

# CRS Report for Congress

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## HIV/AIDS International Programs: FY2002 Spending and FY2003 Outlook

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### Summary

The Administration's FY2003 request for international HIV/AIDS spending would increase funding for U.S. international HIV/AIDS programs. In addition, a budget amendment submitted by President Bush on September 3, 2002, would add \$100 million in FY2003 spending for the U.S. Agency for International Development (USAID) and \$100 million for the Centers for Disease Control and Prevention (CDC) to fund a mother and child HIV transmission prevention initiative. FY2003 Funds have not been requested for some international programs funded in FY2002, although \$200 million is being sought for a contribution to the Global Fund to Fight AIDS, Tuberculosis, and Malaria – the same amount being provided in FY2002. Appropriations bills in the House and Senate would make available additional resources for the Global Fund. For additional information, see CRS Issue Brief IB10050, *AIDS in Africa*; CRS Report RS21114, *HIV/AIDS: Appropriations for Worldwide Programs in FY2001 and FY2002*; and CRS Report RS21340, *The Global Fund to Fight AIDS, Tuberculosis, and Malaria: Background and Current Issues*.

### U.S. International HIV/AIDS Programs

Most FY2003 funding for international HIV/AIDS programs is included in appropriations for Foreign Operations and the Departments of Health and Human Services, Labor, and Education. Congressional action on these appropriations has yet to be completed, but both were included in the Omnibus Appropriations Resolution, passed by the Senate on January 23, 2002. **Table 1** summarizes Administration requests for international HIV/AIDS activities in FY2003 and compares them with funding levels in House and Senate appropriations bills currently before Congress – and with spending in FY2002. Funding levels in FY2003 appropriations bills that were not completed in the 107<sup>th</sup> Congress are not listed. The figures in Table 1 include U.S. contributions to the new Global Fund to Fight AIDS, Tuberculosis, and Malaria (Global Fund). The Fund reports that approximately 60% of the funds to be disbursed will go to projects working in HIV/AIDS. In the FY2003 Request column, the amounts for Child Survival/Development Assistance and for the Global Aids Program of the Centers for

Disease Control and Prevention (CDC) of the Department of Health and Human Services include funds requested in a budget amendment submitted by President Bush on September 3, 2002. The amendment would add \$100 million to each program to fund the President's International Mother and Child HIV Prevention Initiative.

Lines 1 and 2 in Table 1 refer to HIV/AIDS funding through the Child Survival and Health Programs Fund (formerly the Child Survival and Disease Programs Fund), which is part of the Development Assistance program and funded by Title II of the Foreign Operations Appropriations. The largest part of Child Survival/Development Assistance HIV/AIDS spending goes toward the bilateral HIV/AIDS programs of the U.S. Agency for International Development (USAID). However, some of this funding is used as part of the U.S. contribution to the Global Fund and for other purposes. Details on the makeup of the Global Fund contribution are provided in **Table 2**. On January 22, 2003, the Senate approved by voice vote an amendment to the Omnibus Appropriations Resolution by Senator Richard Durbin that added \$180 million to the amount set aside for HIV/AIDS in the Child Survival program. Of this amount, \$100 million was added to the contribution to the Global Fund, and the amendment specified that of the remainder, \$25 million could be transferred to the CDC. The Durbin amendment amounts are included in lines 1 and 2.

The third line in Table 1 indicates that apart from Child Survival/Development Assistance funding, \$40 million in other economic assistance is being allocated to HIV/AIDS programs in FY2002 and that the same amount has been requested for FY2003. This other economic assistance used to fight HIV/AIDS includes food aid,<sup>1</sup> Economic Support Fund aid, assistance for the former Soviet Union under the Freedom Support Act (FSA), and Assistance for Eastern Europe and the Baltics (AEEB).

The totals of lines 1, 2, and 3 are used to determine the overall amounts being provided for international HIV/AIDS activities through the Foreign Operations Appropriations. In FY2002, this amount is \$435 million,<sup>2</sup> while the Administration's FY2003 request totals \$740 million – including the \$100 million for USAID proposed in the September 3 budget amendment. The Senate's Omnibus Appropriations Resolution for FY2003 (S.Amdt. 1) would provide \$971.5 million.

In addition, as indicated in line 4 of Table 1, the Administration is requesting \$2 million in Foreign Military Financing (FMF), also part of the Foreign Operations Appropriations, for fighting HIV/AIDS in FY2003. This funding, if approved, would support a new Military Health Affairs program to complement the Department of Defense (DOD) program offering HIV/AIDS prevention education to African armed forces. The FMF-funded program is not mentioned in the report accompanying the Senate omnibus appropriations measure, nor in the bill itself.

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<sup>1</sup> Such aid is in addition to the Section 416(b) food aid listed in Table 1. For a description of food assistance programs, see CRS Issue Brief IB98006, *Agricultural Export and Food Aid Programs*, continually updated.

<sup>2</sup> H.R. 2506/P.L. 107-155, Title II.

**Table 1. U.S. International HIV/AIDS Programs**  
(Including contributions to the Global Fund to Fight AIDS, Tuberculosis, and Malaria)  
(\$ millions)

Program	FY2002 Projected	FY2003 Request	FY2003 House	FY2003 Senate	FY2003 Conf.
1. Child Survival/Development Assistance for bilateral programs	395.0	600.0		621.5 <sup>f</sup>	
2. Child Survival/Development Assistance for the Global Fund	40.0	100.0		300.0 <sup>f</sup>	
3. Other economic assistance	40.0	40.0		50.0 <sup>g</sup>	
4. Foreign Military Financing	0	2.0			
5. CDC Global AIDS Program	143.8	243.8	183.8 <sup>b</sup>	168.8 <sup>f</sup>	
6. CDC International Applied Prevention Research	11.0	11.0	<i>11</i> <sup>c</sup>	<i>11.0</i> <sup>c</sup>	
7. NIH International Research	188.0	222.0	222.0 <sup>c</sup>	222.0 <sup>c</sup>	
8. DOD HIV/AIDS prevention education with African armed forces	14.0	0	10.0 <sup>d</sup>	0	7.0 <sup>h</sup>
9. DOL AIDS in the Workplace Initiative	8.5	0		10.0 <sup>g</sup>	
10. Section 416(b) Food Aid	25.0	0		25.0 <sup>f</sup>	
11. Remaining Global Fund contribution (see Table 2)	160.0	100.0	100.0 <sup>e</sup>	100.0 <sup>f</sup>	
<b>Total</b>	<b>1025.3</b>	<b>1318.8</b>		<b>1508.3</b>	

a. Legislation not yet introduced in the 108<sup>th</sup> Congress.

b. H.R. 246, Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2003. Introduced in the House, January 8, 2003.

c. Funding amounts recorded in italics are not specifically mentioned in appropriations bills or accompanying reports. However, overall funding levels appear adequate to support the Administration's request.

d. H.R. 5010, Department of Defense Appropriations, passed the House June 27, 2002. The program was not mentioned in the Senate version of the bill.

e. H.R. 246.

f. S.Amdt. 1, Omnibus FY2003 Appropriations, to H.J.Res. 2, making further continuing appropriations.

g. Report to accompany S.Amdt. 1, appearing in the *Congressional Record*, January 15, 2003.

h. P.L. 107-248, see text.

In FY2002, \$15 million of Child Survival funding for HIV/AIDS is earmarked for microbicide research, and the same amount has been requested for FY2003. The Senate Omnibus (S.Amdt. 1) would increase the amount for microbicide development to \$18 million. The FY2002 appropriations specified that up to \$10 million could be given as a contribution to the International AIDS Vaccine Initiative (IAVI). The Senate Omnibus would provide up to \$12 million. The U.S. contribution to the United Nations Joint Program on HIV/AIDS (UNAIDS), which was \$18 million in FY2002, is also being taken from the \$435 million for HIV/AIDS, although this amount was not specified in legislation. The FY2003 appropriations passed by the Senate does not specify an amount for UNAIDS, although report language (*Congressional Record*, January 15, 2003)

expresses support for the organization. The Senate bill states that up to \$100 million in Child Survival AIDS funds may be used to support the International Mother and Child HIV Prevention Initiative.

Lines 5, 6, and 7 in Table 1 refer to international AIDS programs of the Department of Health and Human Services (HHS). The Department's Centers for Disease Control and Prevention (CDC) has an appropriation of \$143.8 million in FY2002 for its Global AIDS Program (GAP). The same amount had been requested for FY2003, but the request was boosted by \$100 million by the Administration's September 3 budget amendment with respect to the International Mother and Child Transmission Initiative. The Senate appropriations bill for HHS would provide \$168.8 million, but neither the bill nor the accompanying report mention the President's initiative in connection with the CDC. An appropriations bill introduced in the House (H.R. 246) would fund the CDC program at \$183.8 million. The CDC is devoting \$11 million to international applied prevention research in FY2002 and expects to spend the same amount in FY2003. This spending is not earmarked. Meanwhile, as indicated in line 7, the National Institutes of Health (NIH) is also conducting research with an international dimension, focused primarily on the development of a vaccine for international markets. Spending for this research, which again is not earmarked, would increase under the FY2003 request.

Line 8 in Table 1 refers to the Defense Department's AIDS prevention education program with African militaries. New funding for the education program itself was not requested for FY2003,<sup>3</sup> but the conference version ("Conf." in Table 1) of the Department of Defense Appropriations bill (H.R. 5010) provided \$7 million to remain available until the end of FY2004. Action on H.R. 5010 was completed in the 107<sup>th</sup> Congress, and the bill was signed into law (P.L. 1071-248) on October 23, 2002.

Congress made available \$10 million for the AIDS in the Workplace Initiative of the Department of Labor (line 9) in FY2002, but the executive branch decided that \$1.5 million of this would be used for other programs of the Department's International Labor Affairs Bureau. The Administration did not request funding for the program in FY2003. The report on the Senate Omnibus Appropriations recommends that \$10 million be provided, but solely for the purpose of assisting the International Labor Organization with its workplace-based AIDS education and prevention programs.

For FY2002, Congress directed that of any aid provided through the Section 416(b) food aid program, which provides for the donation of surplus food commodities, \$25 million be used to mitigate the effects of AIDS on communities overseas.<sup>4</sup> As line 9 of Table 1 indicates, Section 416(b) food aid was not requested for FY2003,<sup>5</sup> but the Senate Omnibus would restore this funding.

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<sup>3</sup> Executive Office of the President, Office of Management and Budget, *Budget of the United States Government, Fiscal Year 2003*. Appendix, 273. According to the *Budget*, "additional authorizing legislation" is required for this program.

<sup>4</sup> This food aid was earmarked by Congress in the FY2002 Department of Agriculture Appropriations (P.L. 107-76).

<sup>5</sup> *Budget of the United States Government, Fiscal Year 2003*. Appendix, 197.

## U.S. Contributions to the Global Fund

On February 13, 2002, Secretary of Health and Human Services Tommy Thompson testified before the Senate Foreign Relations Committee that to date, the United States had pledged a total of \$500 million to the Global Fund to Fight AIDS, Tuberculosis, and Malaria. Of this amount, \$100 million was appropriated under the FY2001 Supplemental Appropriations Act (P.L. 107-20), \$200 million had been made available in FY2002 funds, and another \$200 million was pledged in requested FY2003 funds. **Table 2** provides further information on how Administration pledges to the Global Fund are expected to be met.

**Table 2. U.S. Contributions to the Global Fund to Fight AIDS, Tuberculosis, and Malaria**

(\$ millions)

	FY2001	FY2002	FY2003 Request	FY2003 House	FY2003 Senate
1. Supplemental Approps., FY2001	100	–	–	–	–
2. Child Survival/Development Assistance for HIV/AIDS	–	40	100		300
3. Other infectious diseases	–	10	–	–	–
4. NIH	–	100	100	100 <sup>a</sup>	100 <sup>b</sup>
5. Remaining amount from USAID	–	25	–	–	–
6. Remaining amount from HHS	–	25	–	–	–
<b>Total</b>	<b>100</b>	<b>200</b>	<b>200</b>		<b>400</b>

a. H.R. 246.

b. Senate Amendment 1.

Line 1 of Table 2 refers to the amount appropriated in the FY2001 supplemental, while line 2 indicates the amounts, already noted, to be taken from funds designated for HIV/AIDS through Child Survival/Development Assistance. For FY2003, line 2 shows that the Administration has requested \$100 million, whereas the Senate Omnibus would provide \$300 million, including the \$100 million specified in Senator Durbin's amendment.

Line 3 of Table 2 shows that in FY2002, \$10 million will also be taken from funds designated in the Child Survival appropriations for fighting "other infectious diseases," principally tuberculosis and malaria. As provided for in the FY2002 appropriations for the Department of Health and Human Services (P.L. 107-116), \$100 million in FY2002 funds will be transferred to the Global Fund from the National Institute of Allergy and Infectious Diseases (NIAID) of NIH and from the NIH buildings and facilities account, as indicated in line 4 of Table 2. Under the FY2003 request, \$100 million would be made

available from NIH,<sup>6</sup> and this amount is provided in appropriations bills in both the House and Senate.

Lines 5 and 6 of Table 2 indicate that the remaining \$50 million of the FY2002 pledge to the Global Fund was shared equally by USAID and HHS. The Foreign Operations Appropriations for FY2002 had provided that in addition to the \$50 million for the Global Fund under the Child Survival program, up to \$50 million could be taken for the Fund from bilateral economic assistance funds appropriated for FY2002 and for previous years. However, as a result of discussions between USAID and HHS, it was decided that each agency would contribute \$25 million to complete the pledge.

### **Other Legislation**

The Africa Famine Relief Act of 2003 (S. 185), introduced in the Senate on January 16, 2003, would authorize \$100 million for emergency HIV/AIDS “family survival partnerships.” The funds would be used for grants to prevent mother to child transmission of AIDS through treatment, medical care, and support services. The bill would also authorize funds for emergency food aid and disaster assistance.

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<sup>6</sup> *Budget of the United States Government, Fiscal Year 2003. Appendix, 976.*