

universal precautions, investigating suspected nosocomial infections, pre-exposure pharmaceutical prophylaxis to prevent transmission of HIV, or microbicides and programs and activities that provide counseling and testing for HIV or prevent mother-to-child prevention of HIV, shall not be included in determining compliance with paragraph (2).

(4) Report

Not later than 1 year after July 30, 2008, and annually thereafter as part of the annual report required under section 2151b-2(e) of this title, the President shall—

(A) submit a report on the implementation of paragraph (2) for the most recently concluded fiscal year to the appropriate congressional committees; and

(B) make the report described in subparagraph (A) available to the public.

(b) Orphans and vulnerable children

For fiscal years 2009 through 2018, not less than 10 percent of the amounts appropriated or otherwise made available to carry out the provisions of section 2151b-2 of this title for HIV/AIDS assistance for each such fiscal year shall be expended for assistance for orphans and other children affected by, or vulnerable to, HIV/AIDS, of which such amount at least 50 percent shall be provided through non-profit, nongovernmental organizations, including faith-based organizations, that implement programs on the community level.

(c) Funding allocation

For each of the fiscal years 2009 through 2018, more than half of the amounts appropriated or otherwise made available to carry out the provisions of section 2151b-2 of this title shall be expended for—

(1) antiretroviral treatment for HIV/AIDS;

(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 HIV/AIDS-related medical care for people living with HIV/AIDS.

(d) Treatment, prevention, and care goals

For each of the fiscal years 2009 through 2013—

(1) the treatment goal under section 7672(a)(3) of this title shall be increased above 2,000,000 by at least the percentage increase in the amount appropriated for bilateral global HIV/AIDS assistance for such fiscal year compared with fiscal year 2008;

(2) any increase in the treatment goal under section 7672(a)(3) of this title above the percentage increase in the amount appropriated for bilateral global HIV/AIDS assistance for such fiscal year compared with fiscal year 2008 shall be based on long-term requirements, epidemiological evidence, the share of treatment needs being met by partner governments and other sources of treatment funding, and other appropriate factors;

(3) the treatment goal under section 7672(a)(3) of this title shall be increased above the number calculated under paragraph (1) by

the same percentage that the average United States Government cost per patient of providing treatment in countries receiving bilateral HIV/AIDS assistance has decreased compared with fiscal year 2008; and

(4) the prevention and care goals established in clauses (i) and (iv) of section 2151b-2(b)(1)(A) of this title shall be increased consistent with epidemiological evidence and available resources.

(Pub. L. 108-25, title IV, §403, May 27, 2003, 117 Stat. 746; Pub. L. 110-293, title IV, §403, July 30, 2008, 122 Stat. 2966; Pub. L. 113-56, §6, Dec. 2, 2013, 127 Stat. 654.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (a)(2)(A), was in the original “this Act”, meaning Pub. L. 108-25, May 27, 2003, 117 Stat. 711, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 7601 of this title and Tables.

AMENDMENTS

2013—Subsec. (b). Pub. L. 113-56, §6(a), substituted “2018” for “2013” and “amounts appropriated or otherwise made available to carry out the provisions of section 2151b-2 of this title” for “amounts appropriated pursuant to the authorization of appropriations under section 7671 of this title”.

Subsec. (c). Pub. L. 113-56, §6(b), substituted “2018” for “2013” and “amounts appropriated or otherwise made available to carry out the provisions of section 2151b-2 of this title” for “amounts appropriated for bilateral global HIV/AIDS assistance pursuant to section 7671 of this title” in introductory provisions.

2008—Subsec. (a). Pub. L. 110-293, §403(1), amended subsec. (a) generally. Prior to amendment, text read as follows: “For fiscal years 2006 through 2008, not less than 55 percent of the amounts appropriated pursuant to the authorization of appropriations under section 7671 of this title for HIV/AIDS assistance for each such fiscal year shall be expended for therapeutic medical care of individuals infected with HIV, of which such amount at least 75 percent should be expended for the purchase and distribution of antiretroviral pharmaceuticals and at least 25 percent should be expended for related care. For fiscal years 2006 through 2008, not less than 33 percent of the amounts appropriated pursuant to the authorization of appropriations under section 7671 of this title for HIV/AIDS prevention consistent with section 2151b-2(d) of this title for each such fiscal year shall be expended for abstinence-until-marriage programs.”

Subsec. (b). Pub. L. 110-293, §403(2), substituted “fiscal years 2009 through 2013” for “fiscal years 2006 through 2008” and “other children affected by, or vulnerable to,” for “vulnerable children affected by”.

Subsecs. (c), (d). Pub. L. 110-293, §403(3), added subsecs. (c) and (d).

§ 7674. Assistance from the United States private sector to prevent and reduce HIV/AIDS in sub-Saharan Africa

It is the sense of Congress that United States businesses should be encouraged to provide assistance to sub-Saharan African countries to prevent and reduce the incidence of HIV/AIDS in sub-Saharan Africa. In providing such assistance, United States businesses should be encouraged to consider the establishment of an HIV/AIDS Response Fund in order to provide for coordination among such businesses in the collection and distribution of the assistance to sub-Saharan African countries.

(Pub. L. 108–25, title IV, §404, May 27, 2003, 117 Stat. 746.)

SUBCHAPTER V—INTERNATIONAL
FINANCIAL INSTITUTIONS

§ 7681. Report on expansion of debt relief to non-HIPC countries

(a) In general

Not later than 90 days after May 27, 2003, the Secretary of the Treasury shall submit to Congress a report 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 Enhanced HIPC 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.

(b) Specific options to be considered

Among the options for the expansion of debt relief provided by the Enhanced HIPC Initiative, consideration should be given to making eligible for that relief poor countries for which outstanding public and publicly guaranteed debt requires annual payments in excess of 10 percent or, in the case of a country suffering a public health crisis (as defined in section 262p-8(e) of this title), not more than 5 percent, of the amount of the annual current revenues received by the country from internal resources.

(c) Enhanced HIPC Initiative defined

In this section, the term “Enhanced HIPC Initiative” means the multilateral debt initiative for heavily indebted poor countries presented in the Report of G-7 Finance Ministers on the Cologne Debt Initiative to the Cologne Economic Summit, Cologne, June 18–20, 1999.

(Pub. L. 108–25, title V, §502, May 27, 2003, 117 Stat. 749.)

§ 7682. Authorization of appropriations

(a) In general

There are authorized to be appropriated to the President such sums as may be necessary for the fiscal year 2004 and each fiscal year thereafter to carry out section 262p-8 of this title.

(b) Availability of funds

Amounts appropriated pursuant to subsection (a) are authorized to remain available until expended.

(Pub. L. 108–25, title V, §503, May 27, 2003, 117 Stat. 749.)

CHAPTER 84—MILLENNIUM CHALLENGE

Sec. 7701. 7702. 7703.	Purposes. Definitions. Establishment and management of the Millennium Challenge Corporation.
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Sec. 7704. 7705. 7706. 7707. 7708. 7709. 7710. 7711. 7712. 7713. 7714. 7715. 7716. 7717. 7718.	Authorization of assistance. Candidate countries. Eligible countries. Congressional and public notification of candidate countries, eligibility criteria, and eligible countries. Millennium Challenge Compact. Congressional and public notification of Compact. Suspension and termination of assistance. Disclosure. Annual report. Powers of the Corporation; related provisions. Coordination with United States Agency for International Development. Assistance to certain candidate countries. General personnel authorities. Personnel outside the United States. Authorization of appropriations.
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§ 7701. Purposes

The purposes of this chapter are—

- (1) to provide United States assistance for global development through the Millennium Challenge Corporation, as described in section 7703 of this title; and
- (2) to provide such assistance in a manner that promotes economic growth and the elimination of extreme poverty and strengthens good governance, economic freedom, and investments in people.

(Pub. L. 108–199, div. D, title VI, §602, Jan. 23, 2004, 118 Stat. 211.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this title”, meaning title VI of Pub. L. 108–199, div. D, Jan. 23, 2004, 118 Stat. 211, which is classified generally to this chapter. For complete classification of this title to the Code, see Short Title note set out below and Tables.

SHORT TITLE

Pub. L. 108–199, div. D, title VI, §601, Jan. 23, 2004, 118 Stat. 211, provided that: “This title [enacting this chapter and amending section 5313 of Title 5, Government Organizations and Employees, and section 9101 of Title 31, Money and Finance] may be cited as the ‘Millennium Challenge Act of 2003’.”

§ 7702. Definitions

In this chapter:

(1) Appropriate congressional committees

The term “appropriate congressional committees” means—

- (A) the Committee on International Relations and the Committee on Appropriations of the House of Representatives; and
- (B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

(2) Board

The term “Board” means the Board of Directors of the Corporation established pursuant to section 7703(c) of this title.

(3) Candidate country

The term “candidate country” means a country that meets the requirements of section 7705 of this title.

(4) Chief Executive Officer

The term “Chief Executive Officer” means the chief executive officer of the Corporation