

classroom training under the African Crisis Response Initiative includes military-based education on the prevention of the spread of AIDS.

(Pub. L. 106-264, title I, §114, Aug. 19, 2000, 114 Stat. 754.)

SUBCHAPTER II—WORLD BANK AIDS TRUST FUND

PART A—ESTABLISHMENT OF THE FUND

§ 6821. Establishment

(a) Negotiations for establishment of Trust Fund

The Secretary of the Treasury shall seek to enter into negotiations with the World Bank or the Association, in consultation with the Administrator of the United States Agency for International Development and other United States Government agencies, and with the member nations of the World Bank or the Association and with other interested parties, for the establishment within the World Bank of—

- (1) the World Bank AIDS Trust Fund (in this subchapter referred to as the “Trust Fund”) in accordance with the provisions of this part; and
- (2) the Advisory Board to the Trust Fund in accordance with section 6824 of this title.

(b) Purpose

The purpose of the Trust Fund should be to use contributed funds to—

- (1) assist in the prevention and eradication of HIV/AIDS and the care and treatment of individuals infected with HIV/AIDS; and
- (2) provide support for the establishment of programs that provide health care and primary and secondary education for children orphaned by the HIV/AIDS epidemic.

(c) Composition

(1) In general

The Trust Fund should be governed by a Board of Trustees, which should be composed of representatives of the participating donor countries to the Trust Fund. Individuals appointed to the Board should have demonstrated knowledge and experience in the fields of public health, epidemiology, health care (including delivery systems), and development.

(2) United States representation

(A) In general

Upon the effective date of this paragraph, there shall be a United States member of the Board of Trustees, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall have the qualifications described in paragraph (1).

(B) Effective and termination dates

(i) Effective date

This paragraph shall take effect upon the date the Secretary of the Treasury certifies to Congress that an agreement establishing the Trust Fund and providing for a United States member of the Board of Trustees is in effect.

(ii) Termination date

The position established by subparagraph (A) is abolished upon the date of termination of the Trust Fund.

(Pub. L. 106-264, title I, §121, Aug. 19, 2000, 114 Stat. 754.)

§ 6822. Grant authorities

(a) Program objectives

(1) In general

In carrying out the purpose of section 6821(b) of this title, the Trust Fund, acting through the Board of Trustees, should provide only grants, including grants for technical assistance to support measures to build local capacity in national and local government, civil society, and the private sector to lead and implement effective and affordable HIV/AIDS prevention, education, treatment and care services, and research and development activities, including access to affordable drugs.

(2) Activities supported

Among the activities the Trust Fund should provide grants for should be—

- (A) programs to promote the best practices in prevention, including health education messages that emphasize risk avoidance such as abstinence;
- (B) measures to ensure a safe blood supply;
- (C) voluntary HIV/AIDS testing and counseling;
- (D) measures to stop mother-to-child transmission of HIV/AIDS, including through diagnosis of pregnant women, access to cost-effective treatment and counseling, and access to infant formula or other alternatives for infant feeding;
- (E) programs to provide for the support and education of AIDS orphans and the families, communities, and institutions most affected by the HIV/AIDS epidemic;
- (F) measures for the deterrence of gender-based violence and the provision of post-exposure prophylaxis to victims of rape and sexual assault; and
- (G) incentives to promote affordable access to treatments against AIDS and related infections.

(3) Implementation of program objectives

In carrying out the objectives of paragraph (1), the Trust Fund should coordinate its activities with governments, civil society, nongovernmental organizations, the Joint United Nations Program on HIV/AIDS (UNAIDS), the International Partnership Against AIDS in Africa, 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 Rela-