

CODIFICATION

Section is comprised of section 301 of Pub. L. 108–25. Subsec. (a) of section 301 of Pub. L. 108–25 amended section 2151b of this title and enacted section 2151b–2 of this title.

CONSTITUTIONALITY

For information regarding constitutionality of certain provisions of section 301 of Pub. L. 108–25, see Congressional Research Service, *The Constitution of the United States of America: Analysis and Interpretation*, Appendix 1, Acts of Congress Held Unconstitutional in Whole or in Part by the Supreme Court of the United States.

AMENDMENTS

2008—Subsec. (b)(1), (3). Pub. L. 110–293, §301(f), substituted “fiscal years 2009 through 2013” for “fiscal years 2004 through 2008”.

Subsec. (c). Pub. L. 110–293, §301(g), amended subsec. (c) generally. Prior to amendment, text read as follows: “In recognition of the fact that malnutrition may hasten the progression of HIV to AIDS and may exacerbate the decline among AIDS patients leading to a shorter life span, the Administrator of the United States Agency for International Development shall, as appropriate—

“(1) integrate nutrition programs with HIV/AIDS activities, generally;

“(2) provide, as a component of an anti-retroviral therapy program, support for food and nutrition to individuals infected with and affected by HIV/AIDS; and

“(3) provide support for food and nutrition for children affected by HIV/AIDS and to communities and households caring for children affected by HIV/AIDS.”

Subsec. (d). Pub. L. 110–293, §301(h), amended subsec. (d) generally. Prior to amendment, text read as follows: “An organization that is otherwise eligible to receive assistance under section 104A of the Foreign Assistance Act of 1961 (as added by subsection (a)) or under any other provision of this chapter (or any amendment made by this chapter) to prevent, treat, or monitor HIV/AIDS shall not be required, as a condition of receiving the assistance, to endorse or utilize a multisectoral approach to combatting HIV/AIDS, or to endorse, utilize, or participate in a prevention method or treatment program to which the organization has a religious or moral objection.”

2004—Subsec. (f). Pub. L. 108–199, §595(3), inserted “, except that this subsection shall not apply to the Global Fund to Fight AIDS, Tuberculosis and Malaria, the World Health Organization, the International AIDS Vaccine Initiative or to any United Nations agency” after “trafficking”.

§ 7631a. United States Agency for International Development

(1) In general

The Administrator of the United States Agency for International Development, in coordination with the Coordinator of United States Government Activities to Combat HIV/AIDS Globally, may facilitate availability and accessibility of microbicides, provided that such pharmaceuticals are approved, tentatively approved, or otherwise authorized for use by—

(A) the Food and Drug Administration;

(B) a stringent regulatory agency acceptable to the Secretary of Health and Human Services; or

(C) a quality assurance mechanism acceptable to the Secretary of Health and Human Services.

(2) Authorization of appropriations

Of the amounts authorized to be appropriated under section 7671 of this title for HIV/AIDS assistance, there are authorized to be appropriated to the President such sums as may be necessary for each of the fiscal years 2009 through 2013 to carry out this section.

(Pub. L. 110–293, title II, §203(e), July 30, 2008, 122 Stat. 2941.)

Editorial Notes

CODIFICATION

Section was enacted as part of the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008, and not as part of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 which comprises this chapter.

§ 7632. Authorization of appropriations to combat tuberculosis

(1) In general

In addition to funds available under section 104(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b(c)) for such purpose or under any other provision of that Act [22 U.S.C. 2151 et seq.], there are authorized to be appropriated to the President, from amounts authorized to be appropriated under section 7671 of this title, a total of \$4,000,000,000 for the 5-year period beginning on October 1, 2008.¹ to carry out section 104B of the Foreign Assistance Act of 1961, as added by subsection (a) [22 U.S.C. 2151b–3].

(2) Availability of funds

Amounts appropriated pursuant to the authorization of appropriations under paragraph (1) are authorized to remain available until expended.

(3) Transfer of prior year funds

Unobligated balances of funds made available for fiscal year 2001, 2002, or 2003 under section 104(c)(7) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b(c)(7)) (as in effect immediately before May 27, 2003) shall be transferred to, merged with, and made available for the same purposes as funds made available for fiscal years 2009 through 2013.¹ under paragraph (1).

(Pub. L. 108–25, title III, §302(b), May 27, 2003, 117 Stat. 736; Pub. L. 110–293, title III, §302(f), July 30, 2008, 122 Stat. 2959.)

Editorial Notes

REFERENCES IN TEXT

The Foreign Assistance Act of 1961, referred to in par. (1), is Pub. L. 87–195, Sept. 4, 1961, 75 Stat. 424, as amended, which is classified principally to chapter 32 (§2151 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

AMENDMENTS

2008—Par. (1). Pub. L. 110–293, §302(f)(1), substituted “a total of \$4,000,000,000 for the 5-year period beginning on October 1, 2008.” for “such sums as may be necessary for each of the fiscal years 2004 through 2008”.

Par. (3). Pub. L. 110–293, §302(f)(2), substituted “fiscal years 2009 through 2013.” for “fiscal years 2004 through 2008”.

¹ So in original. The period probably should not appear.