

105TH CONGRESS  
1ST SESSION

# S. 337

To amend the Foreign Assistance Act of 1961 to restrict assistance to foreign organizations that perform or actively promote abortions.

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 13, 1997

Mr. HUTCHINSON (for himself, Mr. HAGEL, Mr. ABRAHAM, Mr. NICKLES, and Mr. HELMS) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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## A BILL

To amend the Foreign Assistance Act of 1961 to restrict 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 **SECTION 1. RESTRICTION ON ASSISTANCE TO FOREIGN OR-**  
4 **GANIZATIONS THAT PERFORM OR ACTIVELY**  
5 **PROMOTE ABORTIONS.**

6 (a) IN GENERAL.—Section 104 of the Foreign Assist-  
7 ance Act of 1961 (22 U.S.C. 2151b) is amended by adding  
8 at the end the following new subsection:

1       “(h) RESTRICTION ON ASSISTANCE TO FOREIGN OR-  
2       GANIZATIONS THAT PERFORM OR ACTIVELY PROMOTE  
3       ABORTIONS.—

4               “(1) PERFORMANCE OF ABORTIONS.—

5                       “(A) RESTRICTION.—Notwithstanding any  
6                       other provision of law, no funds appropriated  
7                       for population planning activities under sub-  
8                       section (b) or other population assistance may  
9                       be made available for any foreign private, non-  
10                      governmental, or multilateral organization until  
11                      the organization certifies to the President that  
12                      it will not, during the period for which the  
13                      funds are made available, perform abortions in  
14                      any foreign country, except where the life of the  
15                      mother would be endangered if the pregnancy  
16                      were carried to term or in cases of forcible rape  
17                      or incest.

18                      “(B) STATUTORY CONSTRUCTION.—Noth-  
19                      ing in subparagraph (A) may be construed to  
20                      apply to the treatment of injuries or illnesses  
21                      caused by legal or illegal abortions or to assist-  
22                      ance provided directly to the government of a  
23                      country.

24               “(2) LOBBYING ACTIVITIES.—

1           “(A) RESTRICTION.—Notwithstanding any  
2 other provision of law, no funds appropriated  
3 for population planning activities under sub-  
4 section (b) or other population assistance may  
5 be made available for any foreign private, non-  
6 governmental, or multilateral organization until  
7 the organization certifies to the President that  
8 it will not, during the period for which the  
9 funds are made available, violate the laws of  
10 any foreign country concerning the cir-  
11 cumstances under which abortion is permitted,  
12 regulated, or prohibited, or engage in any activ-  
13 ity or effort to alter the laws or governmental  
14 policies of any foreign country concerning the  
15 circumstances under which abortion is per-  
16 mitted, regulated, or prohibited, except as pro-  
17 vided in subparagraph (B).

18           “(B) EXCEPTION.—Subparagraph (A)  
19 shall not apply to activities in opposition to co-  
20 ercive abortion or involuntary sterilization.

21           “(3) APPLICATION TO SUBCONTRACTORS AND  
22 SUBGRANTEES.—The prohibitions of this subsection  
23 shall apply to funds made available to a foreign or-  
24 ganization either directly or as a subcontractor or  
25 subgrantee, and the certifications required by this

1 subsection shall apply to activities in which the orga-  
2 nization engages either directly or through a sub-  
3 contractor or subgrantee.”.

4 (b) APPROPRIATIONS COVERED.—The amendment  
5 made by subsection (a) shall apply to appropriations made  
6 before, on, or after the date of enactment of this Act.

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