

112TH CONGRESS  
2D SESSION

# H. R. 3771

To promote long-term, sustainable rebuilding and development in Haiti, and  
for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 13, 2012

Mr. CONYERS (for himself, Ms. CLARKE of New York, Ms. BROWN of Florida,  
Mr. VAN HOLLEN, Mr. LEWIS of Georgia, Ms. SCHAKOWSKY, Mr. JACK-  
SON of Illinois, Ms. JACKSON LEE of Texas, Mr. COHEN, Ms. RICHARD-  
SON, and Ms. LEE of California) introduced the following bill

JANUARY 17, 2012

Referred to the Committee on Foreign Affairs

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## A BILL

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 2012”.

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 300,000 people;

8                   (C) injured 200,000 to 300,000 more peo-  
9 ple;

10                  (D) left 2,300,000 people homeless;

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

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

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

23           (3) Prior to the earthquake, Haiti was the poor-  
24 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 through di-  
4 rect collaboration with both the Haitian govern-  
5 ment and Haitian grassroots and civil society  
6 groups; 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) education is critical to securing a bet-  
21 ter future for the people in the affected coun-  
22 try;

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

6 (A) provide permanent, sustainable shelter  
7 to an estimated 595,000 Haitians still displaced  
8 by the earthquake;

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

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

16 (D) provide all children with access to edu-  
17 cation; and

18 (E) provide agricultural producers  
19 throughout the country with improved access to  
20 fertile land and investment opportunities for ag-  
21 ricultural development.

22 (10) The impact of natural disasters on Haiti  
23 is exacerbated by—

24 (A) the lack of enforcement of earthquake-  
25 resistant construction procedures, weak building

1 codes, and massive private sector economic  
2 losses that hinder the ability of people to pur-  
3 chase materials of sufficient quality to rebuild  
4 existing buildings;

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

9 (C) under-investment in infrastructure and  
10 development in rural areas and secondary cities  
11 outside of Port-au-Prince.

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

17 (12) Local communities, grassroots groups,  
18 peasant movements and women's organizations  
19 should play a central role in the rebuilding of Haiti,  
20 while the national recovery process is led by the Gov-  
21 ernment of Haiti in such a way that foreign assist-  
22 ance upholds the primacy of Haitian government in-  
23 stitutions in the rebuilding effort.

24 (13) International donors and nongovernmental  
25 organizations—

1 (A) have a responsibility to support the  
2 Government of Haiti in its rebuilding efforts  
3 and help it build its capacity to implement its  
4 own development plan and decentralization ini-  
5 tiatives;

6 (B) are critical to the success of the recov-  
7 ery and reconstruction efforts;

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

10 (D) can build capacity for national institu-  
11 tions, both governmental and nongovernmental,  
12 to take over the management and provision of  
13 essential services over the medium term;

14 (E) should support and encourage rebuild-  
15 ing and development of programs which are en-  
16 vironmentally sustainable and respectful and re-  
17 storative of Haiti's natural resources;

18 (F) should work with the Government of  
19 Haiti to improve the educational system and to  
20 ensure that all children have access to an edu-  
21 cation;

22 (G) should work with the Government of  
23 Haiti and the international community to better  
24 predict, anticipate, and protect against future  
25 disasters;



1 (H) should prioritize the effective partici-  
2 pation of Haitian grassroots and civil society,  
3 including the French and Creole translation of  
4 public aid documents and proceedings and the  
5 increase of nation-wide consultations with Hai-  
6 tian civil society networks and community-based  
7 organizations in order to help inform recovery  
8 and rebuilding initiatives; and

9 (I) should continue to work with the Gov-  
10 ernments of Haiti and the Dominican Republic  
11 to support efforts to combat human trafficking  
12 along the border between Haiti and the Domini-  
13 can Republic, including the trafficking of  
14 women and children.

15 (14) The circumstances following the earth-  
16 quake in Haiti provide a real opportunity for  
17 Haiti—

18 (A) to break the cycle of poverty, social in-  
19 equality and unrealized expectations that has  
20 marked Haiti's history; and

21 (B) to establish a new framework for sus-  
22 tained economic development through a commit-  
23 ment of engagement from the United States,  
24 other donors, and multilateral organizations to  
25 support the Government of Haiti and the Hai-

1           tian people as they undertake the long rebuild-  
2           ing process.

3 **SEC. 3. DEFINITIONS.**

4       In this Act:

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

8           (2) APPROPRIATE CONGRESSIONAL COMMIT-  
9       TEES.—The term “appropriate congressional com-  
10      mittees” means the Committee on Foreign Relations  
11      of the Senate and the Committee on Foreign Affairs  
12      of the House of Representatives.

13          (3) HAITI REBUILDING AND DEVELOPMENT  
14      STRATEGY; STRATEGY.—The terms “Haiti Rebuild-  
15      ing and Development Strategy” and “Strategy”  
16      mean the multi-year strategy to provide assistance in  
17      support of the reconstruction and rebuilding of Haiti  
18      prepared pursuant to section 5.

19 **SEC. 4. STATEMENT OF POLICY.**

20       It is the policy of the United States, in partnership  
21      with the Government of Haiti and in coordination with  
22      the international community, to—

23           (1) support the sustainable recovery and re-  
24      building of Haiti in a manner that—

1 (A) encourages greater economic equality  
2 by supporting economic development, education  
3 investments, agricultural investments, food se-  
4 curity programs and nonagriculture livelihood  
5 creation in rural and decentralized areas;

6 (B) embraces Haitian independence, self-  
7 reliance, sovereignty, democratic governance,  
8 and efficiency;

9 (C) requires collaboration with the Haitian  
10 government and consultation with Haitian and  
11 international civil society, including nation-wide  
12 consultation meetings with Haitian grassroots  
13 organizations and French and Creole trans-  
14 lation services for all public aid documents and  
15 proceedings;

16 (D) incorporates the potential of both  
17 women and men to contribute equally and to  
18 their maximum efficiency; and

19 (E) maximizes local and regional procure-  
20 ment through capacity building to help Haitian  
21 organizations and companies participate effec-  
22 tively in the bidding process for contracts re-  
23 lated to relief and reconstruction programs, in-  
24 cluding access to procurement documents trans-  
25 lated into French and Haitian Creole;

1           (2) affirm and build a long-term partnership  
2 with Haiti in support of—

3           (A) just, democratic, and competent gov-  
4 ernance including—

5           (i) an independent, efficient, and ef-  
6 fective judicial system;

7           (ii) parliamentary strengthening;

8           (iii) political pluralism, equality, and  
9 the rule of law;

10          (iv) civil society, governance institu-  
11 tions, and political parties that are rep-  
12 resentative and peaceful;

13          (v) transparency and accountability  
14 among all branches of government and ju-  
15 dicial proceedings, including supporting  
16 anti-corruption efforts among bureaucrats,  
17 elected officials, and public servants at all  
18 levels of security and government adminis-  
19 tration; and

20          (vi) security, by—

21           (I) ensuring legitimate state ef-  
22 forts to prevent and respond to crime,  
23 especially overall violence and gender-  
24 based violence;

1 (II) instilling public order and  
2 confidence in, and increasing the ca-  
3 pacity of, Haitian security institu-  
4 tions, including their capacity to ad-  
5 dress gender-based violence through  
6 recruitment of female police officers  
7 and gender-sensitive training of all se-  
8 curity forces;

9 (III) providing local and national  
10 police forces with comprehensive pro-  
11 fessional training and equipment, in-  
12 cluding gender-sensitive protection  
13 training; and

14 (IV) holding aid partners ac-  
15 countable for meeting minimum  
16 standards for gender-based violence  
17 planning and response, as outlined in  
18 Inter-Agency Standing Committee  
19 (IASC) Guidelines for gender-based  
20 violence interventions in humanitarian  
21 settings and put into place monitoring  
22 mechanisms;

23 (B) providing a foundation for economic  
24 growth and economic sustainability, through in-  
25 vestments—

- 1 (i) in essential infrastructure, includ-  
2 ing transport and energy;
- 3 (ii) in sustainable urban development  
4 and improved urban management by iden-  
5 tifying, developing, and implementing a  
6 long-term, sustainable framework for fu-  
7 ture growth and development in urban  
8 areas that will ensure livelihood creation,  
9 appropriate environmental and resource  
10 management, appropriate disaster response  
11 plans, affordable long-term housing, en-  
12 ergy, clean water, sanitation services, and  
13 essential urban services and infrastructure;
- 14 (iii) to rebuild Haiti's competitiveness  
15 and private sector in order to foster em-  
16 ployment generation, including policies to  
17 encourage investment and open world con-  
18 sumer markets to Haitian exports;
- 19 (iv) in food security and rural and ag-  
20 ricultural development, particularly of food  
21 staples and other crops that provide eco-  
22 nomic growth and income opportunities in  
23 times of shortage and increase production  
24 and incomes of agriculture and livestock  
25 producers in rural communities, including

1 direct support to small and medium Hai-  
2 tian farms, appropriate technical support  
3 for high yielding staple food crops, micro-  
4 financing, increased market access, repair  
5 and improvements of agricultural infra-  
6 structure, investment in participatory  
7 farmer-led research and knowledge trans-  
8 fer and strengthening of local seed sys-  
9 tems;

10 (v) that recognize and address where  
11 obstacles related to gender limit, hinder, or  
12 suppress women’s economic productivity  
13 and gain; and

14 (vi) promote international labor and  
15 wage standards in all United States funded  
16 job creation projects; and

17 (C) environmentally sustainable programs  
18 that are respectful and restorative of Haiti’s  
19 natural resources and build community-level re-  
20 siliance to environmental and weather-related  
21 impacts, including—

22 (i) programs to reduce and mitigate  
23 the effects of natural disaster, including  
24 floods and hurricanes;

1 (ii) programs to address land use,  
2 land tenure, land for reconstruction, and  
3 land price escalation issues;

4 (iii) programs and associated support  
5 to reduce deforestation and increase the  
6 rates of afforestation and reforestation in  
7 Haiti, including through diversification of  
8 Haiti's energy sources; and

9 (iv) programs to address safe drinking  
10 water, sanitation, hygiene, water resource  
11 management, and other water related  
12 issues;

13 (D) investments in people, particularly  
14 women and children, including—

15 (i) supporting the Government of  
16 Haiti, in coordination with nongovern-  
17 mental education providers, to rehabilitate  
18 and improve Haiti's education sector with  
19 the goal of providing access to quality and  
20 affordable education for all children;

21 (ii) ensuring that women's and girls'  
22 unique needs are appropriately integrated  
23 across all sectors in consultation with Hai-  
24 tian women's organizations, including gov-  
25 ernance, security, livelihood creation and



1 development, and in program assessment,  
2 design, implementation, monitoring, and  
3 evaluation, with a goal of promoting ac-  
4 cess, inclusion, and empowerment;

5 (iii) establish effective initiatives to  
6 address gender-based violence, including  
7 mechanisms to address the rape charges  
8 and impunity measures, establishment of  
9 special care units in hospitals for medical  
10 attention, pre and post counseling, HIV/  
11 AIDS testing, administration of prophylaxis,  
12 access to anti-retrovirals for HIV  
13 positive women, support for emergency  
14 protection mechanisms including shelter,  
15 and durable solutions for survivors;

16 (iv) health care delivery and capacity  
17 building to strengthen the overall health  
18 care system;

19 (v) supporting programs, activities,  
20 and initiatives that provide or promote  
21 equal opportunity, full participation, inde-  
22 pendent living, and economic self-suffi-  
23 ciency for individuals with disabilities;

24 (vi) increasing cholera prevention and  
25 treatment efforts, including the use of vac-

1 cines, training and awareness-building and  
2 support for improved water and sanitation  
3 infrastructure where needed;

4 (vii) support for Haitian government  
5 capacity building; and

6 (viii) strengthening the child welfare  
7 system—

8 (I) to ensure the protection of  
9 children from violence, abuse, exploi-  
10 tation, and neglect and to combat  
11 child trafficking by supporting the  
12 Haitian government’s initiatives to  
13 strengthen the child protection system  
14 across Haiti and at the border with  
15 the Dominican Republic;

16 (II) to support family preserva-  
17 tion and reunification and prevent  
18 child abandonment, to the extent pos-  
19 sible;

20 (III) to ensure that children  
21 without family care receive safe, devel-  
22 opmentally appropriate care; and

23 (IV) to end the practice and ex-  
24 ploitation of child domestic servants  
25 (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, pro-  
12 tection against gender-based violence, agri-  
13 cultural development, education, and other  
14 basic social services; and

15 (ii) will be an effective steward of  
16 state resources through a transparent  
17 process of equitable resource allocation  
18 that includes a broad range of participa-  
19 tion from Haitian civil society;

20 (B) Haitian civil society organizations that  
21 are committed to making a positive contribution  
22 to the rebuilding and sustainable development  
23 of Haiti;

24 (C) people-to-people engagement between  
25 the United States and Haiti, through increased

1 educational, technical, and cultural exchanges  
2 and other methods;

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

7 (E) a Haitian government budget that is  
8 appropriately sized to fulfill the functions ex-  
9 pected of the budget for the delivery of essential  
10 public services, including arrangements to en-  
11 sure transparency and accountability for the  
12 funds provided to the budget of the Haitian  
13 government; and

14 (4) promote development and rebuilding efforts  
15 in Haiti that are led by, and in support of, all levels  
16 of government in Haiti, including national and local  
17 governments, so that—

18 (A) the Government and people of Haiti  
19 lead the vision for reconstruction and rebuilding  
20 of Haiti;

21 (B) resources are channeled in concrete  
22 and specific ways toward key sectoral objectives  
23 identified by the Government and its people;

24 (C) feasible steps are taken to recognize  
25 and rectify the social injustice of poverty and

1 gender inequality and to decrease the vulner-  
2 ability of the poor, through job creation, access  
3 to education, the provision of health care, the  
4 provision of safe shelter and settlements, and  
5 food security in the rural regions and other  
6 smaller cities, as well as in Port-au-Prince;

7 (D) communities are placed at the center  
8 of the rebuilding process, by employing local  
9 labor and consulting local leaders and commu-  
10 nities for their experience and vision;

11 (E) rebuilding and development programs  
12 are environmentally sustainable and respectful  
13 and restorative of Haiti's natural resources; and

14 (F) the Haiti Rebuilding and Development  
15 Strategy builds from and supports—

16 (i) existing assessments for Haiti, in-  
17 cluding the Post Disaster Needs Assess-  
18 ment;

19 (ii) the Government of Haiti's Action  
20 Plan for the Reconstruction and National  
21 Development of Haiti;

22 (iii) other existing development plans  
23 for Haiti, including the Poverty Reduction  
24 Strategy Paper for Haiti; and

1 (iv) shared principles in the Paris  
2 Declaration on Aid Effectiveness and the  
3 Accra Agenda for Action.

4 **SEC. 5. HAITI REBUILDING AND DEVELOPMENT STRATEGY.**

5 (a) IN GENERAL.—The Administrator of the United  
6 States Agency for International Development, with input  
7 provided by the Special Coordinator for Haiti, shall pre-  
8 pare and submit to the appropriate congressional commit-  
9 tees a multi-year strategy to provide assistance in support  
10 of the reconstruction and rebuilding of Haiti.

11 (b) COMPONENTS.—The Haiti Rebuilding and Devel-  
12 opment Strategy shall—

13 (1) include—

14 (A) specific and measurable goals;

15 (B) benchmarks and time frames;

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

18 (D) a detailed monitoring and evaluation  
19 plan tied to measurable indicators addressing  
20 progress toward achieving those policy objec-  
21 tives, including impact evaluations of United  
22 States assistance to Haiti carried out in direct  
23 consultation with both the Haitian government  
24 and Haitian grassroots, women’s and civil soci-  
25 ety groups; and

1 (2) to the greatest extent possible—

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

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

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

1 countries, and United States and international  
2 nongovernmental organizations;

3 (D) promote access to education for all  
4 children;

5 (E) incorporate approaches directed at  
6 reaching women living in poverty;

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

10 (G) maximize local and regional procure-  
11 ment.

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

19 (d) REPORTS.—

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



- 1 (A) a copy of the Haiti Rebuilding and De-  
2 velopment Strategy, including—
- 3 (i) any changes made to the Strategy  
4 during the preceding calendar year; and
- 5 (ii) an explanation of such changes;
- 6 (B) a description, by foreign assistance  
7 framework objective, of the implementation of  
8 the Strategy;
- 9 (C) an assessment of progress made during  
10 the preceding fiscal year toward meeting—
- 11 (i) the policy objectives set forth in  
12 section 4; and
- 13 (ii) the specific goals, benchmarks,  
14 and time frames specified in the Strategy;
- 15 (D) a description of all United States Gov-  
16 ernment programs contributing to the achieve-  
17 ment of the policy objectives set forth in section  
18 4, including the amounts obligated and ex-  
19 pended on such programs during the preceding  
20 fiscal year, including—
- 21 (i) a breakdown of the percentage of  
22 United States funds spent on Haitian  
23 goods and services;

1           (ii) an analysis of the number of Hai-  
2           tian employment opportunities created with  
3           United States funds;

4           (iii) a description of the increase in  
5           official reports that are translated into  
6           French and Creole and easily accessible;

7           (iv) a description of official annual re-  
8           porting of such programs from the Depart-  
9           ment of State, the United States Agency  
10          for International Development, the Depart-  
11          ment of Defense, the Department of  
12          Health and Human Services, the Depart-  
13          ment of Homeland Security, and Depart-  
14          ment of Justice; and

15          (v) inclusion of United States Agency  
16          for International Development evaluation  
17          indicators on the percentage of the affected  
18          Haitian population benefitting from United  
19          States assistance and the percentage of  
20          funds going to local communities for both  
21          the United States Agency for International  
22          Development and its contractors; and

23          (E) an assessment of United States ef-  
24          forts—

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

4 (ii) to coordinate United States Gov-  
5 ernment programs with assistance provided  
6 by international organizations, inter-  
7 national financial institutions, the govern-  
8 ments of developing and developed coun-  
9 tries, and United States and international  
10 nongovernmental organizations.

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

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

19 (B) recommendations relating to any addi-  
20 tional actions the Comptroller General deter-  
21 mines to be important to improve the provision  
22 of assistance for Haiti to support rebuilding  
23 and development.

24 (3) PROGRAM REVIEW.—

1 (A) IN GENERAL.—Concurrent with the  
2 submission of the second annual report under  
3 paragraph (1), the Secretary of State shall sub-  
4 mit a report to the appropriate congressional  
5 committees that contains—

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

13 (ii) an evaluation of the impact during  
14 the preceding 2 years of United States as-  
15 sistance programs on Haitian rebuilding  
16 and development; and

17 (iii) an assessment of the overall sta-  
18 tus of broader rebuilding and development  
19 taking place in Haiti, as outlined by the  
20 Government of Haiti.

21 (B) BASIS FOR REPORT.—The report re-  
22 quired under subparagraph (A) shall be based  
23 on data quality assessments and impact evalua-  
24 tions of quantitative and qualitative indicators.

1           (4) PUBLIC AVAILABILITY OF INFORMATION.—  
2           The information requested in paragraphs (1) and  
3           (3) for United States programs contributing to the  
4           achievement of the policy objectives set forth in sec-  
5           tion 4, including the amounts obligated and ex-  
6           pended on such programs during preceding fiscal  
7           years, shall—

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

10                   (B) be presented in a detailed, program-  
11                   by-program basis.

12           (5) UNCLASSIFIED SUMMARY.—If detailed in-  
13           formation is classified, an unclassified summary  
14           shall be posted and the classified details shall be  
15           submitted separately to the appropriate congress-  
16           sional committees.

17 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

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

22                   (1) \$1,500,000,000 for fiscal year 2013; and

23                   (2) \$500,000,000 for fiscal year 2014.

24           (b) APPLICABILITY OF THE FOREIGN ASSISTANCE  
25           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 5(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.

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