

rica, other international organizations, the private sector, and donor agencies working to combat the HIV/AIDS crisis.

(b) Priority

In providing grants under this section, the Trust Fund should give priority to countries that have the highest HIV/AIDS prevalence rate or are at risk of having a high HIV/AIDS prevalence rate.

(c) Eligible grant recipients

Governments and nongovernmental organizations should be eligible to receive grants under this section.

(d) Prohibition

The Trust Fund should not make grants for the purpose of project development associated with bilateral or multilateral bank loans.

(Pub. L. 106-264, title I, §122, Aug. 19, 2000, 114 Stat. 755.)

§ 6823. Administration

(a) Appointment of an Administrator

The Board of Trustees, in consultation with the appropriate officials of the Bank, should appoint an Administrator who should be responsible for managing the day-to-day operations of the Trust Fund.

(b) Authority to solicit and accept contributions

The Trust Fund should be authorized to solicit and accept contributions from governments, the private sector, and nongovernmental entities of all kinds.

(c) Accountability of funds and criteria for programs

As part of the negotiations described in section 6821(a) of this title, the Secretary of the Treasury shall, consistent with subsection (d)—

- (1) take such actions as are necessary to ensure that the Bank or the Association will have in effect adequate procedures and standards to account for and monitor the use of funds contributed to the Trust Fund, including the cost of administering the Trust Fund; and
- (2) seek agreement on the criteria that should be used to determine the programs and activities that should be assisted by the Trust Fund.

(d) Selection of projects and recipients

The Board of Trustees should establish—

- (1) criteria for the selection of projects to receive support from the Trust Fund;
- (2) standards and criteria regarding qualifications of recipients of such support;
- (3) such rules and procedures as may be necessary for cost-effective management of the Trust Fund; and
- (4) such rules and procedures as may be necessary to ensure transparency and accountability in the grant-making process.

(e) Transparency of operations

The Board of Trustees should ensure full and prompt public disclosure of the proposed objectives, financial organization, and operations of the Trust Fund.

(Pub. L. 106-264, title I, §123, Aug. 19, 2000, 114 Stat. 756.)

§ 6824. Advisory Board

(a) In general

There should be an Advisory Board to the Trust Fund.

(b) Appointments

The members of the Advisory Board should be drawn from—

- (1) a broad range of individuals with experience and leadership in the fields of development, health care (especially HIV/AIDS), epidemiology, medicine, biomedical research, and social sciences; and
- (2) representatives of relevant United Nations agencies and nongovernmental organizations with on-the-ground experience in affected countries.

(c) Responsibilities

The Advisory Board should provide advice and guidance to the Board of Trustees on the development and implementation of programs and projects to be assisted by the Trust Fund and on leveraging donations to the Trust Fund.

(d) Prohibition on payment of compensation

(1) In general

Except for travel expenses (including per diem in lieu of subsistence), no member of the Advisory Board should receive compensation for services performed as a member of the Board.

(2) United States representative

Notwithstanding any other provision of law (including an international agreement), a representative of the United States on the Advisory Board may not accept compensation for services performed as a member of the Board, except that such representative may accept travel expenses, including per diem in lieu of subsistence, while away from the representative's home or regular place of business in the performance of services for the Board.

(Pub. L. 106-264, title I, §124, Aug. 19, 2000, 114 Stat. 756.)

PART B—REPORTS

§ 6831. Reports to Congress

(a) Annual reports by Treasury Secretary

(1) In general

Not later than 1 year after August 19, 2000, and annually thereafter for the duration of the Trust Fund, the Secretary of the Treasury shall submit to the appropriate committees of Congress a report on the Trust Fund.

(2) Report elements

The report shall include a description of—

- (A) the goals of the Trust Fund;
- (B) the programs, projects, and activities, including any vaccination approaches, supported by the Trust Fund;
- (C) private and governmental contributions to the Trust Fund; and
- (D) the criteria that have been established, acceptable to the Secretary of the Treasury and the Administrator of the United States Agency for International Development, that

would be used to determine the programs and activities that should be assisted by the Trust Fund.

(b) GAO report on Trust Fund effectiveness

Not later than 2 years after August 19, 2000, the Comptroller General of the United States shall submit to the appropriate committees of the Congress a report evaluating the effectiveness of the Trust Fund, including—

- (1) the effectiveness of the programs, projects, and activities described in subsection (a)(2)(B) in reducing the worldwide spread of AIDS; and
- (2) an assessment of the merits of continued United States financial contributions to the Trust Fund.

(c) Appropriate committees defined

In subsection (a), the term “appropriate committees” means the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations, the Committee on Banking and Financial Services, and the Committee on Appropriations of the House of Representatives.

(Pub. L. 106-264, title I, §131, Aug. 19, 2000, 114 Stat. 757.)

CHANGE OF NAME

Committee on International Relations of House of Representatives changed to Committee on Foreign Affairs of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

Committee on Banking and Financial Services of House of Representatives abolished and replaced by Committee on Financial Services of House of Representatives, and jurisdiction over matters relating to securities and exchanges and insurance generally transferred from Committee on Energy and Commerce of House of Representatives by House Resolution No. 5, One Hundred Seventh Congress, Jan. 3, 2001.

PART C—UNITED STATES FINANCIAL PARTICIPATION

§ 6841. Authorization of appropriations

(a) In general

In addition to any other funds authorized to be appropriated for multilateral or bilateral programs related to HIV/AIDS or economic development, there is authorized to be appropriated to the Secretary of the Treasury \$150,000,000 for each of the fiscal years 2001 and 2002 for payment to the Trust Fund.

(b) Allocation of funds

Of the amounts authorized to be appropriated by subsection (a) for the fiscal years 2001 and 2002, \$50,000,000 are authorized to be available each such fiscal year only for programs that benefit orphans.

(Pub. L. 106-264, title I, §141, Aug. 19, 2000, 114 Stat. 758.)

§ 6842. Certification requirement

(a) In general

Prior to the initial obligation or expenditure of funds appropriated pursuant to section 6841 of this title, the Secretary of the Treasury shall certify that adequate procedures and standards

have been established to ensure accountability for and monitoring of the use of funds contributed to the Trust Fund, including the cost of administering the Trust Fund.

(b) Transmittal of certification

The certification required by subsection (a), and the bases for that certification, shall be submitted by the Secretary of the Treasury to Congress.

(Pub. L. 106-264, title I, §142, Aug. 19, 2000, 114 Stat. 758.)

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