



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

April 1, 2008  
(House)

## STATEMENT OF ADMINISTRATION POLICY

### H.R. 5501 - Tom Lantos and Henry J. Hyde U.S. Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008

(Rep. Berman (D-CA) and 5 cosponsors)

The Administration is deeply committed to fighting the global HIV/AIDS epidemic, supports House passage of the bill, and looks forward to working with Congress to strengthen it. Through the President's Emergency Plan for AIDS Relief (PEPFAR), the American people have shown our Nation's commitment to saving and improving lives. PEPFAR is supporting life-saving anti-retroviral treatment for approximately 1.45 million people, and the program is on track to fulfill its original goals of supporting treatment of 2 million people, preventing 7 million new infections, and providing care for 10 million people, including orphans and vulnerable children. The Emergency Plan is creating strong partnerships and allies in countries where 5 years ago the AIDS pandemic threatened to destroy entire generations. Congress and the American people should be proud of this compassionate program, which is bringing hope and healing to millions of people around the world. The Administration supports H.R. 5501, the Tom Lantos and Henry J. Hyde U.S. Global Leadership Against HIV/AIDS, Tuberculosis and Malaria Reauthorization Act of 2008, which would reauthorize PEPFAR and ensure the continued success of this program.

H.R. 5501 would reauthorize the Emergency Plan in a manner consistent with the program's founding and successful principles, and would maintain a continued focus on HIV/AIDS treatment, care, and prevention goals. The Administration believes it is particularly important that H.R. 5501 retains a meaningful funding requirement for the evidence-based, balanced "Abstinence, Be Faithful, and correct and consistent use of Condoms" approach to prevention of sexual transmission of HIV. The AB programs—abstinence, delay of sexual debut, monogamy, fidelity, partner reduction—must continue to be a central part of the U.S. Government's comprehensive approach to preventing HIV/AIDS. The Administration also is pleased that the bill maintains the requirement that organizations receiving PEPFAR assistance not use these funds to advocate the legalization or practice of prostitution or sex trafficking, and that they have a policy opposing prostitution and sex trafficking. These requirements are critical to the effectiveness of the U.S. Government's strategy to combat global HIV/AIDS.

Over the past 5 years we have learned that faith-based and community organizations are highly effective in combating the global HIV/AIDS epidemic. The strengthened conscience clause under H.R. 5501 will ensure their continued participation in this fight. The United States is the largest contributor to the Global Fund to fight AIDS, Tuberculosis, and Malaria, and the Administration applauds the new accountability and transparency benchmarks for the Global Fund included in H.R. 5501. These provisions should be strengthened with a provision to withhold funds in cases in which U.S. taxpayer resources are misused. The Administration also

appreciates that the bill maintains the requirement that U.S. Government funds not exceed 33 percent of the Global Fund contributions and the circumstances under which this funding limit may be waived. This requirement has been critical in ensuring that the Global Fund leverages \$2 from the international community for every \$1 contributed by the United States.

The Administration notes that the bill would authorize \$50 billion for PEPFAR over 5 years—an amount significantly above the Administration’s \$30 billion proposal, which itself represents a doubling of the previous 5-year funding commitment. We are concerned about this increase and we look forward to working with the appropriators to further analyze the authorization and to meet the needs of the program.

H.R. 5501 contains several provisions raising constitutional concerns by purporting to limit the President’s ability to conduct the Nation’s foreign affairs. The Administration looks forward to working with Congress to resolve those concerns.

The Administration supports passage of this bill and looks forward to working with Congress to reauthorize PEPFAR.

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