

HR 1298

United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003

Congress: 108 (2003–2005, Ended)

Chamber: House

Policy Area: International Affairs

Introduced: Mar 17, 2003

Current Status: Became Public Law No: 108-25.

Latest Action: Became Public Law No: 108-25. (May 27, 2003)

Law: 108-25 (Enacted May 27, 2003)

Official Text: <https://www.congress.gov/bill/108th-congress/house-bill/1298>

Sponsor

Name: Rep. Hyde, Henry J. [R-IL-6]

Party: Republican • **State:** IL • **Chamber:** House

Cosponsors (4 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Lantos, Tom [D-CA-12]	D · CA		Mar 17, 2003
Rep. Leach, James A. [R-IA-2]	R · IA		Mar 17, 2003
Rep. Lee, Barbara [D-CA-9]	D · CA		Mar 17, 2003
Rep. Weldon, Dave [R-FL-15]	R · FL		Mar 17, 2003

Committee Activity

Committee	Chamber	Activity	Date
Foreign Affairs Committee	House	Reported By	Apr 7, 2003

Subjects & Policy Tags

Policy Area:

International Affairs

Related Bills

Bill	Relationship	Last Action
108 SCONRES 46	Related bill	May 22, 2003: Message on Senate action sent to the House.
108 S 1009	Related bill	May 8, 2003: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 88.
108 HRES 210	Procedurally related	May 1, 2003: Motion to reconsider laid on the table Agreed to without objection.

(This measure has not been amended since it was passed by the Senate on May 16, 2003. The summary of that version is repeated here.)

United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 - **Title I: Policy Planning and Coordination** - (Sec. 101) Requires the President to establish a comprehensive, integrated, five-year strategy to combat the global spread of HIV and AIDS. Requires the President to report on such strategy to the appropriate congressional committees.

Requires the Institute of Medicine to publish findings, within three years after enactment of this Act, comparing the success rates of the various programs and methods used under the strategy to reduce, prevent, and treat HIV/AIDS, tuberculosis, and malaria.

(Sec. 102) Amends the State Department Basic Authorities Act of 1956 to establish within the Department of State in the immediate office of the Secretary of State a Coordinator of United States Government Activities to Combat HIV/AIDS Globally, who shall be appointed by the President, by and with the advice and consent of the Senate.

Requires the Coordinator to: (1) operate internationally to carry out prevention, care, treatment, support, capacity development, and other activities for combating HIV/AIDS; and (2) provide grants to, and enter into contracts with, nongovernmental organizations, including faith-based and community-based organizations, to carry out such activities.

Establishes the Activities to Combat HIV/AIDS Globally Fund which shall consist of authorization of appropriations for HIV/AIDS assistance.

Title II: Support for Multilateral Funds, Programs, and Public-Private Partnerships - (Sec. 202) Authorizes the United States to participate in the Global Fund to Fight AIDS, Tuberculosis, and Malaria. Requires the President to report annually to the appropriate congressional committees on the Global Fund, including contributions pledged to, contributions received by, and projects funded by the Global Fund, and mechanisms established for transparency and accountability in the grant-making process. Authorizes appropriations through FY 2008 for bilateral or multilateral HIV/AIDS, tuberculosis, or malaria programs, including such sums as may be necessary for contributions to the Global Fund. Permits the reprogramming of certain FY 2001 funds under the Global AIDS and Tuberculosis Relief Act of 2000 to the Global Fund.

Sets forth certain limits with respect to U.S. contributions to the Global Fund, providing for certain withholdings and shifting of funds in specified circumstances involving: (1) the expenses of the Governing, Administrative, and Advisory Bodies of the Global Fund (including the Partnership Forum, the Foundation Board, the Secretariat, and the Technical Review Board); and (2) the salaries of Global Fund employees.

Establishes in the Executive Branch an interagency technical review panel which shall serve as a "shadow" panel to the Global Fund. Requires the Comptroller General to monitor and evaluate projects funded by the Global Fund.

Directs the Coordinator to make available to Congress upon request all financial and accounting statements for the Global Fund and the Activities to Combat HIV/AIDS Globally Fund, auditing reports, project proposals which were not funded, and grantee progress reports.

Expresses the sense of Congress that the President should conduct an outreach campaign via the Internet and broadcast public service announcements to inform the public of the Global Fund and encourage private contributions to it.

(Sec. 203) Amends the Foreign Assistance Act of 1961 to authorize appropriations through FY 2008 for U.S. contributions to the Vaccine Fund, the International AIDS Vaccine Initiative, and the Malaria Vaccine Initiative of the Program for Appropriate Technologies in Health (PATH).

Title II: Bilateral Efforts - Subtitle A: General Assistance and Programs - (Sec. 301) Amends the Foreign Assistance Act of 1961 to authorize the President to provide assistance through nongovernmental organizations (including faith-based and community-based organizations) and coordination between international organizations for the prevention, treatment, monitoring, and control of: (1) HIV/AIDS in sub-Saharan Africa, the Caribbean, and other countries and areas; (2) tuberculosis; and (3) malaria. Authorizes appropriations through FY 2008.

Declares that an organization otherwise eligible to receive assistance to prevent, treat, or monitor HIV/AIDS shall not be required, as a condition of receiving the assistance, to: (1) endorse or utilize a multisectoral approach to combating HIV/AIDS; or (2) endorse, utilize, or participate in a prevention method or treatment program to which the organization has a religious or moral objection.

Expresses the sense of Congress that U.S. food assistance should be accepted by countries with large populations of individuals infected or living with HIV/AIDS, particularly African countries, in order to help feed such individuals.

(Sec. 304) Urges the President to establish a program to demonstrate the feasibility of facilitating services of U.S. health care professionals in sub-Saharan Africa and other parts of the world severely affected by HIV/AIDS, tuberculosis, and malaria. Sets forth certain program requirements. Requires the President to report to the appropriate congressional committees on steps taken to establish the program. Authorizes appropriations through FY 2008.

(Sec. 305) Requires the President to report to the appropriate congressional committees on executive branch agency programs and activities that are directed to the treatment of individuals in foreign countries infected with HIV or living with AIDS.

(Sec. 306) Amends the Public Health Service Act to require the Director of the Centers for Disease Control and Prevention, in coordination with the Coordinator, the National Institutes of Health, national and local government, and other organizations, such as the World Health Organization and the United Nations Children's Fund, in carrying out immunization and other programs in developing countries for the prevention, treatment, and control of infectious diseases, to develop and implement effective strategies to improve injection safety, including eliminating unnecessary injections, promoting sterile injection practices and technologies, strengthening the procedures for proper needle and syringe disposal, and improving the education and information provided to the public and to health professionals.

(Sec. 307) Directs the Secretary of Health and Human Services to report to Congress: (1) a thorough accounting of evidence indicating illegal diversion into the United States of prescription drugs donated or sold for humanitarian efforts, and an estimate of the extent of such diversion; (2) recommendations to increase U.S. administrative and enforcement powers to identify, monitor, and prevent such illegal diversion; and (3) recommendations and guidelines to advise and provide technical assistance to developing countries on how to implement a program that minimizes such diversion.

Subtitle B: Assistance for Children and Families - (Sec. 313) Requires the President to report annually to the appropriate congressional committees on executive branch agency activities to assist in the prevention of mother-to-child transmission of the HIV infection.

(Sec. 314) Urges the President, acting through the Administrator of the U.S. Agency for International Development, to establish a program of assistance that would demonstrate the feasibility of providing care and treatment to orphans, other

children, and young people affected by HIV/AIDS in foreign countries. Sets forth program requirements. Authorizes appropriations through FY 2008.

(Sec. 315) Authorizes the President to establish a program, through a public-private family survival partnership, for the provision of medical care and support services to HIV positive parents and their children to prevent mother-to-child transmission of HIV in countries with or at risk for a severe HIV epidemic, with particular attention to resource constrained countries. Authorizes the President to establish a program for the award of grants to eligible administrative organizations to enable them to award subgrants to eligible entities to expand activities to prevent the mother-to-child transmission of HIV by providing medical care and support services to HIV infected parents and their children. Sets forth certain grant requirements.

Authorizes appropriations through FY 2008.

Title IV: Authorization of Appropriations - (Sec. 401) Authorizes appropriations to carry out this Act through FY 2008.

(Sec. 402) Expresses the sense of Congress that an urgent priority of U.S. assistance programs to fight HIV/AIDS should be the rapid increase in distribution of antiretroviral treatment so that by the end of FY 2004 through 2006, a specified number of individuals with HIV/AIDS are receiving antiretroviral treatment through U.S. assistance programs.

(Sec. 403) Sets forth formulae for the allocation of HIV/AIDS funds. Requires a minimum allocation, for FY 2006 through 2008, of: (1) 33 percent for abstinence-until-marriage programs; and (2) ten percent for assistance for orphans and vulnerable children affected by HIV/AIDS, of which amount at least 50 percent shall be provided through non-profit, nongovernmental organizations, including faith-based organizations, that implement programs on the community level.

(Sec. 404) Expresses the sense of Congress that U.S. businesses should be encouraged to: (1) provide assistance to sub-Saharan African countries to prevent and reduce the incidence of HIV/AIDS in sub-Saharan Africa; and (2) consider the establishment of an HIV/AIDS Response Fund in order to provide for coordination among such businesses in the collection and distribution of such assistance.

Title V: International Financial Institutions - (Sec. 501) Amends the International Financial Institutions Act with respect to the multilateral debt initiative for heavily indebted poor countries (Enhanced HIPC Initiative) presented in the Report of G-7 Finance Ministers on the Cologne Debt Initiative to the Cologne Economic Summit, Cologne, June 18-20, 1999.

Urges the Secretary of the Treasury to commence efforts immediately within the Paris Club of Official Creditors, the International Bank for Reconstruction and Development (World Bank), the International Monetary Fund (IMF), and other appropriate multilateral development institutions to modify the Enhanced HIPC Initiative so that the amount of debt stock reduction approved for a country eligible for debt relief under the Initiative shall be sufficient to reduce, for each of the first three years after enactment of this title or the Decision Point, whichever is later: (1) the net present value of the outstanding public and publicly guaranteed debt of the country to not more than 150 percent of the annual value of the country's exports for the year preceding the Decision Point; and (2) the annual payments due on such public and publicly guaranteed debt to not more than ten percent (or, in the case of a country suffering a public health crisis, not more than five percent) of the amount of the annual current revenues received by the country from internal resources, or a percentage of the country's gross national product (or another benchmark) that will yield a result substantially equivalent to that which would be achieved through application of subparagraph (1).

Defines Decision Point as the date on which the executive boards of the World Bank and the IMF review the debt sustainability analysis for a country and determine that it is eligible for debt relief under the Enhanced HIPC Initiative.

Defines country suffering a public health crisis as a country in which the HIV/AIDS infection rate, as reported in the most recent epidemiological data compiled by the Joint United Nations Program on HIV/AIDS, is at least five percent among women attending prenatal clinics or more than 20 percent among individuals in groups with high-risk behavior.

Requires an international financial institution, in financing the objectives of the Enhanced HIPC Initiative, to give priority to using its own resources.

States that debt cancellation under modification to the Enhanced HIPC Initiative under this title should not be conditioned on any agreement by an impoverished country to implement or comply with policies that deepen poverty or degrade the environment, including any policy that: (1) implements or extends user fees on primary education or primary health care, including prevention and treatment efforts for HIV/AIDS, tuberculosis, malaria, and infant, child, and maternal well-being; (2) provides for increased cost recovery from poor people to finance basic public services such as education, health care, clean water, or sanitation; (3) reduces the country's minimum wage to a level of less than \$2 per day or undermines workers' ability to exercise effectively their internationally recognized worker rights; or (4) promotes unsustainable extraction of resources, or results in reduced budget support for environmental programs.

Declares that a country shall not be eligible for debt cancellation under the modification to the Enhanced HIPC Initiative under this title if the country's government: (1) has an excessive level of military expenditures; (2) has repeatedly provided support for acts of international terrorism; (3) is failing to cooperate on international narcotics control matters; or (4) engages in a consistent pattern of gross violations of internationally recognized human rights (including its military or other security forces).

Authorizes a country otherwise eligible to receive debt cancellation under such modification to receive it only if the country has agreed to: (1) ensure that the financial benefits of debt cancellation are applied to programs to combat HIV/AIDS and poverty, in particular through concrete measures to improve basic services in health, education, nutrition, and other development priorities, and to redress environmental degradation; (2) ensure that the financial benefits of debt cancellation are in addition to the government's total spending on poverty reduction for the previous year, or the average total of such expenditures for the previous three years, whichever is greater; (3) implement transparent and participatory policymaking and budget procedures, good governance, and effective anticorruption measures; and (4) broaden public participation and popular understanding of the principles and goals of poverty reduction.

(Sec. 502) Directs the Secretary of the Treasury to report to Congress on: (1) the options and costs associated with the expansion of debt relief provided by the Enhanced HIPC Initiative to include poor countries that were not eligible for inclusion in the Initiative; (2) options for burden-sharing among donor countries and multilateral institutions of costs associated with the expansion of debt relief; and (3) options, in addition to debt relief, to ensure debt sustainability in poor countries, particularly in cases when the poor country has suffered an external economic shock or a natural disaster.

Urges consideration to be given, especially, to making eligible for such debt relief poor countries for which outstanding public and publicly guaranteed debt requires annual payments in excess of ten percent or, in the case of a country suffering a public health crisis, not more than five percent, of the amount of the annual current revenues received by the country from internal resources.

(Sec. 503) Authorizes appropriations to the President for FY 2004 and each fiscal year following to carry out the modification to the Enhanced HIPC Initiative under this title.

Actions Timeline

- **May 27, 2003:** Signed by President.
- **May 27, 2003:** Signed by President.
- **May 27, 2003:** Became Public Law No: 108-25.
- **May 27, 2003:** Became Public Law No: 108-25.
- **May 23, 2003:** Presented to President.
- **May 23, 2003:** Presented to President.
- **May 22, 2003:** Pursuant to the provisions of S. Con. Res. 46, enrollment corrections on H.R. 1298 have been made.
- **May 21, 2003:** Mr. Hyde moved that the House agree to the Senate amendments (consideration: CR H4375-4382; text as House agreed to Senate amendments: CR H4375)
- **May 21, 2003:** DEBATE - Pursuant to the order of the House on May 20, 2003, the House proceeded with one hour of debate on the motion to agree to the Senate amendments to H.R. 1298.
- **May 21, 2003:** The previous question was ordered without objection.
- **May 21, 2003:** Resolving differences -- House actions: On motion that the House agree to the Senate amendments Agreed to by voice vote.
- **May 21, 2003:** On motion that the House agree to the Senate amendments Agreed to by voice vote.
- **May 21, 2003:** Motion to reconsider laid on the table Agreed to without objection.
- **May 19, 2003:** Message on Senate action sent to the House.
- **May 16, 2003:** Passed/agreed to in Senate: Passed Senate with an amendment by Voice Vote.
- **May 16, 2003:** Passed Senate with an amendment by Voice Vote.
- **May 15, 2003:** Measure laid before Senate by unanimous consent. (consideration: CR S6415-6421, S6445-6450, S6475-6500)
- **May 6, 2003:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 86.
- **May 5, 2003:** Received in the Senate. Read the first time. Placed on Senate Legislative Calendar under Read the First Time.
- **May 1, 2003:** Rule H. Res. 210 passed House.
- **May 1, 2003:** Considered under the provisions of rule H. Res. 210. (consideration: CR H3579-3618)
- **May 1, 2003:** Rule provides for consideration of H.R. 1298 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on International Relations now printed in the bill. Measure will be considered read. Specified amendments are in order.
- **May 1, 2003:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 210 and Rule XXIII.
- **May 1, 2003:** The Speaker designated the Honorable Steven C. LaTourette to act as Chairman of the Committee.
- **May 1, 2003:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 1298.
- **May 1, 2003:** DEBATE - Pursuant to H. Res 210, the Committee of the Whole proceeded with 20 minutes of debate on the Tauzin amendment.
- **May 1, 2003:** DEBATE - Pursuant to H. Res 210, the Committee of the Whole proceeded with 10 minutes of debate on the Crowley amendment.
- **May 1, 2003:** DEBATE - Pursuant to H. Res 210, the Committee of the Whole proceeded with 10 minutes of debate on the Biggert amendment.
- **May 1, 2003:** DEBATE - Pursuant to H. Res 210, the Committee of the Whole proceeded with 10 minutes of debate on the Stearns amendment.
- **May 1, 2003:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Stearns amendment, the Chair put the question on the adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Stearns demanded a recorded vote and pursuant to the rule, the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **May 1, 2003:** DEBATE - Pursuant to H. Res 210, the Committee of the Whole proceeded with 10 minutes of debate on the Ballance amendment.
- **May 1, 2003:** DEBATE - Pursuant to H. Res 210, the Committee of the Whole proceeded with 10 minutes of debate on the Lantos amendment.

- **May 1, 2003:** DEBATE - Pursuant to H. Res 210, the Committee of the Whole proceeded with 10 minutes of debate on the McCollum amendment.
- **May 1, 2003:** Committee of the Whole House on the state of the Union rises leaving H.R. 1298 as unfinished business.
- **May 1, 2003:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **May 1, 2003:** Pursuant to a previous order of the House, the Committee of the Whole proceeded with consideration of amendment numbered 6 printed in House Report 108-80.
- **May 1, 2003:** DEBATE - Pursuant to H. Res 210, the Committee of the Whole proceeded with 10 minutes of debate on the Smith (MI) amendment.
- **May 1, 2003:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Smith (MI) amendment, the Chair put the question on the adoption of the amendment and by voice vote, announced that the yeas had prevailed. Mr. Smith demanded a recorded vote and pursuant to the rule, the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **May 1, 2003:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question of adoption of amendments which had been debated earlier and on which further proceedings had been postponed.
- **May 1, 2003:** DEBATE - Pursuant to H. Res 210, the Committee of the Whole proceeded with 10 minutes of debate on the Jackson-Lee (TX) amendment.
- **May 1, 2003:** DEBATE - Pursuant to H. Res 210, the Committee of the Whole proceeded with 20 minutes of debate on the Smith (NJ) amendment.
- **May 1, 2003:** DEBATE - Pursuant to H. Res 210, the Committee of the Whole proceeded with 20 minutes of debate on the Pitts amendment.
- **May 1, 2003:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 1298.
- **May 1, 2003:** The previous question was ordered pursuant to the rule.
- **May 1, 2003:** The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union. (text: CR H3588-3596)
- **May 1, 2003:** Passed/agreed to in House: On passage Passed by recorded vote: 375 - 41 (Roll no. 158).
- **May 1, 2003:** On passage Passed by recorded vote: 375 - 41 (Roll no. 158).
- **May 1, 2003:** Motion to reconsider laid on the table Agreed to without objection.
- **Apr 30, 2003:** Rules Committee Resolution H. Res. 210 Reported to House. Rule provides for consideration of H.R. 1298 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on International Relations now printed in the bill. Measure will be considered read. Specified amendments are in order.
- **Apr 7, 2003:** Reported (Amended) by the Committee on International Relations. H. Rept. 108-60.
- **Apr 7, 2003:** Reported (Amended) by the Committee on International Relations. H. Rept. 108-60.
- **Apr 7, 2003:** Placed on the Union Calendar, Calendar No. 38.
- **Apr 2, 2003:** Committee Consideration and Mark-up Session Held.
- **Apr 2, 2003:** Ordered to be Reported (Amended) by the Yeas and Nays: 37 - 8.
- **Mar 17, 2003:** Introduced in House
- **Mar 17, 2003:** Introduced in House
- **Mar 17, 2003:** Referred to the House Committee on International Relations.