

113TH CONGRESS
1ST SESSION

H. R. 3509

IN THE SENATE OF THE UNITED STATES

DECEMBER 13 (legislative day, DECEMBER 11), 2013

Received; read twice and referred to the Committee on Foreign Relations

AN ACT

To direct the Secretary of State to submit to Congress a report on the status of post-earthquake recovery and development efforts in Haiti.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Assessing Progress in
3 Haiti Act of 2013”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) On January 12, 2010, a massive earth-
7 quake struck near the Haitian capital city of Port-
8 au-Prince, leaving an estimated 220,000 people
9 dead, including 103 United States citizens, 101
10 United Nations personnel, and nearly 18 percent of
11 the nation’s civil service, as well as 300,000 injured,
12 115,000 homes destroyed, and 1,500,000 people dis-
13 placed.

14 (2) According to the Post Disaster Needs As-
15 sessment conducted by the Government of Haiti,
16 with technical assistance from the United Nations,
17 the World Bank, the Inter-American Development
18 Bank, the Economic Commission for Latin America
19 and the Caribbean, and the European Commission,
20 an estimated 15 percent of the population were di-
21 rectly affected by the disaster and related damages
22 and economic losses totaled \$7,804,000,000.

23 (3) Even before the earthquake, Haiti had some
24 of the lowest socioeconomic indicators and the sec-
25 ond highest rate of income disparity in the world,
26 conditions that have further complicated post-earth-

1 quake recovery efforts and, according to the World
2 Bank, have significantly reduced the prospects of
3 economic growth spurring broader poverty reduction.

4 (4) According to the World Food Program,
5 more than 6,700,000 people in Haiti (out of a popu-
6 lation of about 10,000,000) are considered food inse-
7 cure nationally.

8 (5) In October 2010, an unprecedented out-
9 break of cholera in Haiti resulted in over half a mil-
10 lion reported cases and over 8,000 deaths to date,
11 further straining the capacity of Haiti's public
12 health sector and increasing the urgency of resettle-
13 ment and water, sanitation, and hygiene (WASH)
14 efforts.

15 (6) The international community, led by the
16 United States and the United Nations, mounted an
17 unprecedented humanitarian response in Haiti, with
18 donors pledging approximately \$10,400,000,000 for
19 humanitarian relief and recovery efforts, including
20 debt relief, supplemented by \$3,100,000,000 in pri-
21 vate charitable contributions, of which approximately
22 \$6,400,000,000 has been disbursed and an addi-
23 tional \$3,800,000,000 has been committed as of
24 September 30, 2013.

1 (7) The emergency response of the men and
2 women of the United States Government, led by the
3 United States Agency for International Development
4 (USAID) and the United States Southern Com-
5 mand, as well as of cities, towns, individuals, busi-
6 nesses, and philanthropic organizations across the
7 United States, was particularly swift and resolute.

8 (8) Since 2010, a total of \$1,300,000,000 in
9 United States assistance has been allocated for hu-
10 manitarian relief and \$2,300,000,000 has been allo-
11 cated for recovery, reconstruction, and development
12 assistance in Haiti, including \$1,140,000,000 in
13 emergency appropriations and \$95,000,000 that has
14 been obligated specifically to respond to the cholera
15 epidemic.

16 (9) Of the \$3,600,000,000 in United States as-
17 sistance allocated for Haiti, \$651,000,000 was ap-
18 portioned to the USAID to support an ambitious re-
19 covery plan, including the construction of a power
20 plant to provide electricity for the new Caracol In-
21 dustrial Park (CIP) in northern Haiti, a new port
22 near the CIP, and permanent housing in new settle-
23 ments in the Port-au-Prince, St-Marc, and Cap-
24 Haïtien areas.

1 (10) On October 9, 2013, the Committee on
2 Foreign Affairs of the House of Representatives held
3 an oversight hearing on the status and effectiveness
4 of post-earthquake United States aid to Haiti, fol-
5 lowing a House of Representatives-mandated, year-
6 long Government Accountability Office (GAO) report
7 that was highly critical of some aspects of USAID’s
8 recovery effort.

9 (11) According to GAO, as of June 30, 2013,
10 USAID had disbursed just 31 percent of its recon-
11 struction funds in Haiti, the port project was 2
12 years behind schedule and over budget by an esti-
13 mated \$189,000,000, the housing project has been
14 reduced by 80 percent, and the sustainability of the
15 power plant, the port, and the housing projects were
16 all at risk.

17 (12) GAO further found that Congress has not
18 been provided with sufficient information to ensure
19 that it is able to conduct effective oversight at a
20 time when most funding remains to be disbursed,
21 and specifically recommends that a periodic report-
22 ing mechanism be instituted to fill this information
23 gap.

24 (13) Donors have encountered significant chal-
25 lenges in implementing recovery programs and near-

1 ly 4 years after the earthquake an estimated
2 171,974 people remain displaced in camps, unem-
3 ployment remains high, corruption is rampant, land
4 rights remain elusive, allegations of wage violations
5 are widespread, the business climate is unfavorable,
6 and government capacity remains weak.

7 (14) For Haiti to achieve stability and long
8 term economic growth, donor assistance will have to
9 be carefully coordinated with a commitment by the
10 Haitian Government to transparency, a market
11 economy, rule of law, and democracy.

12 **SEC. 3. STATEMENT OF POLICY.**

13 It is the policy of the United States to support the
14 sustainable rebuilding and development of Haiti in a man-
15 ner that—

16 (1) promotes efforts that are led by and sup-
17 port the Haitian people and the Haitian Government
18 at all levels so that Haitians lead the course of re-
19 construction and development of Haiti;

20 (2) builds the long term capacity of the Govern-
21 ment of Haiti and Haitian civil society;

22 (3) reflects the priorities and particular needs
23 of both women and men so they may participate
24 equally and to their maximum capacity;

1 (4) respects and helps restore Haiti’s natural
2 resources, as well as builds community-level resil-
3 ience to environmental and weather-related impacts;

4 (5) provides timely and comprehensive reporting
5 on goals and progress, as well as transparent post
6 program evaluations and contracting data;

7 (6) prioritizes the local procurement of goods
8 and services in Haiti where appropriate; and

9 (7) promotes the holding of free, fair, and time-
10 ly elections in accordance with democratic principles
11 and the Haitian Constitution.

12 **SEC. 4. SENSE OF CONGRESS.**

13 It is the sense of Congress that transparency, ac-
14 countability, democracy, and good governance are integral
15 factors in any congressional decision regarding United
16 States assistance, including assistance to Haiti.

17 **SEC. 5. REPORT.**

18 (a) **IN GENERAL.**—Not later than 120 days after the
19 date of the enactment of this Act and every 180 days
20 thereafter through September 30, 2016, the Secretary of
21 State shall submit to Congress a report on the status of
22 post-earthquake recovery and development efforts in
23 Haiti.

24 (b) **CONTENTS.**—The report required by subsection

25 (a) shall include—

1 (1) a summary of the Haiti Rebuilding and De-
2 velopment Strategy, including any significant
3 changes to the strategy over the reporting period
4 and an explanation thereof;

5 (2) a breakdown of the work that the United
6 States Government agencies other than USAID and
7 the Department of State are conducting in the Haiti
8 recovery effort, and the cost of that assistance;

9 (3) an assessment of the progress of United
10 States efforts to advance the objectives of the Haiti
11 Rebuilding and Development Strategy through the
12 “Post-Earthquake USG Haiti Strategy: Toward Re-
13 newal and Economic Opportunity” produced by the
14 Department of State, compared to what remains to
15 be achieved to meet specific goals, including—

16 (A) a description of any significant
17 changes to the Strategy over the reporting pe-
18 riod and an explanation thereof;

19 (B) an assessment of progress, or lack
20 thereof, over the reporting period toward meet-
21 ing the goals and objectives, benchmarks, and
22 timeframes specified in the Strategy, includ-
23 ing—

24 (i) a description of progress toward
25 designing and implementing a coordinated

1 and sustainable housing reconstruction
2 strategy that addresses land ownership, se-
3 cure land tenure, water and sanitation,
4 and the unique concerns of vulnerable pop-
5 ulations such as women and children, as
6 well as neighborhood and community revi-
7 talization, housing finance, and capacity
8 building for the Government of Haiti to
9 implement an effective housing policy;

10 (ii) a description of efforts to con-
11 struct and sustain the proposed port, as
12 well as an assessment of the current pro-
13 jected timeline and cost for completion;
14 and

15 (iii) a description of efforts to attract
16 and leverage the investments of private
17 sector partners to the CIP, including by
18 addressing any policy impediments;

19 (C) a description of the quantitative and
20 qualitative indicators used to evaluate the
21 progress toward meeting the goals and objec-
22 tives, benchmarks, and timeframes specified in
23 Strategy at the project level;

24 (D) the amounts committed, obligated, and
25 expended on programs and activities to imple-

1 ment the Strategy, by sector and by imple-
2 menting partner at the prime and subprime lev-
3 els (in amounts of not less than \$25,000); and

4 (E) a description of the risk mitigation
5 measures put in place to limit the exposure of
6 United States assistance provided under the
7 Strategy to waste, fraud, and abuse;

8 (4) a description of measures taken to strength-
9 en, and an assessment of, Haitian governmental and
10 non-governmental organizational capacity to under-
11 take and sustain United States-supported recovery
12 programs;

13 (5) a description of United States efforts to
14 consult and engage with Haitian Government min-
15 istries and local authorities on the establishment of
16 goals and timeframes, and on the design and imple-
17 mentation of new programs under the Post-Earth-
18 quake USG Haiti Strategy: Toward Renewal and
19 Economic Opportunity;

20 (6) a description of efforts to consult and en-
21 gage with Haitian civil society and grassroots orga-
22 nizations on the establishment of goals and time-
23 frames, and on the design and implementation of
24 new programs under the Post-Earthquake USG
25 Haiti Strategy: Toward Renewal and Economic Op-

1 portunity, as well as efforts to coordinate with and
2 engage the Haitian diaspora;

3 (7) consistent with the Government of Haiti's
4 ratification of the United Nations Convention
5 Against Corruption, a description of United States
6 and Haitian Government efforts to strengthen Hai-
7 tian Government institutions established to address
8 corruption, as well as related efforts to promote pub-
9 lic accountability, meet public outreach and diselo-
10 sure obligations, and support civil society participa-
11 tion in anti-corruption efforts;

12 (8) a description of efforts to leverage public-
13 private partnerships and increase the involvement of
14 the Haitian private sector in recovery and develop-
15 ment activities and coordinate programs with the
16 private sector and other donors;

17 (9) a description and assessment of efforts to
18 address the particular needs of vulnerable popu-
19 lations, including internally displaced persons,
20 women, children, orphans, and persons with disabil-
21 ities, in the design and implementation of new pro-
22 grams and infrastructure;

23 (10) an description of the impact that agri-
24 culture and infrastructure programs are having on

1 the food security, livelihoods, and land tenure secu-
2 rity of smallholder farmers, particularly women;

3 (11) a description of mechanisms for commu-
4 nicating the progress of recovery and development
5 efforts to the Haitian people, including a description
6 of efforts to provide documentation, reporting and
7 procurement information in Haitian Creole; and

8 (12) a description of the steps Haiti is taking
9 to strengthen its capacity to receive individuals who
10 are removed, excluded, or deported from the United
11 States.

Passed the House of Representatives December 12,
2013.

Attest:

KAREN L. HAAS,

Clerk.