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TO MEASURE THE PROGRESS OF RELIEF, RECOVERY, RECONSTRUCTION, AND DEVELOPMENT EFFORTS IN HAITI FOLLOWING THE EARTHQUAKE OF JANUARY 12, 2010, AND FOR OTHER PURPOSES

MARKUP

BEFORE THE

SUBCOMMITTEE ON
THE WESTERN HEMISPHERE

OF THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

ONE HUNDRED TWELFTH CONGRESS

FIRST SESSION

ON

H.R. 1016

MARCH 31, 2011

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CONTENTS

Page

MARKUP OF

H.R. 1016, To measure the progress of relief, recovery, reconstruction, and development efforts in Haiti following the earthquake of January 12, 2010, and for other purposes 2
Amendment in the nature of a substitute to H.R. 1016 11
Amendment to the amendment in the nature of a substitute to H.R. 1016 offered by the Honorable Connie Mack, a Representative in Congress from the State of Florida, and chairman, Subcommittee on the Western Hemisphere 20

APPENDIX

Markup notice 24
Markup minutes 25

TO MEASURE THE PROGRESS OF RELIEF, RECOVERY, RECONSTRUCTION, AND DEVELOPMENT EFFORTS IN HAITI FOLLOWING THE EARTHQUAKE OF JANUARY 12, 2010 AND FOR OTHER PURPOSES

THURSDAY, MARCH 31, 2011

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON THE WESTERN HEMISPHERE,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittee met, pursuant to notice, at 3:02 p.m., in room 2172 Rayburn House Office Building, Hon. Connie Mack (chairman of the subcommittee) presiding.

Mr. MACK. The subcommittee will finally come to order. After the conclusion of this brief business meeting, we will proceed immediately into today's hearing. Pursuant to notice, for purposes of a markup, I call up the resolution H.R. 1016, To measure the progress of relief, recovery, reconstruction, and development efforts in Haiti following the earthquake of January 12, 2010, and for other purposes.

[H.R. 1016 follows:]

I

112TH CONGRESS
1ST SESSION

H. R. 1016

To measure the progress of relief, recovery, reconstruction, and development efforts in Haiti following the earthquake of January 12, 2010, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 2011

Ms. LEE of California introduced the following bill; which was referred to the Committee on Foreign Affairs

---

A BILL

To measure the progress of relief, recovery, reconstruction, and development efforts in Haiti following the earthquake of January 12, 2010, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Assessing Progress in Haiti Act".

SEC. 2. FINDINGS.

Congress finds the following:

(1) On January 12, 2010, an earthquake measuring 7.0 on the Richter magnitude scale struck the country of Haiti.

(2) According to the United States Geological Survey (USGS)—

(A) the earthquake epicenter was located approximately 15 miles southwest of Port-au-Prince, the capital of Haiti; and

(B) the earthquake was followed by 59 aftershocks of magnitude 4.5 or greater, the most severe measuring 6.0.

(3) According to the Government of Haiti, more than 316,000 people died as a result of the earthquake, including 103 citizens of the United States and more than 100 United Nations personnel.

(4) According to the United Nations and the International Organization for Migration—

(A) an estimated 3,000,000 people were directly affected by the disaster, nearly one-third of the country's population; and

(B) more than 1,300,000 people were displaced from their homes to settlements.

(5) Casualty numbers and infrastructure damage, including to roads, ports, hospitals, and residential dwellings, place the earthquake as the worst

cataclysm to hit Haiti in over two centuries and, proportionally, one of the world's worst natural disasters in modern times.

(6) The Post Disaster Needs Assessment (PDNA) conducted by the Government of Haiti, the United Nations, the World Bank, the Inter-American Development Bank, and other experts estimates that damage and economic losses totaled $7,804,000,000, approximately 120 percent of Haiti's gross domestic product in 2009.

(7) Haiti is the poorest, least developed country in the Western Hemisphere with, prior to the earthquake—

(A) more than 70 percent of Haitians living on less than $2 per day; and

(B) a ranking of 149 out of 182 countries on the United Nations Human Development Index.

(8) House Resolution 1021, which was passed on January 21, 2010, on a vote of 411 to 1 expressed—

(A) the House of Representatives "deepest condolences and sympathy for the horrific loss of life" caused by the earthquake; and

(B) bipartisan support for the recovery and reconstruction needs of Haiti.

(9) The initial emergency response of the men and women of the United States Government, led by the United States Agency for International Development and United States Southern Command, was swift and resolute.

(10) Individuals, businesses, and philanthropic organizations across the United States and throughout the international community responded in support of Haiti and its populace during this crisis, sometimes in innovative ways such as fundraising through text messaging.

(11) The Haitian diaspora in the United States, which was integral to emergency relief efforts—

(A) has annually contributed significant monetary support to Haiti through remittances; and

(B) continues to seek opportunities to partner with the United States Agency for International Development and other agencies to substantively contribute to the reconstruction of Haiti.

(12) Significant challenges still remain in Haiti as it works to recover and rebuild.

(13) According to the International Organization for Migration, approximately 800,000 people remain in spontaneous and organized camps in Haiti.

(14) According to numerous nongovernmental organizations and United States contractors, the pace of reconstruction has lagged significantly behind the original emergency relief phase.

(15) The widespread irregularities that occurred in the elections held in Haiti on November 28, 2010, led to outbursts of violence which undermined the recovery efforts.

(16) On October 21, 2010, an outbreak of cholera was detected in the Lower Artibonite region.

(17) Initial efforts to contain the epidemic were disrupted by Hurricane Tomás and resulting widespread flooding, which led to the spreading and entrenchment of the disease throughout the country.

(18) According to the Haitian Ministry of Public Health and Population, as of February 25, 2011—

(A) more than 4,627 people have died from cholera; and

(B) more than 248,442 have been infected from the disease.

(19) According to the Pan American Health Organization and the Centers for Disease Control and Prevention, cholera could spread to as many as 400,000 people within the first year of the epidemic, potentially causing 7,600 deaths at the current case fatality rate.

(20) The United States has provided more than $45,192,163 worth of assistance to combat the cholera epidemic, including by assisting with stockpiling health commodities, equipping cholera treatment centers, providing public information, and improving water and sanitation systems.

(21) The efforts to combat the cholera epidemic have helped to drive the mortality rate from cholera down from nearly 7 percent to 1.8 percent of all contracted cases as of February 25, 2011.

(22) Throughout the series of crises, the people of Haiti continue to demonstrate unwavering resilience, dignity, and courage.

(23) At the international donors conference "Towards a New Future for Haiti" held on March 31, 2010, 59 donors pledged over $5,500,000,000 to support Haiti.

(24) The United Nations Office of the Special Envoy for Haiti estimates that nearly

$1,900,000,000 has been disbursed, with an additional amount of approximately $2,000,000,000 committed.

(25) Haiti needs sustained support from the international community in order to confront the ongoing cholera epidemic and to promote reconstruction and development.

SEC. 3. REPORT.

(a) REPORT REQUIRED.—Not later than six months after the date of the enactment of this Act, the President, in consultation with the heads of all relevant agencies, including the Department of State, the United States Agency for International Development, the Department of Defense, the Department of Health and Human Services, and the Centers for Disease Control and Prevention shall transmit to Congress a report on the status of post-earthquake humanitarian, reconstruction, and development efforts in Haiti, including efforts to prevent the spread of cholera and treat persons infected with the disease.

(b) CONTENTS.—The report required by subsection (a) shall include a description, analysis, and evaluation of the—

(1) overall progress of relief, recovery, and reconstruction in Haiti, including—

(A) programs and projects of the United States Government;

(B) programs and projects to protect vulnerable populations, such as internally displaced persons, children, women and girls, and persons with disabilities; and

(C) projects to improve water, sanitation, and health, and plans for improvements in these areas in the long-term;

(2) extent to which United States and international efforts are in line with the priorities of the Government of Haiti and are actively engaging and working through Haitian ministries and local authorities;

(3) coordination among United States Government agencies, and coordination between the United States Government and United Nations agencies, international financial institutions, and other bilateral donors;

(4) mechanisms for communicating the progress of recovery and reconstruction efforts to Haitian citizens, as well as recommendations on how these can be improved;

(5) mechanisms through which Haitian civil society, including vulnerable populations, is actively

1 participating in all major stages of recovery and re-
2 construction efforts, and recommendations on how
3 these can be improved; and
4 (6) mechanisms through which the Haitian di-
5 aspora is involved in recovery and reconstruction ef-
6 forts.
7 (c) USE OF PREVIOUSLY APPROPRIATED FUNDS.—
8 Funding for the report required under subsection (a) shall
9 derive from existing discretionary funds of the depart-
10 ments and agencies specified in such subsection.

○

Mr. MACK. Without objection, the bipartisan amendment in the nature of a substitute that was provided previously to members' offices and made available and online will be considered as base text, and is open for amendment at any point.

[The amendment in the nature of a substitute to H.R. 1016 follows:]

AMENDMENT IN THE NATURE OF A SUBSTITUTE

TO H.R.1016

OFFERED BY MR. MACK OF FLORIDA (FOR HIMSELF AND MR. ENGEL OF NEW YORK)

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the "Assessing Progress in
3 Haiti Act".

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) On January 12, 2010, an earthquake meas-
7 uring 7.0 on the Richter magnitude scale struck the
8 country of Haiti.

9 (2) According to the United States Geological
10 Survey (USGS)—

11 (A) the earthquake epicenter was located
12 approximately 15 miles southwest of Port-au-
13 Prince, the capital of Haiti; and

14 (B) the earthquake was followed by 59
15 aftershocks of magnitude 4.5 or greater, the
16 most severe measuring 6.0.

17 (3) According to the Government of Haiti, more
18 than 316,000 people died as a result of the earth-

1 quake, including 103 citizens of the United States
2 and more than 100 United Nations personnel.
3 (4) According to the United Nations and the
4 International Organization for Migration—
5 (A) an estimated 3,000,000 people were di-
6 rectly affected by the disaster, nearly one-third
7 of the country's population; and
8 (B) more than 2,100,000 people were dis-
9 placed from their homes to settlements.
10 (5) Casualty numbers and infrastructure dam-
11 age, including to roads, ports, hospitals, and residen-
12 tial dwellings, place the earthquake as the worst
13 cataclysm to hit Haiti in over two centuries and,
14 proportionally, one of the world's worst natural dis-
15 asters in modern times.
16 (6) The Post Disaster Needs Assessment
17 (PDNA) conducted by the Government of Haiti, the
18 United Nations, the World Bank, the Inter-Amer-
19 ican Development Bank, and other experts estimates
20 that damage and economic losses totaled
21 $7,804,000,000, approximately 120 percent of Hai-
22 ti's gross domestic product in 2009.
23 (7) Haiti is the poorest, least developed country
24 in the Western Hemisphere with, prior to the earth-
25 quake—

1 (A) more than 70 percent of Haitians liv-
2 ing on less than $2 per day; and
3 (B) a ranking of 149 out of 182 countries
4 on the United Nations Human Development
5 Index.
6 (8) House Resolution 1021, which was passed
7 on January 21, 2010, on a vote of 411 to 1 ex-
8 pressed—
9 (A) the House of Representatives' "deepest
10 condolences and sympathy for the horrific loss
11 of life" caused by the earthquake; and
12 (B) bipartisan support for Haiti's recovery
13 and reconstruction.
14 (9) The initial emergency response of the men
15 and women of the United States Government, led by
16 the United States Agency for International Develop-
17 ment and United States Southern Command, was
18 swift and resolute.
19 (10) Individuals, businesses, and philanthropic
20 organizations across the United States and through-
21 out the international community responded in sup-
22 port of Haiti and its populace during this crisis,
23 sometimes in innovative ways such as fundraising
24 through text messaging.

1 (11) The Haitian diaspora in the United States,
2 which was integral to emergency relief efforts—
3 (A) has annually contributed significant
4 monetary support to Haiti through remittances;
5 and
6 (B) continues to seek opportunities to
7 partner with the United States Agency for
8 International Development and other agencies
9 to substantively contribute to the reconstruction
10 of Haiti.
11 (12) Significant challenges still remain in Haiti
12 as it works to recover and rebuild.
13 (13) According to the International Organiza-
14 tion for Migration, approximately 800,000 people re-
15 main in spontaneous and organized camps in Haiti.
16 (14) According to numerous nongovernmental
17 organizations and United States contractors, the
18 pace of reconstruction has lagged significantly be-
19 hind the original emergency relief phase.
20 (15) The widespread irregularities that oc-
21 curred in the elections held in Haiti on November
22 28, 2010, led to outbursts of violence which under-
23 mined the recovery efforts.
24 (16) On October 21, 2010, an outbreak of chol-
25 era was detected in the Lower Artibonite region.

(17) Initial efforts to contain the epidemic were disrupted by Hurricane Tomás and resulting widespread flooding, which led to the spreading and entrenchment of the disease throughout the country.

(18) According to the Haitian Ministry of Public Health and Population, as of February 25, 2011—

(A) more than 4,627 people have died from cholera; and

(B) more than 248,442 have been infected from the disease.

(19) According to the Pan American Health Organization and the Centers for Disease Control and Prevention, cholera could spread to as many as 400,000 people within the first year of the epidemic, potentially causing 7,600 deaths at the current case fatality rate.

(20) The United States has provided more than $45,192,163 worth of assistance to combat the cholera epidemic, including by assisting with stockpiling health commodities, equipping cholera treatments centers, providing public information, and improving water and sanitation systems.

(21) The efforts to combat the cholera epidemic have helped to drive the mortality rate from cholera

down from nearly 7 percent to 1.8 percent of all contracted cases as of February 25, 2011.

(22) Throughout the series of crises, the people of Haiti continue to demonstrate unwavering resilience, dignity, and courage.

(23) On March 20, 2011, presidential and parliamentary elections were held in Haiti and although final results are not yet known, international observers have stated that the elections occurred without major disruptions or problems.

(24) At the international donors conference "Towards a New Future for Haiti" held on March 31, 2010, 59 donors pledged over $5,000,000,000 to support Haiti.

(25) The United Nations Office of the Special Envoy for Haiti estimates that nearly $1,900,000,000 has been disbursed, with an additional amount of approximately $2,000,000,000 committed.

(26) Haiti will need the support of the international community in order to confront the ongoing cholera epidemic and to promote reconstruction and development.

1 **SEC. 3. REPORT.**

2 (a) REPORT REQUIRED.—Not later than six months
3 after the date of the enactment of this Act, the President,
4 in consultation with the heads of all relevant agencies, in-
5 cluding the Department of State, the United States Agen-
6 cy for International Development, the Department of De-
7 fense, the Department of Health and Human Services,
8 and the Centers for Disease Control and Prevention shall
9 transmit to Congress a report on the status of post-earth-
10 quake humanitarian, reconstruction, and development ef-
11 forts in Haiti, including efforts to prevent the spread of
12 cholera and treat persons infected with the disease.

13 (b) CONTENTS.—The report required by subsection
14 (a) shall include a description, analysis, and evaluation of
15 the—

16 (1) overall progress of relief, recovery, and re-
17 construction in Haiti, including—

18 (A) programs and projects of the United
19 States Government;

20 (B) programs and projects to protect vul-
21 nerable populations, such as internally displaced
22 persons, children, women and girls, and persons
23 with disabilities; and

24 (C) projects to improve water, sanitation,
25 and health, and plans for improvements in
26 these areas in the long-term;

1 (2) extent to which United States and inter-
2 national efforts are in line with the priorities of the
3 Government of Haiti and are actively engaging and
4 working through Haitian ministries and local au-
5 thorities;
6 (3) coordination among United States Govern-
7 ment agencies, and coordination between the United
8 States Government and United Nations agencies,
9 international financial institutions, and other bilat-
10 eral donors;
11 (4) mechanisms for communicating the progress
12 of recovery and reconstruction efforts to Haitian
13 citizens, as well as recommendations on how these
14 can be improved;
15 (5) mechanisms through which Haitian civil so-
16 ciety, including vulnerable populations, is actively
17 participating in all major stages of recovery and re-
18 construction efforts, and recommendations on how
19 these can be improved; and
20 (6) mechanisms through which the Haitian di-
21 aspora is involved in recovery and reconstruction ef-
22 forts.
23 (c) USE OF PREVIOUSLY APPROPRIATED FUNDS.—
24 Funding for the report required under subsection (a) shall

1 derive from existing discretionary funds of the depart-
2 ments and agencies specified in such subsection.

☒

Mr. MACK. I also want to thank the ranking member, Mr. Engel, and the minority staff for their assistance in updating and amending this text. I think that means you. Also, all members are able to insert remarks on this measure into the record, should they choose to do so.

Before turning to myself to offer a brief amendment and speak, I will recognize myself briefly for a few opening words. On January 12, 2010, Haiti was devastated by the most powerful earthquake to strike that nation in over 200 years.

Since that time, the people of Haiti have been impacted by a hurricane with widespread flooding. The challenge of Presidential and legislative elections in this difficult environment, and a health epidemic impacting hundreds of thousands of Haitians.

While Haiti has been a focus of the State Department's activities in the Western Hempisphere, oversight of the implementation of U.S. assistance has been a priority for the Foreign Affairs Committee. I look forward to continuing to work with everyone to make sure U.S. dollars are spent in an effective, responsible, and transparent manner, as we continue to support the people of Haiti.

And at this time, I would like—I have an amendment on behalf of Mr. Engel at the desk. The clerk will report the amendment.

Mr. GATELY. Amendment to the amendment in the nature of a substitute to H.R. 1016, offered by Mr. Mack of Florida.

[The amendment referred to follows:]

AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 1016

OFFERED BY MR. MACK OF FLORIDA

Page 8, line 19, strike "and" at the end.

Page 8, line 22, strike the period at the end and insert "; and".

Page 8, after line 22, insert the following:

1 (7) suitability of Haiti to receive aliens who are
2 removed, excluded, or deported from the United
3 States pursuant to United States law, and steps
4 Haiti is taking to strengthen its capacity in this re-
5 gard.

☒

Mr. MACK. Without objection, the amendment is considered as read for purposes of amendment. And I am pleased to recognize myself again to speak on this amendment. Unless there are other members who wish to strike the last word and briefly speak, we can move to a vote.

The question is on agreeing to the amendement offered by myself and Mr. Engel. All those in favor say aye.

[Ayes.]

All those opposed say no. In the opinion of the chair, the ayes have it, and the amendment is agreed to.

Hearing no other amendments, the question now occurs on adopting the bill as amended. All those in favor, say aye.

[Ayes.]

All those opposed, say no. In the opinion of the chair, the ayes have it.

The bill as amended is agreed to, and without objection the motion to reconsider is laid on the table. Without objection, the bill will be reported favorably to the full committee in the form of a single amendment in the nature of a substitute incorporating the

amendments adopted here today, and the staff is directed to make any technical and conforming amendments.

That concludes our business, and without objection, the subcommittee stands adjourned.

[Whereupon, at 3:06 p.m., the subcommittee was adjourned.]

APPENDIX

Material Submitted for the Hearing Record

MARKUP NOTICE
SUBCOMMITTEE ON THE WESTERN HEMISPHERE
COMMITTEE ON FOREIGN AFFAIRS

U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515-0128

Connie Mack (R-FL), Chairman

March 24, 2011

You are respectfully requested to attend an OPEN markup of the Committee on Foreign Affairs, Subcommittee on the Western Hemisphere, to be held in **Room 2172 of the Rayburn House Office Building (and available live, via the WEBCAST link on the Committee website at http://www.hcfa.house.gov):**

DATE:	Thursday, March 31, 2011
TIME:	2:00 p.m.
SUBJECT:	Rising Oil Prices and Dependence on Hostile Regimes: The Urgent Case for Canadian Oil
MARKUP OF:	H.R. 1016: To measure the progress of relief, recovery, reconstruction, and development efforts in Haiti following the earthquake of January 12, 2010, and for other purposes

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS
MINUTES OF SUBCOMMITTEE MARKUP

MINUTES OF SUBCOMMITTEE ON *the Western Hemisphere* MARKUP

Day *Thursday* **Date** *3/31/11* **Room** *2172*

Starting Time *3:02 pm* **Ending Time** *3:06 pm*

Recesses [ ] (____to ____) (____to ____) (____to ____) (____to ____) (____to ____) (____to ____)

Presiding Member(s)

Connie Mack

Check all of the following that apply:

Open Session [✓]
Executive (closed) Session [ ]
Televised [✓]
Electronically Recorded (taped) [✓]
Stenographic Record [✓]

BILLS FOR MARKUP: *(Include bill number(s) and title(s) of legislation.)*

H.R. 1016

COMMITTEE MEMBERS PRESENT:

Schmidt, Rivera, Smith, Sires

NON-COMMITTEE MEMBERS PRESENT:

STATEMENTS FOR THE RECORD: *(List any statements submitted for the record.)*

ACTIONS TAKEN DURING THE MARKUP: *(Attach copies of legislation and amendments.)*

Mack Amendment in the Nature of a Substitute
Mack Amendment to the Amendment in the Nature of a Substitute

RECORDED VOTES TAKEN (FOR MARKUP): *(Attach final vote tally sheet listing each member.)*

Subject	Yeas	Nays	Present	Not Voting

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED *3:06 pm*

Subcommittee Staff Director