

105TH CONGRESS
1ST SESSION

H. R. 581

To amend Public Law 104–208 to provide that the President may make funds appropriated for population planning and other population assistance available on March 1, 1997, subject to restrictions on assistance to foreign organizations that perform or actively promote abortions.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 4, 1997

Mr. SMITH of New Jersey (for himself, Mr. OBERSTAR, and Mr. HYDE) introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend Public Law 104–208 to provide that the President may make funds appropriated for population planning and other population assistance available on March 1, 1997, subject to restrictions on assistance to foreign organizations that perform or actively promote abortions.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 (a) SHORT TITLE.—This Act may be cited as the
4 “Family Planning Facilitation and Abortion Funding Re-
5 striction Act of 1997”.

1 (b) AMENDMENTS TO PUBLIC LAW 104–208.—Sec-
2 tion 518A of subsection 101(c) of Public Law 104–208
3 is amended—

4 (1) in subsection (a), by deleting, “July 1,
5 1997” and inserting “March 1, 1997”;

6 (2) in subsection (c), by deleting “Such funds
7 may be apportioned only on a monthly basis, and
8 such monthly apportionments may not exceed 8 per-
9 cent of the total available for such activities.” and
10 inserting “Subjects to the provision of subsection
11 (b), such funds may be made available in such
12 amounts as the President shall determine to be most
13 conducive to the proper functioning of the popu-
14 lation planning program.”; and

15 (3) by adding the following new subsection:

16 “(f) RESTRICTION ON ASSISTANCE TO FOREIGN OR-
17 GANIZATIONS THAT PERFORM OR ACTIVELY PROMOTE
18 ABORTIONS.—

19 “(1) PERFORMANCE OF ABORTIONS.—

20 “(A) Notwithstanding any provision of law,
21 no funds appropriated for population planning
22 activities or other population assistance may be
23 made available for any foreign private, non-
24 governmental, or multilateral organization until
25 the organization certifies that it will not, during

1 the period for which the funds are made avail-
2 able, perform abortions in any foreign country,
3 except where the life of the mother would be en-
4 dangered if the pregnancy were carried to term
5 or in cases of forcible rape or incest.

6 “(B) Paragraph (a) may not be construed
7 to apply to the treatment of injuries or illnesses
8 caused by legal or illegal abortions or to assist-
9 ance provided directly to the government of a
10 country.

11 “(2) LOBBYING ACTIVITIES.—

12 “(A) Notwithstanding any provisions of
13 law, no funds appropriated for population plan-
14 ning activities or other population assistance
15 may be made available for any foreign private,
16 nongovernmental, or multilateral organization
17 until the organization certifies that it will not,
18 during the period for which the funds are made
19 available, violate the laws of any foreign coun-
20 try concerning the circumstances under which
21 abortion is permitted, regulated, or prohibited,
22 or engage in any activity or effort to alter the
23 laws or governmental policies of any foreign
24 country concerning the circumstances under
25 which is permitted, regulated, or prohibited.

1 “(B) Paragraph (a) shall not apply to ac-
2 tivities in opposition to coercive abortion or in-
3 voluntary sterilization.

4 “(3) The prohibitions of this subsection apply
5 to funds made available to a foreign organization ei-
6 ther directly or as a subcontractor or subgrantee,
7 and the required certifications apply to activities in
8 which the organization engages either directly or
9 through a subcontractor or subgrantee.”.

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