

authorized to arrange burial or memorialization of the deceased person shall be allowed a period of 60 days from the date of the notice required by paragraph (2) to file a notice of disagreement with the Federal official that provided the notice.

“(B)(i) A notice of disagreement filed with the Secretary under subparagraph (A) shall be treated as a notice of disagreement filed under section 7105 of this title and shall initiate appellate review in accordance with the provisions of chapter 71 of this title.

“(ii) A notice of disagreement filed with the Secretary of Defense under subparagraph (A) shall be decided in accordance with such regulations as the Secretary of Defense shall prescribe for purposes of this subsection.

“(4) When the decision of the appropriate Federal official to disinter the remains or remove a memorial headstone or marker of the deceased person becomes final either by failure to appeal the decision in accordance with paragraph (3)(A) or by final disposition of the appeal pursuant to paragraph (3)(B), the appropriate Federal official may take any of the following actions:

“(A) Disinter the remains of the person from the cemetery in the National Cemetery Administration or in Arlington National Cemetery and provide for the reburial or other appropriate disposition of the disinterred remains in a place other than a cemetery in the National Cemetery Administration or in Arlington National Cemetery.

“(B) Remove from a memorial area in a cemetery in the National Cemetery Administration or in Arlington National Cemetery any memorial headstone or marker placed to honor the memory of the person.

“(e)(1) A case described in this subsection is a case in which the appropriate federal official receives—

“(A) written notice of a conviction referred to in subsection (b)(1), (b)(2), or (b)(4) of a person described in paragraph (2); or

“(B) information that a person described in paragraph (2) may have committed a Federal capital crime or a State capital crime but was not convicted of such crime by reason of such person not being available for trial due to death or flight to avoid prosecution.

“(2) A person described in this paragraph is a person—

“(A) whose remains have been interred in a cemetery in the National Cemetery Administration or in Arlington National Cemetery; or

“(B) whose memory has been honored in a memorial area in a cemetery in the National Cemetery Administration or in such an area in Arlington National Cemetery.”

(b) MODIFICATION OF EXCEPTION TO INTERMENT OR MEMORIALIZATION PROHIBITION.—Subsection (a)(2) of such section is amended by striking “such official approves an application for”.

(c) APPLICABILITY.—The amendments made by this section shall apply with respect to any interment or memorialization conducted by the Secretary of Veterans Affairs or the Secretary of the Army in a cemetery in the National Cemetery Administration or in Arlington National Cemetery after the date of the enactment of this Act.

The bill (S. 1471), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1471

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Alicia Dawn Koehl Respect for National Cemeteries Act”.

SEC. 2. AUTHORITY TO RECONSIDER DECISIONS OF SECRETARY OF VETERANS AFFAIRS OR SECRETARY OF THE ARMY TO INTER THE REMAINS OR HONOR THE MEMORY OF A PERSON IN A NATIONAL CEMETERY.

(a) AUTHORITY TO RECONSIDER PRIOR DECISIONS.—Section 2411 of title 38, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (f); and

(2) by inserting after subsection (c) the following new subsections:

“(d)(1) In a case described in subsection (e), the appropriate Federal official may reconsider a decision to—

“(A) inter the remains of a person in a cemetery in the National Cemetery Administration or in Arlington National Cemetery; or

“(B) honor the memory of a person in a memorial area in a cemetery in the National Cemetery Administration (described in section 2403(a) of this title) or in such an area in Arlington National Cemetery (described in section 2409(a) of this title).

“(2)(A)(i) In a case described in subsection (e)(1)(A), the appropriate Federal official shall provide notice to the deceased person’s next of kin or other person authorized to arrange burial or memorialization of the deceased person of the decision of the appropriate Federal official to disinter the remains of the deceased person or to remove a memorial headstone or marker memorializing the deceased person.

“(ii) In a case described in subsection (e)(1)(B), if the appropriate Federal official finds, based upon a showing of clear and convincing evidence and after an opportunity for a hearing in a manner prescribed by the appropriate Federal official, that the person had committed a Federal capital crime or a State capital crime but had not been convicted of such crime by reason of such person not being available for trial due to death or flight to avoid prosecution, the appropriate Federal official shall provide notice to the deceased person’s next of kin or other person authorized to arrange burial or memorialization of the deceased person of the decision of the appropriate Federal official to disinter the remains of the deceased person or to remove a memorial headstone or marker memorializing the deceased person.

“(B) Notice under subparagraph (A) shall be provided by the appropriate Federal official as follows:

“(i) By the Secretary in accordance with section 5104 of this title.

“(ii) By the Secretary of Defense in accordance with such regulations as the Secretary of Defense shall prescribe for purposes of this subsection.

“(3)(A) Notwithstanding any other provision of law, the next of kin or other person authorized to arrange burial or memorialization of the deceased person shall be allowed a period of 60 days from the date of the notice required by paragraph (2) to file a notice of disagreement with the Federal official that provided the notice.

“(B)(i) A notice of disagreement filed with the Secretary under subparagraph (A) shall be treated as a notice of disagreement filed under section 7105 of this title and shall initiate appellate review in accordance with the provisions of chapter 71 of this title.

“(ii) A notice of disagreement filed with the Secretary of Defense under subparagraph (A) shall be decided in accordance with such regulations as the Secretary of Defense shall prescribe for purposes of this subsection.

“(4) When the decision of the appropriate Federal official to disinter the remains or remove a memorial headstone or marker of the deceased person becomes final either by failure to appeal the decision in accordance with

paragraph (3)(A) or by final disposition of the appeal pursuant to paragraph (3)(B), the appropriate Federal official may take any of the following actions:

“(A) Disinter the remains of the person from the cemetery in the National Cemetery Administration or in Arlington National Cemetery and provide for the reburial or other appropriate disposition of the disinterred remains in a place other than a cemetery in the National Cemetery Administration or in Arlington National Cemetery.

“(B) Remove from a memorial area in a cemetery in the National Cemetery Administration or in Arlington National Cemetery any memorial headstone or marker placed to honor the memory of the person.

“(e)(1) A case described in this subsection is a case in which the appropriate federal official receives—

“(A) written notice of a conviction referred to in subsection (b)(1), (b)(2), or (b)(4) of a person described in paragraph (2); or

“(B) information that a person described in paragraph (2) may have committed a Federal capital crime or a State capital crime but was not convicted of such crime by reason of such person not being available for trial due to death or flight to avoid prosecution.

“(2) A person described in this paragraph is a person—

“(A) whose remains have been interred in a cemetery in the National Cemetery Administration or in Arlington National Cemetery; or

“(B) whose memory has been honored in a memorial area in a cemetery in the National Cemetery Administration or in such an area in Arlington National Cemetery.”

(b) MODIFICATION OF EXCEPTION TO INTERMENT OR MEMORIALIZATION PROHIBITION.—Subsection (a)(2) of such section is amended by striking “such official approves an application for”.

(c) APPLICABILITY.—The amendments made by this section shall apply with respect to any interment or memorialization conducted by the Secretary of Veterans Affairs or the Secretary of the Army in a cemetery in the National Cemetery Administration or in Arlington National Cemetery after the date of the enactment of this Act.

SEC. 3. DISINTERMENT OF REMAINS OF MICHAEL LASHAWN ANDERSON FROM FORT CUSTER NATIONAL CEMETERY.

(a) DISINTERMENT OF REMAINS.—The Secretary of Veterans Affairs shall disinter the remains of Michael LaShawn Anderson from Fort Custer National Cemetery.

(b) NOTIFICATION OF NEXT-OF-KIN.—The Secretary of Veterans Affairs shall—

(1) notify the next-of-kin of record for Michael LaShawn Anderson of the impending disinterment of his remains; and

(2) upon disinterment, relinquish the remains to the next-of-kin of record for Michael LaShawn Anderson or, if the next-of-kin of record for Michael LaShawn Anderson is unavailable, arrange for an appropriate disposition of the remains.

PEPFAR STEWARDSHIP AND OVERSIGHT ACT OF 2013

Mrs. BOXER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 202, S. 1545.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1545) to extend authorities related to global HIV/AIDS and to promote oversight of United States programs.

There being no objection, the Senate proceeded to consider the bill which

had been reported from the Committee on Foreign Relations, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italics.)

S. 1545

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “PEPFAR Stewardship and Oversight Act of 2013”.

SEC. 2. INSPECTOR GENERAL OVERSIGHT.

Section 101(f)(1) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7611(f)(1)) is amended—

(1) in subparagraph (A), by striking “5 coordinated annual plans for oversight activity in each of the fiscal years 2009 through 2013” and inserting “coordinated annual plans for oversight activity in each of the fiscal years 2009 through 2018”; and

(2) in subparagraph (C)—

(A) in clause (ii)—

(i) in the heading, by striking “SUBSEQUENT” and inserting “2010 THROUGH 2013”; and

(ii) by striking “the last four plans” and inserting “the plans for fiscal years 2010 through 2013”; and

(B) by adding at the end the following new clause:

“(iii) 2014 PLAN.—The plan developed under subparagraph (A) for fiscal year 2014 shall be completed not later than 60 days after the date of the enactment of the PEPFAR Stewardship and Oversight Act of 2013.

“(iv) SUBSEQUENT PLANS.—Each of the last four plans developed under subparagraph (A) shall be completed not later than 30 days before each of the fiscal years 2015 through 2018, respectively.”.

SEC. 3. ANNUAL TREATMENT STUDY.

(a) ANNUAL STUDY; MESSAGE.—Section 101(g) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7611(g)) is amended—

(1) in paragraph (1), by striking “through September 30, 2013” and inserting “through September 30, 2019”;

(2) by redesignating paragraph (2) as paragraph (3);

(3) by inserting after paragraph (1) the following new paragraph:

“(2) 2013 THROUGH 2018 STUDIES.—The studies required to be submitted by September 30, 2014, and annually thereafter through September 30, 2018, shall include, in addition to the elements set forth under paragraph (1), the following elements:

“(A) A plan for conducting cost studies of United States assistance under section 104A of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b-2) in partner countries, taking into account the goal for more systematic collection of data, as well as the demands of such analysis on available human and fiscal resources.

“(B) A comprehensive and harmonized expenditure analysis by partner country, including—

“(i) an analysis of Global Fund and national partner spending and comparable data across United States, Global Fund, and national partner spending; or

“(ii) where providing such comparable data is not currently practicable, an explanation of why it is not currently practicable, and when it will be practicable.”; and

(4) by adding at the end the following new paragraph:

“(4) PARTNER COUNTRY DEFINED.—In this subsection, the term ‘partner country’ means a country with a minimum United States Government investment of HIV/AIDS assistance of at least \$5,000,000 [annually] in the prior fiscal year.”.

SEC. 4. PARTICIPATION IN THE GLOBAL FUND TO FIGHT AIDS, TUBERCULOSIS, AND MALARIA.

(a) LIMITATION.—Section 202(d)(4) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7622(d)(4)) is amended—

(1) in subparagraph (A)—

(A) in clause (i), by striking “2013” and inserting “2018”;

(B) in clause (ii)—

(i) by striking “2013” and inserting “2018”; and

(ii) by striking the last two sentences; and

(C) in clause (vi), by striking “2013” and inserting “2018”; and

(2) in subparagraph (B)—

(A) by striking “under this subsection” each place it appears;

(B) in clause (ii), by striking “pursuant to the authorization of appropriations under section 401” and inserting “to carry out section 104A of the Foreign Assistance Act of 1961”; and

(C) in clause (iv), by striking “2013” and inserting “2018”.

(b) WITHHOLDING FUNDS.—Section 202(d)(5) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7622(d)) is amended by—

(1) in paragraph (5)—

(A) by striking “2013” and inserting “2018”;

(B) in subparagraph (C)—

(i) by inserting “in an open, machine readable format” after “site”;

(ii) by amending clause (v) to read as follows:

“(v) a regular collection, analysis, and reporting of performance data and funding of grants of the Global Fund, which covers all principal recipients and all subrecipients on the fiscal cycle of each grant, and includes the distribution of resources, by grant and principal recipient and subrecipient, for prevention, care, treatment, drugs, and commodities purchase, and other purposes as practicable;”

(C) in subparagraph (D)(ii), by inserting “, in an open, machine readable format,” after “audits”;

(D) in subparagraph (E), by inserting “, in an open, machine readable format,” after “publicly”;

(E) in subparagraph (F)—

(i) in clause (i), by striking “; and” and inserting a semicolon; and

(ii) by striking clause (ii) and inserting the following new clauses:

“(ii) all principal recipients and subrecipients and the amount of funds disbursed to each principal recipient and subrecipient on the fiscal cycle of the grant;

“(iii) expenditure data—

“(I) tracked by principal recipients and subrecipients [by prevention, care, and treatment as practicable] by program area, where practicable, prevention, care, and treatment and reported in a format that allows comparison with other funding streams in each country; or

“(II) if such expenditure data is not available, outlay or disbursement data, and an explanation of progress made toward providing such expenditure data; and

“(iv) high-quality grant performance evaluations measuring inputs, outputs, and out-

comes, as appropriate, with the goal of achieving outcome reporting;”;

(F) by amending subparagraph (G) to read as follows:

“(G) has published an annual report on a publicly available Web site in an open, machine readable format, that includes—

“(i) a list of all countries imposing import duties and internal taxes on any goods or services financed by the Global Fund;

“(ii) a description of the types of goods or services on which the import duties and internal taxes are levied;

“(iii) the total cost of the import duties and internal taxes;

“(iv) recovered import duties or internal taxes; and

“(v) the status of country status-agreements.”.

SEC. 5. ANNUAL REPORT.

Section 104A(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b-2(f)) is amended to read as follows:

“(f) ANNUAL REPORT.—

“(1) IN GENERAL.—Not later than February 15, 2014, and annually thereafter, the President shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report in an open, machine readable format, on the implementation of this section for the prior fiscal year.

“(2) REPORT DUE IN 2014.—The report due not later than February 15, 2014, shall include the elements required by law prior to the enactment of the PEPFAR Stewardship and Oversight Act of 2013.

“(3) REPORT ELEMENTS.—Each report submitted after February 15, 2014, shall include the following:

“(A) A description based on internationally available data, and where practicable high-quality country-based data, of the total global burden and need for HIV/AIDS prevention, treatment, and care, including—

“(i) estimates by partner country of the global burden and need; and

“(ii) HIV incidence, prevalence, and AIDS deaths for the reporting period.

“(B) Reporting on annual targets across prevention, treatment, and care interventions in partner countries, including—

“(i) a description of how those targets are designed to—

“(I) ensure that the annual increase in new patients on antiretroviral treatment exceeds the number of annual new HIV infections;

“(II) reduce the number of new HIV infections below the number of deaths among persons infected with HIV; and

“(III) achieve an AIDS-free generation;

“(ii) national targets across prevention, treatment, and care that are—

“(I) established by partner countries; or

“(II) where such national partner country-developed targets are unavailable, a description of progress towards developing national partner country targets; and

“(iii) bilateral programmatic targets across prevention, treatment, and care, including—

“(I) the number of adults and children to be directly supported on HIV treatment under United States-funded programs;

“(II) the number of adults and children to be otherwise supported on HIV treatment under United States-funded programs; and

“(III) other programmatic targets for activities directly and otherwise supported by United States-funded programs.

“(C) A description, by *partner* country, of HIV/AIDS funding from all sources, including funding levels from partner countries, other donors, and the private sector, as practicable.

“(D) A description of how United States-funded programs, in conjunction with the Global Fund, other donors, and partner countries, together set targets, measure progress, and achieve positive outcomes in partner countries.

“(E) An annual assessment of outcome indicator development, dissemination, and performance for programs supported under this section, including ongoing corrective actions to improve reporting.

“(F) A description and explanation of changes in related guidance or policies related to implementation of programs supported under this section.

“(G) An assessment and quantification of progress over the reporting period toward achieving the targets set forth in subparagraph (B), including—

“(i) the number, by *partner* country, of persons on HIV treatment, including specifically—

“(I) the number of adults and children on HIV treatment directly supported by United States-funded programs; and

“(II) the number of adults and children on HIV treatment otherwise supported by United States-funded programs;

“(ii) HIV treatment coverage rates by *partner* country;

“(iii) the net increase in persons on HIV treatment by *partner* country;

“(iv) new infections of HIV by *partner* country;

“(v) the number of HIV infections averted;

“(vi) antiretroviral treatment program retention rates by *partner* country, including—

“(I) performance against annual targets for program retention; and

“(II) the retention rate of persons on HIV treatment directly supported by United States-funded programs; and

“(vii) a description of supportive care [including management of co-morbidities]

“(H) A description of [national] *partner* country and United States-funded HIV/AIDS prevention programs and policies, including—

“(i) an assessment by country of progress towards targets set forth in subparagraph (B), with a detailed description of the metrics used to assess—

“(I) programs to prevent mother to child transmission of HIV/AIDS, including coverage rates;

“(II) programs to provide or promote voluntary medical male circumcision, including coverage rates;

“(III) programs for behavior-change; and

“(IV) other programmatic activities to prevent the transmission of HIV;

“(ii) antiretroviral treatment as prevention; and

“(iii) a description of any new preventative interventions or methodologies.

“(I) A description of the goals, scope, and measurement of program efforts aimed at women and girls.

“(J) A description of the goals, scope, and measurement of program efforts aimed at orphans, vulnerable children, and youth.

“(K) A description of the indicators and milestones used to assess effective, strategic, and appropriately timed country ownership, including—

“(i) an explanation of the metrics used to determine whether the pace of any transition to such ownership is appropriate for that country, given that country's level of readiness for such transition;

“(ii) an analysis of governmental and local nongovernmental capacity to sustain positive outcomes;

“(iii) a description of measures taken to improve partner country capacity to sustain positive outcomes where needed; and

“(iv) for countries undergoing a transition to greater country ownership, a description of strategies to assess and mitigate programmatic and financial risk and to ensure continued quality of care for essential services.

“(L) A description, globally and by *partner* country, of specific efforts to achieve and incentivize greater programmatic and cost effectiveness, including—

“(i) progress toward establishing common economic metrics across prevention, care and treatment with partner countries and the Global Fund;

“(ii) average costs, by country and by core intervention;

“(iii) expenditure reporting in all program areas, supplemented with targeted analyses of the cost-effectiveness of specific interventions; and

“(iv) import duties and internal taxes imposed on program commodities and services, by country.

“(M) A description of partnership framework agreements with countries, and regions where applicable, including—

“(i) the objectives and structure of partnership framework agreements with countries, including—

“(I) how these agreements are aligned with national HIV/AIDS plans and public health strategies and commitments of such countries; and

“(II) how these agreements incorporate a role for civil society; and

“(ii) a description of what has been learned in advancing partnership framework agreements with countries, and regions as applicable, in terms of improved coordination and collaboration, definition of clear roles and responsibilities of participants and signers, and implications for how to further strengthen these agreements with mutually accountable measures of progress.

“(N) A description of efforts and activities to engage new partners, including faith-based, [community based] *locally-based*, and United States minority-serving institutions.

“(O) A definition and description of the differentiation between directly and otherwise supported activities, including specific efforts to clarify programmatic attribution and contribution, as well as timelines for dissemination and implementation.

“(P) A description, globally and by country, of specific efforts to address co-infections and co-morbidities of HIV/AIDS, including—

“(i) the number and percent of people in HIV care or treatment who started tuberculosis treatment; and

“(ii) the number and percentage of eligible HIV positive patients starting isoniazid preventative therapy.

“(Q) A description of efforts by partner countries to train, employ, and retain health care workers, including efforts to address workforce shortages.

“(3)(4) PARTNER COUNTRY DEFINED.—In this subsection, the term ‘partner country’ means a country with a minimum United States Government investment of HIV/AIDS assistance of at least \$5,000,000 [annually] in the prior fiscal year.”.

SEC. 6. ALLOCATION OF FUNDING.

(a) ORPHANS AND VULNERABLE CHILDREN.—Section 403(b) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7673(b)) is amended—

(1) by striking “2013” and inserting “2018”; and

(2) by striking “amounts appropriated pursuant to the authorization of appropriations under section 401” and inserting “amounts

appropriated or otherwise made available to carry out the provisions of section 104A of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b-2)”.

(b) FUNDING ALLOCATION.—Section 403(c) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7673(c)) is amended—

(1) by striking “2013” and inserting “2018”; and

(2) by striking “amounts appropriated for bilateral global HIV/AIDS assistance pursuant to section 401” and inserting “amounts appropriated or otherwise made available to carry out the provisions of section 104A of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b-2)”.

Mrs. BOXER. Mr. President, I ask unanimous consent that the committee-reported amendments be agreed to as original text, the Menendez-Corker amendment, which is at the desk, be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendments were agreed to.

The amendment (No. 2147) was agreed to, as follows:

(Purpose: To require reporting on program evaluations)

On page 18, strike line 11 and insert the following:

“(R) A description of program evaluations completed during the reporting period, including whether all completed evaluations have been published on a publically available Internet website and whether any completed evaluations did not adhere to the common evaluation standards of practice published under paragraph (4).

(4) COMMON EVALUATION STANDARDS.—Not later than February 1, 2014, the Global AIDS Coordinator shall publish on a publically available Internet website the common evaluation standards of practice referred to in paragraph (3)(R).

(5) PARTNER COUNTRY DEFINED.—In this

On page 16, line 3, strike “counties” and insert “countries”.

On page 18, line 1, strike the second set of quotation marks.

On page 18, line 4, strike the second set of quotation marks.

The bill (S. 1545), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1545

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “PEPFAR Stewardship and Oversight Act of 2013”.

SEC. 2. INSPECTOR GENERAL OVERSIGHT.

Section 101(f)(1) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7611(f)(1)) is amended—

(1) in subparagraph (A), by striking “5 coordinated annual plans for oversight activity in each of the fiscal years 2009 through 2013” and inserting “coordinated annual plans for oversight activity in each of the fiscal years 2009 through 2018”; and

(2) in subparagraph (C)—

(A) in clause (ii)—

(i) in the heading, by striking “SUBSEQUENT” and inserting “2010 THROUGH 2013”; and

(ii) by striking “the last four plans” and inserting “the plans for fiscal years 2010 through 2013”; and

(B) by adding at the end the following new clause:

“(iii) 2014 PLAN.—The plan developed under subparagraph (A) for fiscal year 2014 shall be completed not later than 60 days after the date of the enactment of the PEPFAR Stewardship and Oversight Act of 2013.

“(iv) SUBSEQUENT PLANS.—Each of the last four plans developed under subparagraph (A) shall be completed not later than 30 days before each of the fiscal years 2015 through 2018, respectively.”

SEC. 3. ANNUAL TREATMENT STUDY.

(a) ANNUAL STUDY; MESSAGE.—Section 101(g) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7611(g)) is amended—

(1) in paragraph (1), by striking “through September 30, 2013” and inserting “through September 30, 2019”;

(2) by redesignating paragraph (2) as paragraph (3);

(3) by inserting after paragraph (1) the following new paragraph:

“(2) 2013 THROUGH 2018 STUDIES.—The studies required to be submitted by September 30, 2014, and annually thereafter through September 30, 2018, shall include, in addition to the elements set forth under paragraph (1), the following elements:

“(A) A plan for conducting cost studies of United States assistance under section 104A of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b-2) in partner countries, taking into account the goal for more systematic collection of data, as well as the demands of such analysis on available human and fiscal resources.

“(B) A comprehensive and harmonized expenditure analysis by partner country, including—

“(i) an analysis of Global Fund and national partner spending and comparable data across United States, Global Fund, and national partner spending; or

“(ii) where providing such comparable data is not currently practicable, an explanation of why it is not currently practicable, and when it will be practicable.”; and

(4) by adding at the end the following new paragraph:

“(4) PARTNER COUNTRY DEFINED.—In this subsection, the term ‘partner country’ means a country with a minimum United States Government investment of HIV/AIDS assistance of at least \$5,000,000 in the prior fiscal year.”

SEC. 4. PARTICIPATION IN THE GLOBAL FUND TO FIGHT AIDS, TUBERCULOSIS, AND MALARIA.

(a) LIMITATION.—Section 202(d)(4) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7622(d)(4)) is amended—

(1) in subparagraph (A)—

(A) in clause (i), by striking “2013” and inserting “2018”;

(B) in clause (ii)—

(i) by striking “2013” and inserting “2018”; and

(ii) by striking the last two sentences; and

(C) in clause (vi), by striking “2013” and inserting “2018”;

(2) in subparagraph (B)—

(A) by striking “under this subsection” each place it appears;

(B) in clause (ii), by striking “pursuant to the authorization of appropriations under section 401” and inserting “to carry out section 104A of the Foreign Assistance Act of 1961”; and

(C) in clause (iv), by striking “2013” and inserting “2018”.

(b) WITHHOLDING FUNDS.—Section 202(d)(5) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7622(d)) is amended by—

(1) in paragraph (5)—

(A) by striking “2013” and inserting “2018”;

(B) in subparagraph (C)—

(i) by inserting “in an open, machine readable format” after “site”;

(ii) by amending clause (v) to read as follows:

“(v) a regular collection, analysis, and reporting of performance data and funding of grants of the Global Fund, which covers all principal recipients and all subrecipients on the fiscal cycle of each grant, and includes the distribution of resources, by grant and principal recipient and subrecipient, for prevention, care, treatment, drugs, and commodities purchase, and other purposes as practicable;”

(C) in subparagraph (D)(ii), by inserting “, in an open, machine readable format,” after “audits”;

(D) in subparagraph (E), by inserting “, in an open, machine readable format,” after “publicly”;

(E) in subparagraph (F)—

(i) in clause (i), by striking “; and” and inserting a semicolon; and

(ii) by striking clause (ii) and inserting the following new clauses:

“(ii) all principal recipients and subrecipients and the amount of funds disbursed to each principal recipient and subrecipient on the fiscal cycle of the grant;

“(iii) expenditure data—

“(I) tracked by principal recipients and subrecipients by program area, where practicable, prevention, care, and treatment and reported in a format that allows comparison with other funding streams in each country; or

“(II) if such expenditure data is not available, outlay or disbursement data, and an explanation of progress made toward providing such expenditure data; and

“(iv) high-quality grant performance evaluations measuring inputs, outputs, and outcomes, as appropriate, with the goal of achieving outcome reporting;”;

(F) by amending subparagraph (G) to read as follows:

“(G) has published an annual report on a publicly available Web site in an open, machine readable format, that includes—

“(i) a list of all countries imposing import duties and internal taxes on any goods or services financed by the Global Fund;

“(ii) a description of the types of goods or services on which the import duties and internal taxes are levied;

“(iii) the total cost of the import duties and internal taxes;

“(iv) recovered import duties or internal taxes; and

“(v) the status of country status-agreements.”

SEC. 5. ANNUAL REPORT.

Section 104A(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b-2(f)) is amended to read as follows:

“(f) ANNUAL REPORT.—

“(1) IN GENERAL.—Not later than February 15, 2014, and annually thereafter, the President shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report in an open, machine readable format, on the implementation of this section for the prior fiscal year.

“(2) REPORT DUE IN 2014.—The report due not later than February 15, 2014, shall include the elements required by law prior to the enactment of the PEPFAR Stewardship and Oversight Act of 2013.

“(3) REPORT ELEMENTS.—Each report submitted after February 15, 2014, shall include the following:

“(A) A description based on internationally available data, and where practicable high-quality country-based data, of the total global burden and need for HIV/AIDS prevention, treatment, and care, including—

“(i) estimates by partner country of the global burden and need; and

“(ii) HIV incidence, prevalence, and AIDS deaths for the reporting period.

“(B) Reporting on annual targets across prevention, treatment, and care interventions in partner countries, including—

“(i) a description of how those targets are designed to—

“(I) ensure that the annual increase in new patients on antiretroviral treatment exceeds the number of annual new HIV infections;

“(II) reduce the number of new HIV infections below the number of deaths among persons infected with HIV; and

“(III) achieve an AIDS-free generation;

“(ii) national targets across prevention, treatment, and care that are—

“(I) established by partner countries; or

“(II) where such national partner country-developed targets are unavailable, a description of progress towards developing national partner country targets; and

“(iii) bilateral programmatic targets across prevention, treatment, and care, including—

“(I) the number of adults and children to be directly supported on HIV treatment under United States-funded programs;

“(II) the number of adults and children to be otherwise supported on HIV treatment under United States-funded programs; and

“(III) other programmatic targets for activities directly and otherwise supported by United States-funded programs.

“(C) A description, by partner country, of HIV/AIDS funding from all sources, including funding levels from partner countries, other donors, and the private sector, as practicable.

“(D) A description of how United States-funded programs, in conjunction with the Global Fund, other donors, and partner countries, together set targets, measure progress, and achieve positive outcomes in partner countries.

“(E) An annual assessment of outcome indicator development, dissemination, and performance for programs supported under this section, including ongoing corrective actions to improve reporting.

“(F) A description and explanation of changes in related guidance or policies related to implementation of programs supported under this section.

“(G) An assessment and quantification of progress over the reporting period toward achieving the targets set forth in subparagraph (B), including—

“(i) the number, by partner country, of persons on HIV treatment, including specifically—

“(I) the number of adults and children on HIV treatment directly supported by United States-funded programs; and

“(II) the number of adults and children on HIV treatment otherwise supported by United States-funded programs;

“(ii) HIV treatment coverage rates by partner country;

“(iii) the net increase in persons on HIV treatment by partner country;

“(iv) new infections of HIV by partner country;

“(v) the number of HIV infections averted;

“(vi) antiretroviral treatment program retention rates by partner country, including—

“(I) performance against annual targets for program retention; and

“(II) the retention rate of persons on HIV treatment directly supported by United States-funded programs; and

“(vii) a description of supportive care.

“(H) A description of partner country and United States-funded HIV/AIDS prevention programs and policies, including—

“(i) an assessment by country of progress towards targets set forth in subparagraph (B), with a detailed description of the metrics used to assess—

“(I) programs to prevent mother to child transmission of HIV/AIDS, including coverage rates;

“(II) programs to provide or promote voluntary medical male circumcision, including coverage rates;

“(III) programs for behavior-change; and

“(IV) other programmatic activities to prevent the transmission of HIV;

“(ii) antiretroviral treatment as prevention; and

“(iii) a description of any new preventative interventions or methodologies.

“(I) A description of the goals, scope, and measurement of program efforts aimed at women and girls.

“(J) A description of the goals, scope, and measurement of program efforts aimed at orphans, vulnerable children, and youth.

“(K) A description of the indicators and milestones used to assess effective, strategic, and appropriately timed country ownership, including—

“(i) an explanation of the metrics used to determine whether the pace of any transition to such ownership is appropriate for that country, given that country’s level of readiness for such transition;

“(ii) an analysis of governmental and local nongovernmental capacity to sustain positive outcomes;

“(iii) a description of measures taken to improve partner country capacity to sustain positive outcomes where needed; and

“(iv) for countries undergoing a transition to greater country ownership, a description of strategies to assess and mitigate programmatic and financial risk and to ensure continued quality of care for essential services.

“(L) A description, globally and by partner country, of specific efforts to achieve and incentivize greater programmatic and cost effectiveness, including—

“(i) progress toward establishing common economic metrics across prevention, care and treatment with partner countries and the Global Fund;

“(ii) average costs, by country and by core intervention;

“(iii) expenditure reporting in all program areas, supplemented with targeted analyses of the cost-effectiveness of specific interventions; and

“(iv) import duties and internal taxes imposed on program commodities and services, by country.

“(M) A description of partnership framework agreements with countries, and regions where applicable, including—

“(i) the objectives and structure of partnership framework agreements with countries, including—

“(I) how these agreements are aligned with national HIV/AIDS plans and public health strategies and commitments of such countries; and

“(II) how these agreements incorporate a role for civil society; and

“(ii) a description of what has been learned in advancing partnership framework agreements with countries, and regions as applicable, in terms of improved coordination and collaboration, definition of clear roles and responsibilities of participants and signers, and implications for how to further strength-

en these agreements with mutually accountable measures of progress.

“(N) A description of efforts and activities to engage new partners, including faith-based, locally-based, and United States minority-serving institutions.

“(O) A definition and description of the differentiation between directly and otherwise supported activities, including specific efforts to clarify programmatic attribution and contribution, as well as timelines for dissemination and implementation.

“(P) A description, globally and by country, of specific efforts to address co-infections and co-morbidities of HIV/AIDS, including—

“(i) the number and percent of people in HIV care or treatment who started tuberculosis treatment; and

“(ii) the number and percentage of eligible HIV positive patients starting isoniazid preventative therapy.

“(Q) A description of efforts by partner countries to train, employ, and retain health care workers, including efforts to address workforce shortages.

“(R) A description of program evaluations completed during the reporting period, including whether all completed evaluations have been published on a publically available Internet website and whether any completed evaluations did not adhere to the common evaluation standards of practice published under paragraph (4).

“(4) COMMON EVALUATION STANDARDS.—Not later than February 1, 2014, the Global AIDS Coordinator shall publish on a publically available Internet website the common evaluation standards of practice referred to in paragraph (3)(R).

“(5) PARTNER COUNTRY DEFINED.—In this subsection, the term ‘partner country’ means a country with a minimum United States Government investment of HIV/AIDS assistance of at least \$5,000,000 in the prior fiscal year.”

SEC. 6. ALLOCATION OF FUNDING.

(a) ORPHANS AND VULNERABLE CHILDREN.—Section 403(b) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7673(b)) is amended—

(1) by striking “2013” and inserting “2018”; and

(2) by striking “amounts appropriated pursuant to the authorization of appropriations under section 401” and inserting “amounts appropriated or otherwise made available to carry out the provisions of section 104A of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b-2)”.

(b) FUNDING ALLOCATION.—Section 403(c) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7673(c)) is amended—

(1) by striking “2013” and inserting “2018”; and

(2) by striking “amounts appropriated for bilateral global HIV/AIDS assistance pursuant to section 401” and inserting “amounts appropriated or otherwise made available to carry out the provisions of section 104A of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b-2)”.

AUTHORIZING SENATE LEGAL COUNSEL

Mrs. BOXER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 298, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 298) to authorize testimony, documents, and representation in United States v. Allen.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, this resolution concerns a request for testimony, documents, and representation in a Federal criminal action pending in Florida Federal District Court. The defendant is charged with sending through the mail to the Jacksonville, FL, offices of Senators BILL NELSON and MARCO RUBIO an envelope containing a white powdery substance and a letter containing alleged threats directed towards the Senators. The prosecution has requested from both Senators’ offices the production of the letters at issue and testimony from current and former office employees who witnessed the relevant events. Senators NELSON and RUBIO would like to cooperate with these requests.

The enclosed resolution would authorize the production of the letters at issue and testimony by current and former employees of the offices of Senators NELSON and RUBIO. It would also authorize the Senate legal counsel to represent any current or former employees of those offices from whom evidence may be sought in this case.

Mrs. BOXER. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 298) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

ORDERS FOR TUESDAY, NOVEMBER 19, 2013

Mrs. BOXER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, November 19, 2013; that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business for debate only for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees; that following morning business, the Senate resume consideration of S. 1197, the National Defense Authorization Act, with the time until 12:30 p.m. for debate only; finally, that the Senate recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.