

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”.

### § 7633. Assistance to combat malaria

#### (a) Omitted

#### (b) Authorization of appropriations

##### (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, \$5,000,000,000 during the 5-year period beginning on October 1, 2008 to carry out section 104C of the Foreign Assistance Act of 1961, as added by subsection (a) [22 U.S.C. 2151b-4], including for the development of anti-malarial pharmaceuticals by the Medicines for Malaria Venture.

##### (2) Availability of funds

Amounts appropriated pursuant to 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) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b(c))<sup>1</sup> (as in effect immediately before May 27, 2003) and made available for the control of malaria shall be transferred to, merged with, and made available for the same purposes as funds made available for fiscal years 2009 through 2013 under paragraph (1).

##### (c) Statement of policy

Providing assistance for the prevention, control, treatment, and the ultimate eradication of malaria is—

(1) a major objective of the foreign assistance program of the United States; and

(2) 1 component of a comprehensive United States global health strategy to reduce disease burdens and strengthen communities around the world.

##### (d) Development of a comprehensive 5-Year strategy

The President shall establish a comprehensive, 5-year strategy to combat global malaria that—

(1) strengthens the capacity of the United States to be an effective leader of international efforts to reduce<sup>2</sup> malaria burden;

(2) maintains sufficient flexibility and remains responsive to the ever-changing nature of the global malaria challenge;

(3) includes specific objectives and multisectoral approaches and strategies to reduce the prevalence, mortality, incidence, and spread of malaria;

(4) describes how this strategy would contribute to the United States’ overall global health and development goals;

(5) clearly explains how outlined activities will interact with other United States Government global health activities, including the 5-year global AIDS strategy required under this chapter;

(6) expands public-private partnerships and leverage of resources;

(7) coordinates among relevant Federal agencies to maximize human and financial resources and to reduce duplication among these agencies, foreign governments, and international organizations;

(8) coordinates with other international entities, including the Global Fund;

(9) maximizes United States capabilities in the areas of technical assistance and training and research, including vaccine research; and

(10) establishes priorities and selection criteria for the distribution of resources based on factors such as—

(A) the size and demographics of the population with malaria;

(B) the needs of that population;

(C) the country’s existing infrastructure; and

(D) the ability to closely coordinate United States Government efforts with national malaria control plans of partner countries.

(Pub. L. 108-25, title III, §303, May 27, 2003, 117 Stat. 736; Pub. L. 110-293, title III, §303(b), July 30, 2008, 122 Stat. 2960.)

#### Editorial Notes

##### REFERENCES IN TEXT

The Foreign Assistance Act of 1961, referred to in subsec. (b)(1), is Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424, 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.

This chapter, referred to in subsec. (d)(5), 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.

##### CODIFICATION

Section is comprised of section 303 of Pub. L. 108-25. Subsec. (a) and another subsec. (c) of section 303 of Pub. L. 108-25, respectively, enacted section 2151b-4 of this title and amended section 2151b of this title.

##### AMENDMENTS

2008—Subsec. (b)(1). Pub. L. 110-293, §303(b)(1)(A), substituted “\$5,000,000,000 during the 5-year period beginning on October 1, 2008” for “such sums as may be necessary for fiscal years 2004 through 2008”.

Subsec. (b)(3). Pub. L. 110-293, §303(b)(1)(B), substituted “fiscal years 2009 through 2013” for “fiscal years 2004 through 2008”.

Subsecs. (c), (d). Pub. L. 110-293, §303(b)(2), added subsecs. (c) relating to statement of policy and (d).

<sup>1</sup> So in original. Probably should be followed by a second closing parenthesis.

<sup>2</sup> So in original. Probably should be followed by “the”.

**§ 7634. Malaria response Coordinator****(a) In general**

There is established within the United States Agency for International Development a Coordinator of United States Government Activities to Combat Malaria Globally (referred to in this section as the “Malaria Coordinator”), who shall be appointed by the President.

**(b) Authorities**

The Malaria Coordinator, acting through nongovernmental organizations (including faith-based and community-based organizations), partner country finance, health, and other relevant ministries, and relevant executive branch agencies as may be necessary and appropriate to carry out this section, is authorized to—

- (1) operate internationally to carry out prevention, care, treatment, support, capacity development, and other activities to reduce the prevalence, mortality, and incidence of malaria;
- (2) provide grants to, and enter into contracts and cooperative agreements with, nongovernmental organizations (including faith-based organizations) to carry out this section; and
- (3) transfer and allocate executive branch agency funds that have been appropriated for the purposes described in paragraphs (1) and (2).

**(c) Duties****(1) In general**

The Malaria Coordinator has primary responsibility for the oversight and coordination of all resources and international activities of the United States Government relating to efforts to combat malaria.

**(2) Specific duties**

The Malaria Coordinator shall—

- (A) facilitate program and policy coordination of antimalarial efforts among relevant executive branch agencies and nongovernmental organizations by auditing, monitoring, and evaluating such programs;
- (B) ensure that each relevant executive branch agency undertakes antimalarial programs primarily in those areas in which the agency has the greatest expertise, technical capability, and potential for success;
- (C) coordinate relevant executive branch agency activities in the field of malaria prevention and treatment;
- (D) coordinate planning, implementation, and evaluation with the Global AIDS Coordinator in countries in which both programs have a significant presence;
- (E) coordinate with national governments, international agencies, civil society, and the private sector; and
- (F) establish due diligence criteria for all recipients of funds appropriated by the Federal Government for malaria assistance.

**(d) Assistance for the World Health Organization**

In carrying out this section, the President may provide financial assistance to the Roll Back Malaria Partnership of the World Health Organization to improve the capacity of coun-

tries with high rates of malaria and other affected countries to implement comprehensive malaria control programs.

**(e) Coordination of assistance efforts**

In carrying out this section and in accordance with section 2151b-4 of this title, the Malaria Coordinator shall coordinate the provision of assistance by working with—

- (1) relevant executive branch agencies, including—
  - (A) the Department of State (including the Office of the Global AIDS Coordinator);
  - (B) the Department of Health and Human Services;
  - (C) the Department of Defense; and
  - (D) the Office of the United States Trade Representative;
- (2) relevant multilateral institutions, including—
  - (A) the World Health Organization;
  - (B) the United Nations Children’s Fund;
  - (C) the United Nations Development Programme;
  - (D) the Global Fund;
  - (E) the World Bank; and
  - (F) the Roll Back Malaria Partnership;

(3) program delivery and efforts to lift barriers that would impede effective and comprehensive malaria control programs; and

(4) partner or recipient country governments and national entities including universities and civil society organizations (including faith- and community-based organizations).

**(f) Research**

To carry out this section, the Malaria Coordinator, in accordance with section 2151b-4 of this title, shall ensure that operations and implementation research conducted under this chapter will closely complement the clinical and program research being undertaken by the National Institutes of Health. The Centers for Disease Control and Prevention should advise the Malaria Coordinator on priorities for operations and implementation research and should be a key implementer of this research.

**(g) Monitoring**

To ensure that adequate malaria controls are established and implemented, the Centers for Disease Control and Prevention should advise the Malaria Coordinator on monitoring, surveillance, and evaluation activities and be a key implementer of such activities under this chapter. Such activities shall complement, rather than duplicate, the work of the World Health Organization.

**(h) Annual report****(1) Submission**

Not later than 1 year after July 30, 2008, and annually thereafter, the President shall submit a report to the appropriate congressional committees that describes United States assistance for the prevention, treatment, control, and elimination of malaria.

**(2) Contents**

The report required under paragraph (1) shall describe—