

107TH CONGRESS
2^D SESSION

H. R. 5293

To amend the Foreign Assistance Act of 1961 to provide for permanent guidelines for United States voluntary contributions to the United Nations Population Fund (UNFPA).

IN THE HOUSE OF REPRESENTATIVES

JULY 26, 2002

Mrs. MALONEY of New York (for herself, Mrs. MORELLA, Mr. CROWLEY, Mr. DINGELL, Mr. SMITH of Washington, Ms. ROYBAL-ALLARD, Mr. BERMAN, Mr. SANDERS, Ms. LEE, Mr. TOWNS, Mr. UDALL of Colorado, Mrs. LOWEY, and Mr. RANGEL) introduced the following bill; which was referred to the Committee on International Relations

A BILL

To amend the Foreign Assistance Act of 1961 to provide for permanent guidelines for United States voluntary contributions to the United Nations Population Fund (UNFPA).

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. SHORT TITLE.**

4 This Act may be cited as the “Still Saving Women’s
5 Lives Act of 2002”.

6 **SEC. 2. FINDINGS.**

7 The Congress makes the following findings:

1 (1) The renewed commitment of the world com-
2 munity to the formulation of government policies
3 that contribute to global population stabilization and
4 to improvements in the status of women owes much
5 to the efforts of the United Nations and its special-
6 ized agencies and organizations, particularly the
7 United Nations Population Fund (hereinafter re-
8 ferred to as the “UNFPA”).

9 (2) Over one-half of the UNFPA’s assistance is
10 devoted to maternal and child health programs, in-
11 cluding the provision of family planning services,
12 and it is a major supplier of modern methods of con-
13 traception. UNFPA also supports efforts aimed at
14 preventing the spread of HIV/AIDS and other sexu-
15 ally-transmitted diseases and activities aimed specifi-
16 cally at enhancing the status of women.

17 (3) UNFPA does not fund abortion services,
18 rather, UNFPA seeks to reduce the incidence of
19 abortion by improving access to contraceptive serv-
20 ices and to reduce deaths and injuries related to un-
21 safe abortion by supporting treatment of women suf-
22 fering from its complications.

23 (4) The United States contribution to UNFPA
24 last year provided an estimated 870,000 women in
25 the developing world with effective modern contra-

1 ception, thereby preventing 500,000 unintended
2 pregnancies, 200,000 abortions, and thousands of
3 maternal and child deaths.

4 (5) Many global environmental problems, in-
5 cluding water shortages, pollution, tropical deforest-
6 ation, and the loss of wildlife habitat are linked to
7 rapid population growth. UNFPA has assisted coun-
8 tries around the world plan for and slow population
9 growth, thereby reducing its effects on the environ-
10 ment.

11 (6) Assistance provided by UNFPA conforms to
12 the principle, affirmed at the 1994 International
13 Conference on Population and Development by 180
14 nations, including the United States, that “all cou-
15 ples and individuals have the basic right to decide
16 freely and responsibly the number and spacing of
17 their children and to have the information, edu-
18 cation, and means to do so.”.

19 (7) UNFPA opposes coercion in any form. All
20 of UNFPA’s programs are designed in conformity
21 with universally recognized human rights principles.

22 (8) An appropriate way to express the legiti-
23 mate concerns of the United States Government
24 about the population policies of the People’s Repub-
25 lic of China is by placing those concerns on the bi-

1 lateral agenda along with other important human
2 rights issues, not by singling out a United Nations
3 agency by withholding all funding thereby punishing
4 the women and families around the world who de-
5 pend on its humanitarian aid.

6 (9) UNFPA plays a constructive role in helping
7 to reduce the incidence of coercive practices in China
8 through its country program which has been suc-
9 cessful in eliminating targets and quotas and pro-
10 moting voluntary family planning and informed con-
11 sent in the 32 program counties. By improving con-
12 traceptive method choice, expanding the range of re-
13 productive health services, and enhancing the status
14 of women, the UNFPA country program will help to
15 enable the Chinese to implement the human rights
16 approach of the International Conference on Popu-
17 lation and Development.

18 (10) The United States Government provided a
19 voluntary contribution of \$21,500,000 to UNFPA
20 for fiscal year 2001 and President Bush's budget re-
21 quest for fiscal year 2002 allocated \$25,000,000 for
22 UNFPA.

23 (11) In the winter of 2001, the Secretary of
24 State submitted written testimony to the Committee
25 on Foreign Relations of the Senate expressing sup-

1 port for the invaluable work of UNFPA and for se-
2 curing funding for the organization.

3 (12) The United States Government, as part of
4 its efforts to improve the dire health conditions of
5 Afghan women, pledged in October 2001 an addi-
6 tional \$600,000 to UNFPA to address the reproduc-
7 tive health care needs of Afghan refugees in sur-
8 rounding nations and of the internally displaced
9 within Afghanistan.

10 (13) Congress demonstrated its strong bipar-
11 tisan support for a voluntary United States con-
12 tribution to UNFPA of up to \$34,000,000 in adopt-
13 ing the fiscal year 2002 foreign operations appro-
14 priations bill, which was passed by the House of
15 Representatives on a vote of 357 to 66 and by the
16 Senate by unanimous consent and signed into law
17 (Public Law 107–115) by the President on January
18 10, 2002. The President decided not to obligate the
19 funds.

20 (14) On February 12, 2002, Representatives
21 Hastert, Armey, and Delay sent a letter to the
22 President urging him to investigate UNFPA pro-
23 grams in China and urging him to stop funds from
24 going to China.

1 (15) In May 2002, the President sent a 3-per-
2 son delegation, including Ambassador (retired) Wil-
3 liam A. Brown, Ms. Bonnie L. Glick, and Dr. Theo-
4 dore G. Tong, to investigate UNFPA programs in
5 China and allegations that the agency was involved
6 in coercive abortion practices.

7 (16) This independent team returned and con-
8 cluded that the allegations were untrue.

9 (17) On May 29, 2002, the team sent a letter
10 to Secretary of State Colin Powell stating the fol-
11 lowing:

12 “First Finding: We find no evidence that
13 UNFPA has knowingly supported or partici-
14 pated in the management of a program of coer-
15 cive abortion or involuntary sterilization in the
16 PRC.

17 “First Recommendation: We therefore rec-
18 ommend that not more than \$34,000,000 which
19 has already been appropriated be released to
20 UNFPA.”.

21 (18) Regrettably, the Administration overruled
22 the recommendation of its own delegation and in-
23 voked an overly broad interpretation of the law in
24 order to eliminate funding for UNFPA. This bill is
25 a response to this harmful decision.

1 **SEC. 3. PERMANENT GUIDELINES FOR UNITED STATES**
2 **VOLUNTARY CONTRIBUTIONS TO THE UNFPA.**

3 Section 301 of the Foreign Assistance Act of 1961
4 (22 U.S.C. 2221) is amended by inserting after subsection
5 (a) the following new subsection:

6 “(b) For fiscal years after fiscal year 2002, funds ap-
7 propriated to the President or the Department of State
8 under any law for a voluntary contribution to the United
9 Nations Population Fund (UNFPA) and funds appro-
10 priated to the President or the Department of State under
11 any law and available only for a voluntary contribution
12 to the UNFPA shall be obligated and expended for such
13 purpose not more than 30 days after such funds become
14 available unless the President certifies that the UNFPA
15 performs coercive abortions or involuntary sterilizations.
16 The certification authority of the President under this
17 subsection may not be delegated.”.

18 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS FOR UNITED**
19 **STATES VOLUNTARY CONTRIBUTIONS TO**
20 **THE UNFPA.**

21 In addition to amounts otherwise authorized to be ap-
22 propriated to carry out the purposes of chapter 3 of part
23 1 of the Foreign Assistance Act of 1961, there are author-
24 ized to be appropriated \$50,000,000 for the fiscal year

1 2003 for United States voluntary contributions to the
2 UNFPA.

○