

Union Calendar No. 3

103D CONGRESS
1ST SESSION

H. R. 670

[Report No. 103-14]

A BILL

To require the Secretary of Health and Human Services to ensure that pregnant women receiving assistance under title X of the Public Health Service Act are provided with information and counseling regarding their pregnancies, and for other purposes.

FEBRUARY 16, 1993

Committed to the Committee of the Whole House and
ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 27, 1993

Mr. WAXMAN introduced the following bill; which was referred to the
Committee on Energy and Commerce

FEBRUARY 16, 1993

Committed to the Committee of the Whole House and ordered to be printed

A BILL

To require the Secretary of Health and Human Services to ensure that pregnant women receiving assistance under title X of the Public Health Service Act are provided with information and counseling regarding their pregnancies, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Family Planning
3 Amendments Act of 1993”.

4 **SEC. 2. PROJECT GRANTS AND CONTRACTS FOR FAMILY**
5 **PLANNING SERVICES.**

6 (a) REQUIRING CERTAIN NONDIRECTIVE COUNSEL-
7 ING AND REFERRAL SERVICES.—Section 1001 of the
8 Public Health Service Act (42 U.S.C. 300) is amended—

9 (1) by redesignating subsections (b) through (d)
10 as subsections (c) through (e), respectively; and

11 (2) by inserting after subsection (a) the follow-
12 ing subsection:

13 “(b)(1) The Secretary may not make an award of a
14 grant or contract under this section unless the applicant
15 for the award agrees that the family planning project in-
16 volved will provide to individuals information regarding
17 pregnancy management options upon request of the indi-
18 viduals.

19 “(2) With respect to compliance with the agreement
20 made under paragraph (1), the family planning project in-
21 volved, and any provider of services in the project, may
22 not be required to provide information regarding a preg-
23 nancy management option if—

24 “(A) the project or provider (as the case may
25 be) objects to doing so on grounds of religious be-
26 liefs or moral convictions; and

1 “(B) the project or provider refers the individ-
2 ual seeking services to another provider in the
3 project, or to another project in the geographic area
4 involved, as the case may be, that will provide such
5 information.

6 “(3) For purposes of this subsection, the term ‘infor-
7 mation regarding pregnancy management options’ means
8 nondirective counseling and referrals regarding—

9 “(A) prenatal care and delivery;

10 “(B) infant care, foster care, and adoption; and

11 “(C) termination of pregnancy.”.

12 (b) COMPLIANCE WITH STATE LAWS ON PARENTAL
13 NOTIFICATION AND CONSENT.—Section 1008 of the Pub-
14 lic Health Service Act (42 U.S.C. 300a-6) is amended by
15 inserting “(a)” before “None” and by adding at the end
16 the following:

17 “(b)(1) No public or nonprofit entity that performs
18 abortions may receive an award of a grant or contract
19 under section 1001 unless the entity has certified to the
20 Secretary that the entity is in compliance with State law
21 regarding parental notification of or consent for the per-
22 formance of an abortion on a minor which is enforced in
23 the State in which the entity is located.

24 “(2) Paragraph (1) shall not be construed to require
25 or prohibit a State’s adoption of parental notification or

1 parental consent laws regarding the performance of an
2 abortion on a minor, or to require or prohibit the enforce-
3 ment by a State of such laws.”.

4 (c) AUTHORIZATION OF APPROPRIATIONS.—Section
5 1001(e) of the Public Health Service Act, as redesignated
6 by subsection (a) of this section, is amended to read as
7 follows:

8 “(e) For the purpose of grants and contracts under
9 this section, there are authorized to be appropriated
10 \$220,000,000 for fiscal year 1994, and \$250,000,000 for
11 fiscal year 1995.”.

12 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS FOR TRAIN-**
13 **ING GRANTS AND CONTRACTS.**

14 Section 1003(b) of the Public Health Service Act (42
15 U.S.C. 300a-1(b)) is amended to read as follows:

16 “(b) For the purpose of grants and contracts under
17 subsection (a), there are authorized to be appropriated
18 \$6,250,000 for fiscal year 1994, and \$7,000,000 for fiscal
19 year 1995.”.

20 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS FOR INFOR-**
21 **MATIONAL AND EDUCATIONAL MATERIALS.**

22 Section 1005(b) of the Public Health Service Act (42
23 U.S.C. 300a-3(b)) is amended to read as follows:

24 “(b) For the purpose of grants and contracts under
25 subsection (a), there are authorized to be appropriated

1 \$12,000,000 for fiscal year 1994, and \$13,500,000 for fis-
2 cal year 1995.”.

3 **SEC. 5. SENSE OF CONGRESS; REQUIREMENT REGARDING**
4 **NOTICE.**

5 (a) SENSE OF CONGRESS REGARDING PURCHASE OF
6 AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the
7 case of any equipment or products that may be authorized
8 in title X of the Public Health Service Act to be purchased
9 with an award of a grant or contract under such title, it
10 is the sense of the Congress that entities receiving such
11 an award should in expending the award purchase only
12 American-made equipment and products.

13 (b) NOTICE TO RECIPIENTS OF AWARDS.—In making
14 awards of grants and contracts under title X of the Public
15 Health Service Act, the Secretary of Health and Human
16 Services shall provide to each recipient of such an award
17 a notice describing the statement made in subsection (a)
18 by the Congress.

19 **SEC. 6. EFFECTIVE DATE.**

20 This Act and the amendments made by this Act take
21 effect upon the date of the enactment of this Act.