

## HR 5501

Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008

**Congress:** 110 (2007–2009, Ended)

**Chamber:** House

**Policy Area:** International Affairs

**Introduced:** Feb 27, 2008

**Current Status:** Became Public Law No: 110-293.

**Latest Action:** Became Public Law No: 110-293. (Jul 30, 2008)

**Law:** 110-293 (Enacted Jul 30, 2008)

**Official Text:** <https://www.congress.gov/bill/110th-congress/house-bill/5501>

### Sponsor

**Name:** Rep. Berman, Howard L. [D-CA-28]

**Party:** Democratic • **State:** CA • **Chamber:** House

### Cosponsors (5 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Jackson-Lee, Sheila [D-TX-18]	D · TX		Feb 27, 2008
Rep. Lee, Barbara [D-CA-9]	D · CA		Feb 27, 2008
Rep. Payne, Donald M. [D-NJ-10]	D · NJ		Feb 27, 2008
Rep. Ros-Lehtinen, Ileana [R-FL-18]	R · FL		Feb 27, 2008
Rep. Waxman, Henry A. [D-CA-30]	D · CA		Feb 27, 2008

### Committee Activity

Committee	Chamber	Activity	Date
Financial Services Committee	House	Discharged From	Mar 11, 2008
Foreign Affairs Committee	House	Reported By	Mar 11, 2008
Foreign Relations Committee	Senate	Discharged From	Jul 16, 2008

### Subjects & Policy Tags

#### Policy Area:

International Affairs

### Related Bills

Bill	Relationship	Last Action
110 HRES 1362	Related bill	<b>Jul 24, 2008:</b> Motion to reconsider laid on the table Agreed to without objection.
110 S 2731	Related document	<b>Jul 16, 2008:</b> See also H.R. 5501.
110 HRES 1065	Procedurally related	<b>Apr 2, 2008:</b> On agreeing to the resolution Agreed to by the Yeas and Nays: 221 - 192 (Roll no. 155). (text: CR H1894-1895)

**(This measure has not been amended since it was passed by the Senate on July 16, 2008. The summary of that version is repeated here.)**

Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008 - **Title I: Policy Planning and Coordination** - (Sec. 101) Amends the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (Act) to revise the provisions of the President's comprehensive five-year global strategy (and related report) to combat HIV/AIDS.

Directs the Coordinator of United States Government Activities to Combat HIV/AIDS Globally (Coordinator) to: (1) commission a study by the Institute of Medicine to assess progress and outcomes of U.S. global HIV/AIDS programs (authorizes appropriations for such study); and (2) publish a best practices report.

Requires a report from the Comptroller General.

Directs the Inspectors General of the Department of State and Broadcasting Board of Governors, the Department of Health and Human Services (HHS), and the United States Agency for International Development (USAID) to jointly develop five coordinated annual plans for oversight activity. Authorizes funding.

(Sec. 102) Amends the State Department Basic Authorities Act of 1956 to revise and expand the Coordinator's duties, including providing for: (1) establishment of an interagency working group on HIV/AIDS; (2) coordination of overall U.S. HIV/AIDS policy and programs with host countries and other relevant bilateral and multilateral aid agencies; (3) approval of U.S. programs to combat HIV/AIDS in Vietnam; and (4) working with host countries to establish HIV/AIDS prevention programs for injection drug users and participants in the commercial sex trade.

Adds Vietnam to the list of countries approved for activities relating to combating HIV/AIDS.

(Sec. 103) Expresses the sense of Congress about the importance of country coordinators, foreign service nationals, and staffing levels for country teams.

**Title II: Support and Multilateral Funds, Programs, and Public-Private Partnerships** - (Sec. 201) Amends the Foreign Assistance Act of 1961 to authorize FY2009-FY2013 appropriations for U.S. contributions to: (1) tuberculosis vaccine development programs, which may include the Aeras Global TB Vaccine Foundation; (2) the Vaccine Fund; (3) the International AIDS Vaccine Initiative; and (4) the Malaria Vaccine Initiative of the Program for Appropriate Technologies in Health (PATH).

(Sec. 202) Authorizes FY2009-FY2013 appropriations for the U.S. contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria.

Extends through FY2013 limitations on U.S. contributions to the Fund: (1) exceeding 33% of contributions from all sources; and (2) respecting assistance to countries supporting acts of international terrorism (includes a discretionary presidential waiver for specified assistance to Sudan if in the U.S. national interest).

States that the United States shall work with the Global Fund to dissuade governments from imposing duties, tariffs, or taxes on Global Fund-provided goods or services.

Withholds 20% of FY2010-FY2013 appropriations for the Global Fund until the Secretary of State certifies achievement of

certain accountability and transparency benchmarks.

(Sec. 203) States that Congress recognizes the need to expand the range of interventions for preventing the transmission of HIV, including non-vaccine prevention methods that can be controlled by women.

Amends the Public Health Service Act to direct the Office of AIDS Research (of the National Institutes of Health (NIH)) to expedite implementation of federal strategic plans for microbicide research and update such plans.

Directs the the National Institute of Allergy and Infectious Diseases (of NIH) to conduct microbicide research on, and development of, methods for women to prevent HIV transmission, which may include microbicides.

Encourages the Centers for Disease Control and Prevention (CDC) to implement the Centers' microbicide agenda to support microbicide research and development for prevention of HIV transmission. Authorizes FY2009-2013 appropriations.

States that USAID, in cooperation with the Coordinator, may facilitate wide scale availability of microbicides that prevent the transmission of HIV if such microbicides are Food and Drug Administration (FDA)-approved. Authorizes FY2009-FY2013 appropriations.

(Sec. 204) Amends the Act to authorize the Secretary of the Treasury, through the Office of Technical Assistance, to provide technical assistance to host countries to improve their public finance management systems in order to receive assistance and operate their own programs to combat HIV/AIDS, malaria, and tuberculosis. Authorizes FY2009-FY2013 appropriations.

(Sec. 205) Amends the Public Health Service Act to authorize the Secretary of Health and Human Services to participate with other countries in cooperative research, health care services, and other related activities.

Eliminates the provision prohibiting the Secretary from providing financial assistance for facility construction in a foreign country.

(Sec. 206) Authorizes USAID to strengthen the capacity of developing countries to: (1) conduct proper protocols for the introduction of new and safe vaccines; (2) review protocols for, and improve implementation of, clinical trials and impact studies; and (3) ensure adequate supply chain and delivery systems.

Directs the Secretary of the Treasury to: (1) enter into negotiations with appropriate entities including the World Bank and GAVI Alliance to establish advanced market commitments to purchase vaccines to combat HIV/AIDS, tuberculosis, malaria, and other related infectious diseases; and (2) report to the appropriate congressional committees.

Directs the President to produce a report setting forth a strategy for vaccine development.

**Title III: Bilateral Efforts - Subtitle A: General Assistance and Programs** - (Sec. 301) Amends the Foreign Assistance Act of 1961 with respect to HIV/AIDS assistance policy objectives and goals to be achieved by 2013.

Includes countries in Central Asia, Eastern Europe, and Latin America within the scope of assistance to combat HIV/AIDS.

Revises and expands the scope of HIV/AIDS prevention activities.

Sets forth congressional findings respecting compacts and framework agreements.

Revises annual report provisions.

Amends the Act to: (1) authorize appropriations through FY2013 for assistance to combat HIV/AIDS; and (2) obligate amounts from such funds through FY2013 for procurement and distribution of HIV/AIDS pharmaceuticals.

Directs the Coordinator and USAID to integrate food security and nutrition activities into HIV/AIDS prevention, treatment, and care activities. Authorizes FY2009-FY2013 appropriations for such integrative activities.

Provides that organizations, including faith-based organizations, receiving HIV/AIDS-related funds shall not be required to endorse or utilize activities or programs to which they have a moral or religious objection, and shall not be discriminated against in the solicitation or issuance of grants, contracts, or cooperative agreements for such refusal.

(Sec. 302) Amends the Foreign Assistance Act of 1961 to set forth U.S. policy goals respecting the reduction of tuberculosis in countries with high incidence of such disease.

Sets forth eligible tuberculosis control activities, with priority to be given to activities described in the Stop TB Strategy (as defined by this Act).

Authorizes the President, through USAID, to provide increased resources to the World Health Organization (WHO) and the Stop Tuberculosis Partnership to improve the capacity of countries with high tuberculosis rates and other affected countries to implement the Stop TB Strategy and specific strategies related to drug resistant tuberculosis.

Amends the Act to authorize through FY2013: (1) appropriations for activities to combat tuberculosis; and (2) the use of certain unobligated funds for such activities.

(Sec. 303) Amends the Foreign Assistance Act of 1961 to authorize through FY2013: (1) appropriations for assistance to combat malaria; and (2) the use of certain unobligated funds for such assistance.

Amends the Act to direct the President to establish a five-year strategy to combat global malaria.

(Sec. 304) Establishes within USAID a Coordinator of United States Government Activities to Combat Malaria Globally who shall have primary responsibility for the oversight and coordination of all resources and global U.S. government activities to combat malaria.

Authorizes the President to make a U.S. contribution to the Roll Back Malaria Partnership and WHO to improve the capacity of countries with high rates of malaria and other affected countries to implement comprehensive malaria control programs.

Sets forth provisions establishing CDC malaria research and monitoring duties.

Directs the President to report annually to the appropriate congressional committees respecting U.S. assistance for the prevention, treatment, control, and elimination of malaria.

(Sec. 305) Amends the Immigration and Nationality Act to eliminate infection with the etiologic agent for acquired immune deficiency syndrome (AIDS) as a public health grounds for alien nonadmission.

(Sec. 307) Amends the Act to revise requirements of the five-year strategy to combat HIV/AIDS as it pertains to mother-to-child transmission, care and treatment of family members, and care for children orphaned by HIV/AIDS.

(Sec. 308) Extends from 5 years to 10 years the annual presidential reporting requirement respecting the prevention of mother-to-child HIV transmission.

(Sec. 309) Directs the Coordinator to establish a panel of experts to be known as the Prevention of Mother-to-Child Transmission Panel to: (1) review activities to prevent mother-to-child transmission of HIV; and (2) recommend to the Coordinator and to the appropriate congressional committees increases of mother-to-child transmission prevention services. Authorizes FY2009-FY2011 appropriations for the Panel.

Directs the Panel to submit its recommendations to the appropriate congressional committees. Terminates the panel 60 days after the report's submission.

**Title IV: Funding Allocations** - (Sec. 401) Authorizes appropriations to carry out the Act through FY2013.

(Sec. 403) Directs the Coordinator to: (1) provide balanced funding for prevention activities for sexual transmission of HIV/AIDS; (2) ensure that abstinence, delay of sexual debut, monogamy, fidelity and partner reduction programs are implemented and funded in each host country's strategy; and (3) establish an HIV sexual transmission prevention strategy governing funding to prevent the sexual transmission of HIV in any host country with a generalized epidemic.

Extends through FY2013, and revises, the set-aside for assistance for orphans and vulnerable children affected by HIV/AIDS.

Requires that for FY2009-FY2013 more than half of appropriations for bilateral global HIV/AIDS assistance shall be expended for: (1) antiretroviral treatment; (2) clinical monitoring of HIV-seropositive people not in need of antiretroviral treatment; (3) care for associated opportunistic infections; (4) nutrition and food support for people living with HIV/AIDS; and (5) other essential medical care for people living with HIV/AIDS.

**Title V: Miscellaneous** - (Sec. 501) Directs the Secretary of State to increase by \$1 the fee for processing machine readable nonimmigrant visas and machine readable combined border crossing identification cards and nonimmigrant visas by October 1, 2010, and by an additional \$1 by October 1, 2013.

**Title VI: Emergency Plan for Indian Safety and Health** - (Sec. 601) Establishes in the Treasury the Emergency Fund for Indian Safety and Health.

Authorizes appropriations to be transferred from the Treasury to the Fund for the five-year period beginning on October 1, 2008.

Directs the Attorney General, the Secretary of the Interior, and the Secretary of Health and Human Services, in consultation with Indian tribes, to establish an emergency plan that addresses law enforcement, water, and health care needs of Indian tribes for each of FY2010-FY2019.

## Actions Timeline

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- **Jul 30, 2008:** Signed by President.
- **Jul 30, 2008:** Became Public Law No: 110-293.
- **Jul 25, 2008:** Presented to President.
- **Jul 24, 2008:** Pursuant to the provisions of H.Res. 1362, Mr. Berman took from the Speaker's table H.R. 5501 with the Senate amendment thereto, and was recognized for a motion. (consideration: CR H7097-7122)
- **Jul 24, 2008:** Mr. Berman moved that the House agree to the Senate amendment. (consideration: CR H7110)
- **Jul 24, 2008:** The House proceeded with one hour of debate on the Berman motion to agree to the Senate amendment to H.R. 5501.
- **Jul 24, 2008:** The previous question was ordered pursuant to the rule. (consideration: CR H7122)
- **Jul 24, 2008:** POSTPONED PROCEEDINGS - Pursuant to the provisions in section 2 of H.Res. 1362, the Chair may postpone further consideration of the motion.
- **Jul 24, 2008:** Considered as unfinished business. (consideration: CR H7132-7133)
- **Jul 24, 2008:** Resolving differences -- House actions: On motion that the House agree to the Senate amendment Agreed to by the Yeas and Nays: 303 - 115 (Roll no. 531).(text as House agreed to Senate amendment: CR H7079-7110)
- **Jul 24, 2008:** On motion that the House agree to the Senate amendment Agreed to by the Yeas and Nays: 303 - 115 (Roll no. 531). (text as House agreed to Senate amendment: CR H7079-7110)
- **Jul 24, 2008:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 24, 2008:** Cleared for White House.
- **Jul 17, 2008:** Message on Senate action sent to the House.
- **Jul 16, 2008:** Senate Committee on Foreign Relations discharged by Unanimous Consent.
- **Jul 16, 2008:** Measure laid before Senate by unanimous consent. (consideration: CR S6838-6857)
- **Jul 16, 2008:** Senate struck all after the Enacting Clause and substituted the language of S. 2731 amended.
- **Jul 16, 2008:** Passed/agreed to in Senate: Passed Senate with an amendment by Yea-Nay Vote. 80 - 16. Record Vote Number: 182.(text: CR S6842-6855)
- **Jul 16, 2008:** Passed Senate with an amendment by Yea-Nay Vote. 80 - 16. Record Vote Number: 182. (text: CR S6842-6855)
- **Jul 16, 2008:** See also S. 2731.
- **Apr 3, 2008:** Received in the Senate and Read twice and referred to the Committee on Foreign Relations.
- **Apr 2, 2008:** Rule H. Res. 1065 passed House.
- **Apr 2, 2008:** Considered under the provisions of rule H. Res. 1065. (consideration: CR H1904-1942; text as reported in House: CR H1921-1934)
- **Apr 2, 2008:** Rule provides for consideration of H.R. 5501 with 2 hours of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI.
- **Apr 2, 2008:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 1065 and Rule XVIII.
- **Apr 2, 2008:** The Speaker designated the Honorable Eleanor Holmes Norton to act as Chairwoman of the Committee.
- **Apr 2, 2008:** GENERAL DEBATE - The Committee of the Whole proceeded with two hours of general debate on H.R. 5501.
- **Apr 2, 2008:** DEBATE - Pursuant to the provisions of H. Res. 1065, the Committee of the Whole proceeded with 10 minutes of debate on the Blumenauer amendment.
- **Apr 2, 2008:** DEBATE - Pursuant to the provisions of H. Res. 1065, the Committee of the Whole proceeded with 10 minutes of debate on the Fortenberry amendment.
- **Apr 2, 2008:** DEBATE - Pursuant to the provisions of H. Res. 1065, the Committee of the Whole proceeded with 10 minutes of debate on the McCollum amendment.
- **Apr 2, 2008:** DEBATE - Pursuant to the provisions of H. Res. 1065, the Committee of the Whole proceeded with 10 minutes of debate on the Carson amendment.
- **Apr 2, 2008:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 5501.
- **Apr 2, 2008:** The previous question was ordered pursuant to the rule. (consideration: CR H1939)

- Apr 2, 2008:** The House adopted the amendments en gross as agreed to by the Committee of the Whole House on the state of the Union.
- **Apr 2, 2008:** Mr. Ryan (WI) moved to recommit with instructions to Foreign Affairs. (consideration: CR H1939-1941; text: CR H1939)
  - **Apr 2, 2008:** DEBATE - The House proceeded with 10 minutes of debate on the Ryan (WI) motion to recommit with instructions. The instructions contained in the motion seek to require the bill to be reported back to the House with amendments that reduce the authorization level specified in the bill from \$50 billion to \$30 billion.
  - **Apr 2, 2008:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H1941)
  - **Apr 2, 2008:** On motion to recommit with instructions Failed by the Yeas and Nays: 175 - 248 (Roll no. 157).
  - **Apr 2, 2008:** Passed/agreed to in House: On passage Passed by recorded vote: 308 - 116 (Roll no. 158).
  - **Apr 2, 2008:** On passage Passed by recorded vote: 308 - 116 (Roll no. 158).
  - **Apr 2, 2008:** Motion to reconsider laid on the table Agreed to without objection.
  - **Apr 2, 2008:** The Clerk was authorized to correct section numbers, punctuation, and cross references, and to make other necessary technical and conforming corrections in the engrossment of H.R. 5501.
  - **Apr 1, 2008:** Rules Committee Resolution H. Res. 1065 Reported to House. Rule provides for consideration of H.R. 5501 with 2 hours of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI.
  - **Mar 11, 2008:** PERMISSION TO FILE SUPPLEMENTAL REPORT - By unanimous consent, the Committee on Foreign Affairs was granted permission to file a supplemental report on the bill H.R. 5501.
  - **Mar 11, 2008:** Supplemental report filed by the Committee on Foreign Affairs, H. Rept. 110-546, Part II.
  - **Mar 10, 2008:** Reported by the Committee on Foreign Affairs. H. Rept. 110-546, Part I.
  - **Mar 10, 2008:** Committee on Financial Services discharged.
  - **Mar 10, 2008:** Placed on the Union Calendar, Calendar No. 333.
  - **Feb 27, 2008:** Introduced in House
  - **Feb 27, 2008:** Committee Consideration and Mark-up Session Held.
  - **Feb 27, 2008:** Ordered to be Reported by Voice Vote.
  - **Feb 27, 2008:** Referred to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.