

PROVIDING FOR THE CONSIDERATION OF H.R. 2606, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2000

JULY 27, 1999.—Referred to the House Calendar and ordered to be printed

Mr. DIAZ-BALART, from the Committee on Rules,
submitted the following

REPORT

[To accompany H. Res. 263]

The Committee on Rules, having had under consideration House Resolution 263, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF RESOLUTION

The resolution provides for the consideration of H.R. 2606, the “Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000,” under an open rule. The rule provides one hour of general debate divided equally between the chairman and ranking minority member of the Committee on Appropriations.

The rule provides that the bill be open to amendment by paragraph. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized or legislative provisions or transfers of funds in a general appropriations bill).

The rule provides that before consideration of any other amendment it shall be in order to consider the amendments printed in part A of this report which shall be considered only in the order printed in this report. The rule further provides that the amendment printed in part B of this report may be offered only at the appropriate point in the reading of the bill.

The rule further provides that the amendments printed in this report may be offered only by a Member designated, shall be considered as read, shall be debatable for the time specified, equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. The rule waives all points of order against the amendments printed in this report.

Members who have pre-printed their amendments in the Record prior to their consideration will be given priority in recognition to offer their amendments if otherwise consistent with House rules. The rule allows the chairman of the Committee of the Whole to postpone votes during consideration of the bill and to reduce voting time to five minutes on a postponed question if the vote follows a fifteen minute vote. Finally, the rule provides for one motion to recommit, with or without instructions.

The waiver of clause 2 of rule XXI is necessary because there are approximately 58 provisions in the bill that are legislative and 26 provisions that are unauthorized. Unauthorized programs include: OPIC, the Child Survival and Disease Programs Fund, Development Assistance, Assistance for Eastern Europe and the Baltic States, and the Peace Corps.

The waiver of all points of order against the amendments printed in this report is necessary because the amendments are in violation of clause 2 of rule XXI (prohibiting unauthorized or legislative provisions or transfers of funds in a general appropriations bill).

TEXT OF AMENDMENTS MADE IN ORDER UNDER THE RULE

PART A

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE SMITH OF NEW JERSEY, OR A DESIGNEE, DEBATABLE FOR 20 MINUTES

At the end of the bill, insert after the last section (preceding the short title) the following:

LIMITATION ON FUNDS FOR FOREIGN ORGANIZATIONS THAT PERFORM OR PROMOTE ABORTION

SEC. ____ (a) Section 104 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b) is amended by adding at the end the following:

“(h) RESTRICTION ON ASSISTANCE TO FOREIGN ORGANIZATIONS THAT PERFORM OR ACTIVELY PROMOTE ABORTIONS.—

“(1) PERFORMANCE OF ABORTIONS.—(A) Notwithstanding section 614 of this Act or any other provision of law, no funds appropriated for population planning activities or other population assistance may be made available for any foreign private, nongovernmental, or multilateral organization until the organization certifies that it will not, during the period for which the funds are made available, perform abortions in any foreign country, except where the life of the mother would be endangered if the pregnancy were carried to term or in cases of forcible rape or incest.

“(B) Subparagraph (A) may not be construed to apply to the treatment of injuries or illnesses caused by legal or illegal abortions or to assistance provided directly to the government of a country.

“(2) LOBBYING ACTIVITIES.—(A) Notwithstanding section 614 of this Act or any other provision of law, no funds appropriated for population planning activities or other population assistance may be made available for any foreign private, nongovernmental, or multilateral organization until the organization certifies that it will not, during the period for which the

funds are made available, violate the laws of any foreign country concerning the circumstances under which abortion is permitted, regulated, or prohibited, or engage in any activity or effort to alter the laws or governmental policies of any foreign country concerning the circumstances under which abortion is permitted, regulated, or prohibited.

“(B) Subparagraph (A) shall not apply to activities in opposition to coercive abortion or involuntary sterilization.

“(3) APPLICATION TO FOREIGN ORGANIZATIONS.—The prohibitions of this subsection apply to funds made available to a foreign organization either directly or as a subcontractor or subgrantee, and the certifications required by paragraphs (1) and (2) apply to activities in which the organization engages either directly or through a subcontractor or subgrantee.”.

(b) The President may waive the provisions of section 104(h)(1) of the Foreign Assistance Act of 1961 (relating to population assistance to foreign organizations that perform abortions in foreign countries), as added by subsection (a), for any fiscal year.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GREENWOOD OF PENNSYLVANIA, OR A DESIGNEE, DEBATABLE FOR 20 MINUTES

At the end of the bill, insert after the last section (preceding the short title) the following:

RESTRICTION ON POPULATION PLANNING ACTIVITIES OR OTHER
POPULATION ASSISTANCE

SEC. ____ . (a) None of the funds appropriated or otherwise made available for population planning activities or other population assistance under title II of this Act may be made available to a foreign nongovernmental organization unless the organization certifies that—

(1) it will not use such funds to promote abortion as a method of family planning or to lobby for or against abortion;

(2) it will use such funds that are made available for family planning services to reduce the incidence of abortion as a method of family planning;

(3) it will not violate the laws or policies of the foreign government relating to the circumstances under which abortion is permitted, regulated, or prohibited; and

(4) it will not engage in any activity or effort in violation of applicable laws or policies of the foreign government to alter the laws or policies of such foreign government relating to the circumstances under which abortion is permitted, regulated, or prohibited, except with respect to activities in opposition to coercive abortion or involuntary sterilization.

(b) The limitation on availability of funds to a foreign nongovernmental organization under subsection (a) shall apply—

(1) to funds made available to an organization either directly or indirectly as a subcontractor or subgrantee; and

(2) to activities in which the organization engages either directly or indirectly through a subcontractor or subgrantee.

PART B

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE PITTS OF PENNSYLVANIA, OR A DESIGNEE, DEBATABLE FOR 20 MINUTES

Page 116, after line 5, insert the following:

LIMITATION ON CHILD SURVIVAL AND DISEASE PROGRAMS FUND

SEC. _____. None of the funds appropriated or otherwise made available by this Act in title II under the heading "CHILD SURVIVAL AND DISEASE PROGRAMS FUND" may be used for programs and activities designed to control fertility or to reduce or delay childbirths or pregnancies (except breastfeeding programs).