
 20 *of United States' efforts.*

21 *(2) to encourage all international donors to con-*
 22 *tribute and coordinate in a transparent manner and*
 23 *report all contributions through international mecha-*
 24 *nisms to enable the most efficient allocation of all re-*
 25 *construction resources;*

1 (3) to ensure that ongoing development invest-
 2 ments in health, education, economic growth, food se-
 3 curity, and other areas continue, where appropriate,
 4 and are not diverted to other purposes;

5 (4) to affirm and build a long-term partnership
 6 with Nepal in support of providing a foundation for
 7 economic growth and sustainability through invest-
 8 ments—

9 (A) in essential infrastructure, including
 10 transport, financial services, and energy;

11 (B) to rebuild Nepal's competitiveness and
 12 private sector in order to foster employment gen-
 13 eration, including policies to encourage invest-
 14 ment and open world consumer markets to Nepa-
 15 lese exports;

16 (C) in food security and rural and agricul-
 17 tural development, particularly of food staples
 18 and other crops that provide economic growth
 19 and build lasting food security; and

20 (D) that recognize and address how obsta-
 21 cles related to gender limit, hinder, or suppress
 22 the economic productivity and gain of women;

23 (5) to ensure, with the Government of Nepal,
 24 that affected children are protected from potential vio-
 25 lence, abuse, neglect, and exploitation and have the

1 *ability to access child protection services, including*
 2 *psychosocial support;*

3 *(6) to support, in coordination with other do-*
 4 *nors—*

5 *(A) the institutional development and ca-*
 6 *capacity building of the Government of Nepal at*
 7 *the national, local, and community levels so that*
 8 *the Government of Nepal can ensure basic serv-*
 9 *ices for its population, including health care,*
 10 *education, and other basic social services;*

11 *(B) contributions to a multilateral trust*
 12 *fund that will be established to enhance the re-*
 13 *construction and rebuilding of Nepal;*

14 *(C) the Government and people of Nepal to*
 15 *lead the vision for reconstruction and rebuilding*
 16 *of Nepal; and*

17 *(D) communities to fully participate in the*
 18 *recovery and reconstruction process, by employ-*
 19 *ing local labor, as appropriate, and consulting*
 20 *local leaders, affected communities, and civil so-*
 21 *cietly for their experience and vision; and*

22 *(7) to address the stateless populations in Nepal,*
 23 *including Tibetan communities, who—*

24 *(A) are least likely to receive support*
 25 *through the regular government systems; and*

1 (B) may have particularly greater or dif-
 2 ferent needs.

3 **SEC. 5. TECHNICAL AND FINANCIAL ASSISTANCE.**

4 (a) *IN GENERAL.*—Subject to the availability of funds,
 5 the President may provide technical and financial assist-
 6 ance for programs that—

7 (1) improve Nepal’s basic infrastructure fol-
 8 lowing the earthquakes in affected communities;

9 (2) support economic growth, including through
 10 agriculture and small-scale enterprise opportunities;

11 (3) promote health and basic education pro-
 12 grams; and

13 (4) support democracy programs that promote
 14 political reforms, as appropriate, including strength-
 15 ening democratic institutions and rule of law.

16 (b) *FAST-TRACK OF INVESTMENT FEASIBILITY AND*
 17 *ASSESSMENT STUDIES.*—The Director of the United States
 18 Trade and Development Agency may proactively explore
 19 and provide accelerated response in Nepal for—

20 (1) project identification and investment anal-
 21 yses;

22 (2) trade capacity building and sector develop-
 23 ment activities, including technical assistance and
 24 feasibility studies that support investments in infra-
 25 structure that contribute to overseas development; and

1 (3) *trade capacity building and sector develop-*
 2 *ment assistance supporting the establishment of in-*
 3 *dustry standards, rules, regulations, market liberal-*
 4 *ization, and other policy reform, with a particular*
 5 *focus on engineering and construction.*

6 **SEC. 6. REPORTS.**

7 (a) *REPORT ON IMPACT OF DISASTER RISK REDUC-*
 8 *TION EFFORTS.*—*Not later than 1 year after the date of*
 9 *the enactment of this Act, the Administrator shall submit*
 10 *a report to the appropriate congressional committees that—*

11 (1) *assesses the effectiveness of United States in-*
 12 *vestments in Nepal in disaster risk reduction and*
 13 *earthquake resilience during the 20-year period end-*
 14 *ing on the date of the enactment of this Act; and*

15 (2) *includes a set of recommendations for how*
 16 *the efficiency and effectiveness of disaster risk and re-*
 17 *covery programs can be improved in Nepal and other*
 18 *countries with substantial disaster risk and recovery*
 19 *programming.*

20 (b) *REPORT ON HUMANITARIAN RELIEF EFFORTS.*—
 21 *Not later than 1 year after the date of the enactment of*
 22 *this Act, the Administrator, in consultation with the Sec-*
 23 *retary of Defense, shall submit a report to the appropriate*
 24 *congressional committees that—*

1 (1) describes the cost, effectiveness, timeliness,
2 and impact of the international humanitarian and
3 reconstruction assistance provided to Nepal; and

4 (2) includes an assessment of the efforts of the
5 United States to prevent corruption during the hu-
6 manitarian response and reconstruction work.

7 (c) *REPORT ON IMPEDIMENTS TO NEPAL'S RECOV-*
8 *ERY.*—Not later than 90 days after the date of the enact-
9 ment of this Act, the Secretary of State, in coordination
10 with the Administrator of the United States Agency for
11 International Development and the heads of other appro-
12 priate departments and agencies, shall submit a report to
13 the appropriate congressional committees that includes—

14 (1) a description of the impediments to Nepal's
15 recovery efforts, including the flow of goods and serv-
16 ices to and from Nepal;

17 (2) a strategy to address and mitigate political,
18 diplomatic, and economic challenges to reconstruction
19 efforts, including ensuring the efficient use, and time-
20 ly distribution, of United States Government assist-
21 ance;

22 (3) an assessment of the impact of any impedi-
23 ments to energy resources, tourism, medical care, edu-
24 cational institutions, and the housing sector;

1 (4) *an assessment of the effects of these impedi-*
 2 *ments to ongoing United States Government assist-*
 3 *ance programs throughout Nepal, including those not*
 4 *directly related to earthquake recovery activities; and*

5 (5) *a detailed summary of any United States*
 6 *Government bilateral and multilateral efforts to enlist*
 7 *bilateral or multilateral support to mitigate political,*
 8 *diplomatic, and economic challenges to Nepal's recov-*
 9 *ery.*

10 (d) *QUARTERLY BRIEFINGS.*—*The Secretary of State,*
 11 *in coordination with the Administrator of the United States*
 12 *Agency for International Development and the heads of any*
 13 *other appropriate departments and agencies, shall provide*
 14 *quarterly briefings through the end of fiscal year 2018 to*
 15 *the appropriate congressional committees on the efforts of*
 16 *the United States Government to ensure the efficient and*
 17 *effective distribution of United States assistance to con-*
 18 *tribute to Nepal's recovery and to carry out the objectives*
 19 *of this Act.*

20 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

21 (a) *IN GENERAL.*—*There are authorized to be appro-*
 22 *priated to carry out the policies and objectives set forth in*
 23 *this Act, \$90,000,000 for each of fiscal years 2017 and 2018.*

24 (b) *TRANSFERS.*—*Amounts appropriated for each fis-*
 25 *cal year pursuant to subsection (a)—*

1 (1) *may be contributed by the Administrator and*
2 *the Secretary of the Treasury to a multi-donor trust*
3 *fund for reconstruction and recovery expenses related*
4 *to Nepal following the earthquake of April 25, 2015,*
5 *subject to the regular notification procedures of the*
6 *appropriate congressional committees; and*

7 (2) *may be transferred to the “Development*
8 *Credit Authority” account of the United States Agen-*
9 *cy for International Development for the cost of direct*
10 *loans and loan guarantees.*

11 (c) *AVAILABILITY OF FUNDS.—Amounts appropriated*
12 *for each fiscal year pursuant to subsection (a) shall remain*
13 *available until expended.*

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S. 1882

A BILL

To support the sustainable recovery and rebuilding of Nepal following the recent, devastating earthquakes near Kathmandu.

FEBRUARY 2, 2016

Reported with an amendment