

AMENDMENT TO BE OFFERED BY MS. SHAHEEN, MR. DURBIN,  
MS. MURRAY, MS. FEINSTEIN, MS. BALDWIN, MR. VAN HOLLEN

Viz:

In the report:

On page 36 of the report, strike everything under the heading “Family Planning/Reproductive Health” and insert:

“The Committee recommends a total of not less than \$622,500,000 in the Act for family planning and reproductive health programs, including \$544,000,000 under this heading, \$41,000,000 under the ESF heading, and \$37,500,000 for the United Nations Population Fund. The Committee recognizes that information and assistance for families interested in healthy timing and spacing of pregnancies can enhance maternal and child health and improve the chances of survival of women and children.”

In the table entitled “Global Health Programs” on page 34 of the report, under “Family Planning and Reproductive Health” strike \$461,000,000 and insert “\$544,000,000” and make corresponding changes to the table.

In the table entitled “Economic Support Fund” on pages 44-45 of the report, at the appropriate place insert the following new line: “Family Planning and Reproductive Health (non-add within country funds).....41,000”.

In the table entitled “International Organizations and Programs” on page 61 of the report, insert the following new line: “U.N. Population Fund.....37,500” and make corresponding changes to the report table and text.

In the table entitled “Economic Support Fund” on page 45, strike “Unallocated.....37,500” and make corresponding changes to the report table and text.

In the bill:

On page 40, line 22, strike “\$3,997,196,000” and insert “\$3,959,696,000”.

On page 60, line 9, strike “\$315,500,000” and insert “\$353,000,000”.

On page 162, lines 12 and 13, strike “child survival, malaria, and tuberculosis” and insert “other global health and child survival activities”.

On page 275, strike lines 9 through 19, and insert the following:

INTERNATIONAL FAMILY PLANNING AND REPRODUCTIVE HEALTH

Sec. 7056. (a) ASSISTANCE FOR FOREIGN NONGOVERNMENTAL ORGANIZATIONS.—The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended by inserting after section 104C the following:

“SEC. 104D. ELIGIBILITY FOR ASSISTANCE.

1 “Notwithstanding any other provision of law, regulation, or policy, in determining eligibility  
2 for assistance authorized under sections 104, 104A, 104B, and 104C, a foreign nongovernmental  
3 organization—

4 “(1) shall not be ineligible for such assistance solely on the basis of health or medical  
5 services, including counseling and referral services, provided by such organization with  
6 non-United States Government funds if such services—

7 “(A) are permitted in the country in which they are being provided; and

8 “(B) would not violate United States law if provided in the United States; and

9 “(2) shall not be subject to requirements relating to the use of non-United States  
10 Government funds for advocacy and lobbying activities other than those that apply to  
11 United States nongovernmental organizations receiving assistance under this part.”.

12 (b) UNITED NATIONS POPULATION FUND.—

13 (1) CONTRIBUTION.—Of the funds appropriated by this Act under the heading  
14 “International Organizations and Programs”, not less than \$37,500,000 shall be made  
15 available for the United Nations Population Fund (referred to in this subsection as  
16 “UNFPA”).

17 (2) AVAILABILITY OF FUNDS.—Funds appropriated for UNFPA under this Act that are not  
18 made available for UNFPA because of the operation of any provision of law—

19 (A) shall be transferred to, and merged with funds, appropriated under the heading  
20 “Global Health Programs”; and

21 (B) shall be made available for family planning, maternal, and reproductive health  
22 activities, subject to the regular notification procedures of the Committees on  
23 Appropriations.

24 (3) PROHIBITION ON USE OF FUNDS IN CHINA.—None of the funds made available under  
25 this Act may be used by UNFPA for a country program in the People’s Republic of China.

26 (4) CONDITIONS ON AVAILABILITY OF FUNDS.—Funds made available under this Act for  
27 UNFPA may not be made available unless—

28 (A) UNFPA maintains funds received under this Act in an account separate from  
29 other UNFPA accounts and does not commingle such funds with other funds; and

30 (B) UNFPA does not fund abortions.

31 On page 279, lines 11 and 12, strike “bilateral assistance for child survival activities or  
32 disease” and insert “global health”.

33 On page 279, beginning on line 19, strike “by this Act” and all that follows through line 21,  
34 and insert the following: “under title III of this Act, not less than \$585,000,000 shall be made  
35 available for family planning and reproductive health activities, including in areas where  
36 population growth threatens biodiversity and endangered species.”.