

**AMENDMENT TO H.R. 1298, AS REPORTED  
OFFERED BY MR. TAUZIN OF LOUISIANA AND MR.  
BROWN OF OHIO**

Page 2, in the table of contents at section 1(b), after the item relating to section 305, insert the following:

- Sec. 306. Strategies to improve injection safety.*
- Sec. 307. Study on illegal diversions of prescription drugs.*

Page 20, line 19, insert “and reduce duplication” after “improve coordination”.

Page 20, line 25, strike “resources; and” and insert “resources;”.

Page 21, line 3, strike “research.” and insert “re-search;”.

Page 21, after line 3, insert the following:

- 1 (9) establish priorities for the distribution of re-
- 2 sources based on factors such as the size and demo-
- 3 graphics of the population with HIV/AIDS, tuber-
- 4 culosis, and malaria and the needs of that popu-
- 5 lation and the existing infrastructure or funding lev-
- 6 els that may exist to cure, treat, and prevent HIV/
- 7 AIDS, tuberculosis, and malaria; and



1           (10) include initiatives describing how the  
2           President will maximize the leverage of private sec-  
3           tor dollars in reduction and treatment of HIV/AIDS,  
4           tuberculosis, and malaria.

Page 26, after line 13, insert the following:

5           (c) STUDY; DISTRIBUTION OF RESOURCES.—

6           (1) STUDY.—Not later than 3 years after the  
7           date of the enactment of this Act, the Institute of  
8           Medicine shall publish findings comparing the suc-  
9           cess rates of the various programs and methods used  
10          under the strategy described in subsection (a) to re-  
11          duce, prevent, and treat HIV/AIDS, tuberculosis,  
12          and malaria.

13          (2) DISTRIBUTION OF RESOURCES.—In  
14          prioritizing the distribution of resources under the  
15          strategy described in subsection (a), the President  
16          shall consider the findings published by the Institute  
17          of Medicine under this subsection.

Page 34, line 21, strike “in the fiscal year 2004”  
and insert “for the period of fiscal year 2004 beginning  
on January 1, 2004”.

Page 36, after line 13, insert the following:

18                   (iii) If at any time the President deter-  
19                   mines that the expenses of the Governing, Ad-



1           ministrative, and Advisory Bodies (including  
2           the Partnership Forum, the Foundation Board,  
3           the Secretariat, and the Technical Review  
4           Board) of the Global Fund exceed 10 percent of  
5           the total expenditures of the Fund for any 2-  
6           year period, the United States shall withhold  
7           from its contribution for the next fiscal year an  
8           amount equal the to the average annual amount  
9           expended by the Fund for such 2-year period  
10          for the expenses of the Governing, Administra-  
11          tive, and Advisory Bodies in excess of 10 per-  
12          cent of the total expenditures of the Fund.

13                   (iv) The President may waive the applica-  
14                   tion of clause (iii) if the President determines  
15                   that extraordinary circumstances warrant such  
16                   a waiver. No waiver under this clause may be  
17                   for any period that exceeds 1 year.

Page 36, line 14, strike “(B) Any amount made available under this subsection that is withheld by reason of subparagraph (A)” and insert “(B)(i) Any amount made available under this subsection that is withheld by reason of subparagraph (A)(i)”.

Page 36, after line 19, insert the following:



1           (ii) Any amount made available under this  
2           subsection that is withheld by reason of sub-  
3           paragraph (A)(iii) shall be transferred to the  
4           Activities to Combat HIV/AIDS Globally Fund  
5           and shall remain available under the same  
6           terms and conditions as funds appropriated  
7           pursuant to the authorization of appropriations  
8           under section 401 for HIV/AIDS assistance.

Page 39, after line 9, insert the following:

9           (f) PROVISION OF INFORMATION TO CONGRESS.—  
10          The Coordinator of United States Government Activities  
11          to Combat HIV/AIDS Globally shall make available to the  
12          Congress the following documents within 30 days of a re-  
13          quest by the Congress for such documents:

14               (1) All financial and accounting statements for  
15               the Global Fund and the Activities to Combat HIV/  
16               AIDS Globally Fund, including administrative and  
17               grantee statements.

18               (2) Reports provided to the Global Fund and  
19               the Activities to Combat HIV/AIDS Globally Fund  
20               by organizations contracted to audit recipients of  
21               funds.

22               (3) Project proposals submitted by applicants  
23               for funding from the Global Fund and the Activities



1 to Combat HIV/AIDS Globally Fund, but which  
2 were not funded.

3 (4) Progress reports submitted to the Global  
4 Fund and the Activities to Combat HIV/AIDS Glob-  
5 ally Fund by grantees.

Page 69, after line 3, insert the following:

6 **SEC. 306. STRATEGIES TO IMPROVE INJECTION SAFETY.**

7 Section 307 of the Public Health Service Act (42  
8 U.S.C. 242l) is amended by adding at the end the fol-  
9 lowing:

10 “(d) In carrying out immunization programs and  
11 other programs in developing countries for the prevention,  
12 treatment, and control of infectious diseases, including  
13 HIV/AIDS, tuberculosis, and malaria, the Director of the  
14 Centers for Disease Control and Prevention, in coordina-  
15 tion with the Coordinator of United States Government  
16 Activities to Combat HIV/AIDS Globally, the National In-  
17 stitutes of Health, national and local government, and  
18 other organizations, such as the World Health Organiza-  
19 tion and the United Nations Children’s Fund, shall de-  
20 velop and implement effective strategies to improve injec-  
21 tion safety, including eliminating unnecessary injections,  
22 promoting sterile injection practices and technologies,  
23 strengthening the procedures for proper needle and sy-



1 ringe disposal, and improving the education and informa-  
2 tion provided to the public and to health professionals.”.

3 **SEC. 307. STUDY ON ILLEGAL DIVERSIONS OF PRESCRIP-**  
4 **TION DRUGS.**

5 Not later than 180 days after enactment of this Act,  
6 the Secretary of Health and Human Services, in coordina-  
7 tion with other agencies, shall submit a report to the Con-  
8 gress that includes the following:

9 (1) A thorough accounting of evidence indi-  
10 cating illegal diversion into the United States of pre-  
11 scription drugs donated or sold for humanitarian ef-  
12 forts, and an estimate of the extent of such diver-  
13 sion.

14 (2) Recommendations to increase the adminis-  
15 trative and enforcement powers of the United States  
16 to identify, monitor, and prevent the illegal diversion  
17 into the United States of prescription drugs donated  
18 or sold for humanitarian efforts.

19 (3) Recommendations and guidelines to advise  
20 and provide technical assistance to developing coun-  
21 tries on how to implement a program that minimizes  
22 diversion into the United States of prescription  
23 drugs donated or sold for humanitarian efforts.

