

WAIVING POINTS OF ORDER AGAINST THE CONFERENCE REPORT TO ACCOMPANY THE BILL (H.R. 1868) MAKING APPROPRIATIONS FOR FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS FOR FISCAL YEAR 1996

OCTOBER 30, 1995.—Referred to the House Calendar and ordered to be printed

Mr. GOSS, from the Committee on Rules, submitted the following

REPORT

[To accompany H. Res. 249]

The Committee on Rules, having had under consideration House Resolution 249, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

BRIEF SUMMARY OF PROVISIONS OF RESOLUTION

The resolution waives all points of order against the conference report to accompany H.R. 1868, the Foreign Operation, Exports Financing, and Related Programs appropriations for fiscal year 1996, and against its consideration.

The blanket waiver includes a waiver of clause 2 of rule XX, relating to legislation and unauthorized items on a general appropriations bill, specifically amendments No. 171, No. 182, No. 183, and No. 192. The blanket waiver also includes a waiver of clause 3 of rule XXVIII, to protect provisions which exceed the scope of differences between the House and the Senate, specifically amendments No. 34 and No. 47. The blanket waiver further includes a waiver of clause 4 of rule XXVIII, relating to germaneness of matter contained in a conference report, specifically amendment No. 192.

The resolution also provides for consideration of a motion to dispose of Senate amendment numbered 115, to be offered only by Mr. Callahan or his designee. The rule provides that the motion shall be considered as read and shall be debatable for one hour equally divided between a proponent and an opponent. The rule waives all points of order against the motion and provides that the previous question shall be considered as ordered on that motion to final

adoption without intervening motion or demand for division of the question.

The text of the motion made in order by the rule is as follows:

AMENDMENT NUMBERED 115

Mr. Callahan moves that the House recede from its disagreement to the amendment of the Senate numbered 115, and concur therein with an amendment, as follows:

In lieu of the matter proposed by said amendment insert: : *Provided*, That none of the funds made available under this Act may be used to lobby for or against abortion.

PROHIBITION ON FUNDING FOR ABORTION

SEC. 518A. (a) IN GENERAL.—

(1) Notwithstanding any other provision of this Act or other law, none of the funds appropriated by this Act for population assistance activities 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 fetus were carried to term or in cases of forcible rape or incest.

(2) Paragraph (1) 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.

(b) LOBBYING ACTIVITIES.—

(1) Notwithstanding any other provision of this Act or other law, none of the funds appropriated by this Act for population assistance activities 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.

(2) Notwithstanding any other provision of this Act, paragraph (1) shall not apply to activities in opposition to coercive abortion or involuntary sterilization.

(c) Subsections (a) and (b) apply to funds made available for a foreign organization either directly or as a subcontractor or sub-grantee, and the required certifications apply to activities in which the organization engages either directly or through a subcontractor or sub-grantee.

(d) COERCIVE POPULATION CONTROL METHODS.—Notwithstanding any other provision of this Act or other law, none of the funds appropriated by this Act may be made available for the United Nations Population Fund (UNFPA) unless the President certifies to the appropriate congressional committees that (1) the United Nations Population Fund will terminate all family planning activities in the People's Republic of China no later than March 1, 1996; or (2) during the 12 months preceding such certification, there have been no abortions as the result of coercion associated with the family planning policies of the national government or other govern-

mental entities within the People's Republic of China. As used in this section the term "coercion" includes physical duress or abuse, destruction or confiscation of property, loss of means of livelihood, or severe psychological pressure.

