

**Calendar No. 399**112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**S. 1023****[Report No. 112-165]**

To authorize the President to provide assistance to the Government of Haiti to end within 5 years the deforestation in Haiti and restore within 30 years the extent of tropical forest cover in existence in Haiti in 1990, and for other purposes.

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**IN THE SENATE OF THE UNITED STATES**

MAY 18, 2011

Mr. DURBIN (for himself, Ms. COLLINS, Mr. KERRY, Mr. LUGAR, Mr. LEAHY, Mr. BINGAMAN, Mr. SANDERS, Mr. BROWN of Ohio, Mr. CARDIN, Mr. LIEBERMAN, Mr. MERKLEY, Mrs. BOXER, Mr. AKAKA, Mr. WHITEHOUSE, Mr. NELSON of Florida, Mr. WYDEN, Mr. COONS, Mr. UDALL of New Mexico, and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

MAY 15, 2012

Reported by Mr. KERRY, without amendment

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**A BILL**

To authorize the President to provide assistance to the Government of Haiti to end within 5 years the deforestation in Haiti and restore within 30 years the extent of tropical forest cover in existence in Haiti in 1990, 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 Reforestation  
5 Act of 2011”.

6 **SEC. 2. FINDINGS; PURPOSE.**

7        (a) FINDINGS.—Congress finds that—

8            (1) the established policy of the Federal Gov-  
9            ernment is to support and seek protection of tropical  
10           forests around the world;

11           (2) tropical forests provide a wide range of ben-  
12           efits by—

13                    (A) harboring a major portion of the bio-  
14                    logical and terrestrial resources of Earth and  
15                    providing habitats for an estimated 10,000,000  
16                    to 30,000,000 plant and animal species, includ-  
17                    ing species essential to medical research and  
18                    agricultural productivity;

19                    (B) playing a critical role as carbon sinks  
20                    that reduce greenhouse gases in the atmos-  
21                    phere, as 1 hectare of tropical forest can absorb  
22                    up to approximately 3 tons of carbon dioxide  
23                    per year, thus moderating potential global cli-  
24                    mate change; and

1 (C) regulating hydrological cycles upon  
2 which agricultural and coastal resources de-  
3 pend;

4 (3) tropical forests are also a key factor in re-  
5 ducing rates of soil loss, particularly on hilly terrain;

6 (4) while international efforts to stem the tide  
7 of tropical deforestation have accelerated during the  
8 past 2 decades, the rapid rate of tropical deforest-  
9 ation continues unabated;

10 (5) in 1923, over 60 percent of the land of  
11 Haiti was forested but, by 2006, that percentage  
12 had decreased to less than 2 percent;

13 (6) during the period beginning in 2000 and  
14 ending in 2005, the deforestation rate in Haiti accel-  
15 erated by more than 20 percent over the deforest-  
16 ation rate in Haiti during the period beginning in  
17 1990 and ending in 1999;

18 (7) as a result, during the period described in  
19 paragraph (6), Haiti lost—

20 (A) nearly 10 percent (approximately  
21 11,000 hectares) of the forest cover of Haiti;  
22 and

23 (B) approximately 22 percent of the total  
24 forest and woodland habitat of Haiti;

25 (8) poverty and economic pressures are—

1 (A) two factors that underlie the tropical  
2 deforestation of Haiti; and

3 (B) manifested particularly through the  
4 clearing of vast areas of forest for conversion to  
5 agricultural uses;

6 (9) 80 percent of the population of Haiti lives  
7 below the poverty line;

8 (10) two-thirds of the population of Haiti de-  
9 pend on the agricultural sector, which consists main-  
10 ly of small-scale subsistence farming;

11 (11) 60 percent of the population of Haiti relies  
12 on charcoal produced from cutting down trees for  
13 cooking fuel;

14 (12) soil erosion represents the most direct ef-  
15 fect of the deforestation of Haiti, as the erosion  
16 has—

17 (A) lowered the productivity of the land  
18 due to the poor soils underlying the tropical for-  
19 ests;

20 (B) worsened the severity of droughts and  
21 flooding events;

22 (C) led to further deforestation;

23 (D) significantly decreased the quality and,  
24 as a result, quantity of freshwater and clean

1           drinking water available to the population of  
2           Haiti; and

3           (E) increased the pressure on the remain-  
4           ing land and trees in Haiti;

5           (13) tropical forests provide forest cover to soft-  
6           en the effect of heavy rains and reduce erosion by  
7           anchoring the soil with their roots;

8           (14) when trees are cleared, rainfall runs off  
9           the soil more quickly and contributes to floods and  
10          further erosion;

11          (15) in 2004, Hurricane Jeanne struck Haiti,  
12          killing approximately 3,000, and affecting over  
13          200,000, people, partly because deforestation had re-  
14          sulted in the clearing of large hillsides, which en-  
15          abled rainwater to run off directly to settlements lo-  
16          cated at the bottom of the slopes;

17          (16) research conducted by the United Nations  
18          Environmental Programme has revealed a direct (89  
19          percent) correlation between the extent of the defor-  
20          estation of a country and the incidence of victims  
21          per weather event in the country;

22          (17) the consequences of the January 2010  
23          earthquake in Haiti, which destroyed much of the  
24          infrastructure of Port au Prince, were greater be-  
25          cause of deforestation which reduced hillside sta-

1 bility and increased the likelihood of mudslides, soil  
2 erosion, and flooding—factors that also negatively  
3 impacted the water supply and heightened concerns  
4 for the spread of waterborne diseases;

5 (18) finding economic benefits for local commu-  
6 nities from sustainable uses of tropical forests is  
7 critical for the long-term protection of the tropical  
8 forests in Haiti;

9 (19) on July 29, 2010, the Supplemental Ap-  
10 propriations Act of 2010 (Public Law 111–212) was  
11 enacted into law, which included \$25,000,000 for  
12 “the reforestation and other restoration of Haiti’s  
13 key watersheds”; and

14 (20) tropical reforestation efforts would provide  
15 new sources of jobs, income, and investments in  
16 Haiti by—

17 (A) providing employment opportunities in  
18 tree seedling programs, contract tree planting  
19 and management, sustainable agricultural ini-  
20 tiatives, sustainable and managed timber har-  
21 vesting, and wood products milling and fin-  
22 ishing services; and

23 (B) enhancing community enterprises that  
24 generate income through the trading of sustain-  
25 able forest resources, many of which exist on

1           small scales in Haiti and in the rest of the re-  
2           gion.

3           (b) PURPOSE.—The purpose of this Act is to provide  
4 assistance to the Government of Haiti to develop and im-  
5 plement, or improve, nationally appropriate policies and  
6 actions—

7           (1) to reduce deforestation and forest degrada-  
8           tion in Haiti;

9           (2) to increase annual rates of afforestation and  
10 reforestation in a measurable, reportable, and  
11 verifiable manner—

12           (A) to restore social and economic condi-  
13 tions for environmental recovery of 35 percent  
14 of Haiti’s land surface area within 5 years after  
15 the date of enactment of this Act;

16           (B) to restore within 30 years after the  
17 date of enactment of this Act the forest cover  
18 of Haiti to at least 10 percent of the land in  
19 Haiti; and

20           (C) to establish within 10 years after the  
21 date of enactment of this Act agroforestry cover  
22 of land in Haiti to more than 25 percent; and

23           (3) to improve sustainable resource manage-  
24 ment at the watershed scale.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) AFFORESTATION.—

4 (A) IN GENERAL.—The term “afforesta-  
5 tion” means the establishment of a new forest  
6 through the seeding of, or planting of trees on,  
7 a parcel of nonforested land.

8 (B) INCLUSION.—The term “afforestation”  
9 includes—

10 (i) the introduction of a tree species  
11 to a parcel of nonforested land of which  
12 the species is not a native species; and

13 (ii) the increase of tree cover through  
14 plantations.

15 (2) AGROFORESTRY.—

16 (A) IN GENERAL.—The term “agro-  
17 forestry” refers to systems in which perennial  
18 trees or shrubs are integrated with crops or  
19 livestock, and where perennials constitute a  
20 minimum 10 percent of ground cover.

21 (B) INCLUSION.—Actual forest cover re-  
22 sulting from agroforestry programs can be  
23 counted toward the total forest cover goal set  
24 forth in section (2)(b).



1           (3) APPROPRIATE COMMITTEES OF CON-  
2           GRESS.—The term “appropriate committees of Con-  
3           gress” means—

4                   (A) the Committee on Foreign Relations  
5                   and the Committee on Appropriations of the  
6                   Senate; and

7                   (B) the Committee on Foreign Affairs and  
8                   the Committee on Appropriations of the House  
9                   of Representatives.

10          (4) DEFORESTATION.—The term “deforest-  
11          ation” refers to the conversion of forest to another  
12          land use or the long term reduction of the tree can-  
13          opy.

14          (5) FOREST.—

15                   (A) IN GENERAL.—The term “forest”  
16                   means a terrestrial ecosystem containing native  
17                   tree species generated and maintained primarily  
18                   through natural ecological and evolutionary  
19                   processes.

20                   (B) EXCLUSION.—The term “forest” does  
21                   not include plantations, such as crops of trees  
22                   planted primarily by humans for the purposes  
23                   of harvesting.

24          (6) REFORESTATION.—

1 (A) IN GENERAL.—The term “reforest-  
2 ation” refers to the establishment of forest on  
3 lands that were previously considered as forest,  
4 but which have been deforested.

5 (B) INCLUSION.—The term “reforestation”  
6 includes the increase of tree cover through plan-  
7 tations.

8 **TITLE I—FORESTATION AND WA-**  
9 **TERSHERD MANAGEMENT AS-**  
10 **SISTANCE TO GOVERNMENT**  
11 **OF HAITI**

12 **SEC. 101. FORESTATION ASSISTANCE.**

13 (a) AUTHORITY.—

14 (1) IN GENERAL.—In accordance with section  
15 117 of the Foreign Assistance Act of 1961 (22  
16 U.S.C. 2151p) and consistent with the provisions of  
17 paragraph (2), the President is authorized to provide  
18 assistance to the Government of Haiti in the form  
19 of financial assistance, technology transfers, or ca-  
20 pacity building assistance for the conduct of activi-  
21 ties to develop and implement 1 or more forestation  
22 proposals under paragraph (2)—

23 (A) to reduce the deforestation of Haiti;  
24 and

1 (B) to increase the rates of afforestation  
2 and reforestation in Haiti.

3 (2) PROPOSALS.—

4 (A) IN GENERAL.—Assistance under this  
5 title may be provided to the Government of  
6 Haiti to implement one or more proposals that  
7 contain—

8 (i) a description of each policy and  
9 initiative to be carried out using the assist-  
10 ance;

11 (ii) adequate documentation to ensure,  
12 as determined by the President, that—

13 (I) each policy and initiative will  
14 be—

15 (aa) carried out and man-  
16 aged in accordance with widely  
17 accepted environmentally sustain-  
18 able forestry and agricultural  
19 practices; and

20 (bb) designed and imple-  
21 mented in a manner by which to  
22 improve the governance of forests  
23 by building governmental capac-  
24 ity to be more transparent, inclu-  
25 sive, accountable, and coordi-

1 nated in decisionmaking proc-  
2 esses and the implementation of  
3 the policy or initiative; and

4 (II) the proposals will further es-  
5 tablish and enforce legal regimes,  
6 standards, and safeguards designed to  
7 ensure that members of local commu-  
8 nities in affected areas, as partners  
9 and primary stakeholders, will be en-  
10 gaged in the design, planning, imple-  
11 mentation, monitoring, and evaluation  
12 of the policies and initiatives; and

13 (iii) a description of how the proposal  
14 or proposals support and aid forest res-  
15 toration efforts consistent with the purpose  
16 set forth in section 2(b).

17 (B) DETERMINATION OF COMPATIBILITY  
18 WITH CERTAIN PROGRAMS.—In evaluating each  
19 proposal under subparagraph (A), the President  
20 shall ensure that each policy and initiative de-  
21 scribed in the proposal submitted by the Gov-  
22 ernment of Haiti under that subparagraph is  
23 compatible with—

24 (i) broader development, poverty alle-  
25 viation, sustainable energy usage, and nat-

1           ural resource conservation objectives and  
2           initiatives in Haiti;

3                   (ii) the development, poverty allevi-  
4           ation, disaster risk management, and cli-  
5           mate resilience programs of the United  
6           States Agency for International Develop-  
7           ment, including those involving technical  
8           support from the United States Forest  
9           Service; and

10                   (iii) activities of international organi-  
11           zations and multilateral development  
12           banks.

13           (b) ELIGIBLE ACTIVITIES.—Any assistance received  
14 by the Government of Haiti under subsection (a)(1) shall  
15 be conditional upon development and implementation of  
16 a proposal under subsection (a)(2), which may include—

17                   (1) the provision of technologies and associated  
18           support for activities to reduce deforestation or in-  
19           crease afforestation and reforestation rates, includ-  
20           ing—

21                           (A) fire reduction initiatives;

22                           (B) forest law enforcement initiatives;

23                           (C) the development of timber tracking  
24           systems;

1 (D) the development of cooking fuel sub-  
2 stitutes;

3 (E) initiatives to increase agricultural pro-  
4 ductivity;

5 (F) tree-planting initiatives; and

6 (G) programs that are designed to focus on  
7 market-based solutions, including programs  
8 that leverage the international carbon-offset  
9 market;

10 (2) the enhancement and expansion of govern-  
11 mental and nongovernmental institutional capacity  
12 to effectively design and implement a proposal devel-  
13 oped under subsection (a)(2) through initiatives, in-  
14 cluding—

15 (A) the establishment of transparent, ac-  
16 countable, and inclusive decisionmaking proc-  
17 esses relating to all stakeholders (including af-  
18 fected local communities);

19 (B) the promotion of enhanced coordina-  
20 tion among ministries and agencies responsible  
21 for agroecological zoning, mapping, land plan-  
22 ning and permitting, sustainable agriculture,  
23 forestry, and law enforcement; and

1 (C) the clarification of land tenure and re-  
2 source rights of affected communities, including  
3 local communities;

4 (3) the development and support of institutional  
5 capacity to measure, verify, and report the activities  
6 carried out by the Government of Haiti to reduce de-  
7 forestation and increase afforestation and reforest-  
8 ation rates through the use of appropriate methods,  
9 including—

10 (A) the use of best practices and tech-  
11 nologies to monitor land use change in Haiti,  
12 including changes in the extent of natural forest  
13 cover, protected areas, mangroves, agroforestry,  
14 and agriculture;

15 (B) the monitoring of the impacts of poli-  
16 cies and initiatives on—

17 (i) affected communities;

18 (ii) the biodiversity of the environment  
19 of Haiti; and

20 (iii) the health of the tropical forests  
21 of Haiti; and

22 (C) independent and participatory forest  
23 monitoring; and

1           (4) the development of and coordination with  
2 watershed restoration programs in Haiti, includ-  
3 ing—

4           (A) agreements with the Government of  
5 Haiti, nongovernmental organizations, or pri-  
6 vate sector partners to provide technical assist-  
7 ance, capacity building, or technology transfers  
8 which support the environmental recovery of  
9 Haiti’s watersheds through forest restoration  
10 activities, provided that the assistance will help  
11 strengthen economic drivers of sustainable re-  
12 source management, reduce environmental vul-  
13 nerability, and improve governance, planning,  
14 and community action of watersheds in Haiti;

15           (B) actions to support economic incentives  
16 for sustainable resource management, including  
17 enhanced incentives for the replacement of an-  
18 nual hillside cropping with perennial and non-  
19 erosive production systems;

20           (C) enhanced extension services supporting  
21 the sustainable intensification of agriculture to  
22 increase farmer incomes and reduce pressure on  
23 degraded land; and

24           (D) investments in watershed infrastruc-  
25 ture to reduce environmental vulnerability, in-



1 including the establishment of appropriate erosion  
2 control measures through reforestation activi-  
3 ties in targeted watersheds or sub-watersheds.

4 (c) DEVELOPMENT OF PERFORMANCE METRICS.—

5 (1) IN GENERAL.—If the President provides as-  
6 sistance under subsection (a)(1), the President, in  
7 cooperation with the Government of Haiti, shall de-  
8 velop appropriate performance metrics to measure,  
9 verify, and report—

10 (A) the conduct of each policy and initia-  
11 tive to be carried out by the Government of  
12 Haiti;

13 (B) the results of each policy and initiative  
14 with respect to the tropical forests of Haiti; and

15 (C) each impact of each policy and initia-  
16 tive on the local communities of Haiti.

17 (2) REQUIREMENTS.—Performance metrics de-  
18 veloped under paragraph (1) shall, to the maximum  
19 extent practicable, include short-term and long-term  
20 metrics to evaluate the implementation of each pol-  
21 icy and initiative contained in each proposal devel-  
22 oped under subsection (a)(2).

23 (d) REPORTS.—

24 (1) INITIAL REPORT.—Not later than 18  
25 months after the date of enactment of this Act, the

1 President shall submit to the appropriate commit-  
2 tees of Congress a report that describes the actions  
3 that the President has taken, and plans to take—

4 (A) to engage with the Government of  
5 Haiti, nongovernmental stakeholders, and pub-  
6 lic and private nonprofit organizations to imple-  
7 ment this section; and

8 (B) to enter into agreements with the Gov-  
9 ernment of Haiti under subsection (a)(1).

10 (2) BIENNIAL REPORTS.—Not later than 2  
11 years after the date on which the President first  
12 provides assistance to the Government of Haiti  
13 under subsection (a)(1) and biennially thereafter,  
14 the President shall submit to Congress a report that  
15 describes the progress of the Government of Haiti in  
16 implementing each policy and initiative contained in  
17 the proposal submitted under subsection (a)(2).

18 (e) ADDITIONAL ASSISTANCE.—The President is au-  
19 thorized to provide financial and other assistance to the  
20 Government of Haiti, local government bodies, or non-  
21 governmental organizations for the purpose of—

22 (1) providing local communities information re-  
23 lating to each policy and initiative to be carried out  
24 by the Government of Haiti through funds made  
25 available under subsection (a)(1);

1           (2) promoting effective participation by local  
2 communities in the design, implementation, and  
3 independent monitoring of each policy and initiative;  
4 and

5           (3) promoting, consistent with supporting the  
6 sustainability of forestation activities, enhanced wa-  
7 tershed governance, national planning, and commu-  
8 nity action programs that lead to increased—

9           (A) development of a national watershed  
10 management policy for Haiti with the Inter-  
11 Ministerial Committee for Land Management,  
12 the Ministry of Environment, Ministry of Agri-  
13 culture, and the Ministry of Planning and Ex-  
14 ternal Cooperation;

15           (B) establishment of an effective forum for  
16 donor coordination related to management and  
17 reforestation in Haiti;

18           (C) support for the National Center for  
19 Geospatial Information (CNIGS) to provide  
20 technology, data, and monitoring support for  
21 improved watershed and forest resource man-  
22 agement at a national scale in Haiti; and

23           (D) development of effective governance  
24 structures in Haiti for stakeholder engagement,  
25 coordination of approaches, and land use plan-

1           ning and disaster mitigation at the watershed  
2           scale.

3                           **TITLE II—GRANTS FOR**  
4                           **REFORESTATION**

5   **SEC. 201. REFORESTATION GRANT PROGRAM.**

6           (a) ESTABLISHMENT.—The President is authorized  
7 to establish a grant program to carry out the purposes  
8 of this Act, including reversing deforestation and improv-  
9 ing reforestation and afforestation in Haiti.

10          (b) GRANTS AUTHORIZED.—

11               (1) IN GENERAL.—The President is authorized  
12 to award grants and contracts to carry out projects  
13 that, in the aggregate, reverse deforestation and im-  
14 prove reforestation and afforestation.

15               (2) MAXIMUM AMOUNT.—

16                   (A) IN GENERAL.—Except as provided in  
17 subparagraph (B), the President may not  
18 award a grant under this section in an amount  
19 greater than \$500,000 per year.

20                   (B) EXCEPTION.—The President may  
21 award a grant under this section in an amount  
22 greater than \$500,000 per year if the President  
23 determines that the recipient of the grant has  
24 demonstrated success with respect to a project

1           that was the subject of a grant under this sec-  
2           tion.

3           (3) DURATION.—The President shall award  
4           grants under this section for a period not to exceed  
5           3 years.

6           (c) USE OF FUNDS.—

7           (1) IN GENERAL.—Grants awarded pursuant to  
8           subsection (b) may be used for activities such as—

9                   (A) providing a financial incentive to pro-  
10                  tect trees;

11                   (B) providing hands-on management and  
12                  oversight of replanting efforts;

13                   (C) focusing on sustainable income-gener-  
14                  ating growth;

15                   (D) providing seed money to start coopera-  
16                  tive reforestation and afforestation efforts and  
17                  providing subsequent conditional funding for  
18                  such efforts contingent upon required tree care  
19                  and maintenance activities;

20                   (E) promoting widespread use of improved  
21                  cooking stove technologies, to the extent that  
22                  this does not result in the harvesting of tropical  
23                  forest growth and other renewable fuel tech-  
24                  nologies that reduce deforestation and improve  
25                  human health; and

1 (F) securing the involvement and commit-  
2 ment of local communities—

3 (i) to protect tropical forests in exist-  
4 ence as of the date of enactment of this  
5 Act; and

6 (ii) to carry out afforestation and re-  
7 forestation activities.

8 (2) CONSISTENCY WITH PROPOSALS.—To the  
9 maximum extent practicable, a project carried out  
10 using grant funds shall support and be consistent  
11 with the proposal developed under section 101(a)(2)  
12 that is the subject of the project.

13 (d) APPLICATION.—

14 (1) IN GENERAL.—To be eligible for a grant  
15 under this section, an entity shall prepare and sub-  
16 mit an application at such time, in such manner,  
17 and containing such information as the President  
18 may reasonably require.

19 (2) CONTENT.—Each application submitted  
20 under paragraph (1) should be consistent with the  
21 findings of the 2007 United States Agency for Inter-  
22 national Development report entitled, “Environ-  
23 mental Vulnerability in Haiti: Findings and Rec-  
24 ommendations”, and shall include—

1 (A) a description of the objectives to be at-  
2 tained;

3 (B) a description of the manner in which  
4 the grant funds will be used;

5 (C) a plan for evaluating the success of the  
6 project based on verifiable evidence; and

7 (D) to the extent that the applicant in-  
8 tends to use nonnative species in afforestation  
9 efforts, an explanation of the benefit of the use  
10 of nonnative species over native species and  
11 verification that the species to be used are not  
12 invasive.

13 (3) PREFERENCE FOR CERTAIN PROJECTS.—In  
14 awarding grants under this section, preference shall  
15 be given to applicants that propose—

16 (A) to develop market-based solutions to  
17 the difficulty of reforestation in Haiti, including  
18 the use of conditional cash transfers and similar  
19 financial incentives to protect reforestation ef-  
20 forts;

21 (B) to partner with local communities and  
22 cooperatives; and

23 (C) to focus on efforts that build local ca-  
24 pacity to sustain growth after the completion of  
25 the underlying grant project.

1 (e) DISSEMINATION OF INFORMATION.—The Presi-  
2 dent shall collect and widely disseminate information  
3 about the effectiveness of the demonstration projects as-  
4 sisted under this section.

5 **SEC. 202. FOREST PROTECTION GRANTS.**

6 Chapter 7 of part I of the Foreign Assistance Act  
7 of 1961 (22 U.S.C. 2281 et seq.) is amended by inserting  
8 after section 466 the following new section:

9 **“SEC. 467. PILOT PROGRAM FOR HAITI.**

10 “(a) SUBMISSION OF LIST OF AREAS OF SEVERELY  
11 DEGRADED NATURAL RESOURCES.—The President, in co-  
12 operation with nongovernmental conservation organiza-  
13 tions, shall invite the Government of Haiti to submit a  
14 list of areas within the territory of Haiti in which tropical  
15 forests are seriously degraded or threatened.

16 “(b) REVIEW OF LIST.—The President shall assess  
17 the list submitted by the Government of Haiti under sub-  
18 section (a) and shall seek to reach agreement with the  
19 Government of Haiti for the restoration and future sus-  
20 tainable use of those areas.

21 “(c) GRANT PROGRAM.—

22 “(1) GRANTS AUTHORIZED.—The President is  
23 authorized to make grants on such terms and condi-  
24 tions as may be necessary to nongovernmental orga-  
25 nizations for the purchase on the open market of



1       discounted debt of the Government of Haiti, if a  
2       market is determined to be viable, in exchange for  
3       commitments by the Government of Haiti to restore  
4       tropical forests identified by the Government under  
5       subsection (a) or for commitments to develop plans  
6       for sustainable use of such tropical forests.

7               “(2) MANAGEMENT OF PROTECTED AREAS.—  
8       Each recipient of a grant under this subsection shall  
9       participate in the ongoing management of the area  
10       or areas protected pursuant to such grant.

11               “(3) RETENTION OF PROCEEDS.—Notwith-  
12       standing any other provision of law, a grantee (or  
13       any subgrantee) of the grants referred to in section  
14       (a) may retain, without deposit in the Treasury of  
15       the United States and without further appropriation  
16       by Congress, interest earned on the proceeds of any  
17       resulting debt-for-nature exchange pending the dis-  
18       bursements of such proceeds and interest for ap-  
19       proved program purposes, which may include the es-  
20       tablishment of an endowment, the income of which  
21       is used for such purposes.

22               “(4) TERMINATION OF PROGRAM.—The author-  
23       ity to make grants under the pilot program shall ter-  
24       minate five years after the date of the enactment of  
25       this Act. The authority may be renewed for one ad-

1       ditional five-year period during the 30-year reforest-  
2       ation period targeted by this Act if the President de-  
3       termines and certifies to Congress that the pilot pro-  
4       gram is effective in meeting the goals of the Act and  
5       the commitment of the Government of Haiti to re-  
6       turning land in Haiti to long-term sustainable for-  
7       ests. The cumulative duration of the pilot program  
8       may not exceed ten total years.”.

9       **TITLE III—ADMINISTRATIVE**  
10       **PROVISION**

11       **SEC. 301. DELEGATION.**

12       The President (or the Administrator of the United  
13       States Agency for International Development or the Sec-  
14       retary of State as the President’s delegee) may draw, as  
15       appropriate, on the expertise of the United States Forest  
16       Service in designing and implementing programs pursuant  
17       to this Act relating to reforestation, watershed restoration,  
18       and monitoring of land use change.



Calendar No. 399

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 1023**

[Report No. 112-165]

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## **A BILL**

To authorize the President to provide assistance to the Government of Haiti to end within 5 years the deforestation in Haiti and restore within 30 years the extent of tropical forest cover in existence in Haiti in 1990, and for other purposes.

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MAY 15, 2012

Reported without amendment