

114TH CONGRESS  
1ST SESSION

# H. R. 2740

To prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 11, 2015

Mrs. LOWEY (for herself, Ms. LEE, Mr. TED LIEU of California, Mr. ENGEL, Ms. SLAUGHTER, Mr. LEVIN, Mrs. LAWRENCE, Mr. BLUMENAUER, Ms. TSONGAS, Ms. JUDY CHU of California, Ms. PINGREE, Ms. NORTON, Mr. DEUTCH, Mr. RANGEL, Mr. FARR, Mr. RUSH, Mrs. NAPOLITANO, Mr. SCHIFF, Mr. SHERMAN, Mr. KEATING, Ms. ESTY, Ms. BONAMICI, Ms. JACKSON LEE, Ms. CLARK of Massachusetts, Mr. COURTNEY, Mr. DEFazio, Ms. SPEIER, Mrs. CAPPS, Mr. CÁRDENAS, Mr. GRIJALVA, Mr. CAPUANO, Mr. CONYERS, Ms. CASTOR of Florida, Ms. DELAURO, Ms. WASSERMAN SCHULTZ, Mr. CICILLINE, Ms. SCHAKOWSKY, Ms. MOORE, Mr. CONNOLLY, Ms. DELBENE, Mr. PRICE of North Carolina, Mr. CROWLEY, Mr. TAKAI, Ms. FRANKEL of Florida, Mr. ELLISON, Mr. SMITH of Washington, Mr. YARMUTH, Mr. TAKANO, Mr. WELCH, Mrs. BEATTY, Ms. BROWN of Florida, Mr. BEYER, Mr. VAN HOLLEN, Mr. QUIGLEY, Mr. DESAULNIER, Mr. BERA, Mr. LOEBSACK, Mr. PETERS, Mr. DAVID SCOTT of Georgia, Ms. MCCOLLUM, Mr. SEAN PATRICK MALONEY of New York, Mr. GALLEGO, Mr. MCGOVERN, Mr. SCOTT of Virginia, Ms. BROWNLEY of California, Mr. AL GREEN of Texas, Ms. LINDA T. SÁNCHEZ of California, Mr. JOHNSON of Georgia, Mr. MCNERNEY, Ms. DEGETTE, Miss RICE of New York, Ms. DUCKWORTH, Mr. ISRAEL, Mr. MCDERMOTT, Ms. TITUS, Mrs. DAVIS of California, Mr. POLIS, Ms. CLARKE of New York, Mr. LOWENTHAL, Ms. MATSUI, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. KILMER, Mr. GRAYSON, Mr. THOMPSON of California, Ms. EDWARDS, Ms. SINEMA, Mrs. CAROLYN B. MALONEY of New York, Mr. PALLONE, Ms. MENG, Mr. NADLER, Mr. TONKO, Mrs. WATSON COLEMAN, Mr. CUMMINGS, Mr. HONDA, Mr. POCAN, Mr. MURPHY of Florida, Mr. CLEAVER, Ms. KAPTUR, Mr. HASTINGS, Mr. SWALWELL of California, Ms. WILSON of Florida, Mr. O'ROURKE, Mr. CARSON of Indiana, Mr. HECK of Washington, Mr. RUIZ, Mrs. DINGELL, Ms. BASS, Mr. CLAY, Mr. SIRES, Mr. DANNY K. DAVIS of Illinois, Mr. JEFFRIES, Mr. KENNEDY, Ms. KUSTER, Mr. GUTIÉRREZ, Ms. ESHOO, Mr. MOULTON, Mr. HIMES, Mr. COHEN, Mr. PERLMUTTER,

and Mr. FOSTER) introduced the following bill; which was referred to the Committee on Foreign Affairs

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## A BILL

To prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

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 “Global Democracy Pro-  
5 motion Act”.

6 **SEC. 2. FINDINGS.**

7       The Congress finds the following:

8           (1) It is a fundamental principle of American  
9       medical ethics and practice that health care pro-  
10      viders should, at all times, deal honestly and openly  
11      with patients. Any attempt to subvert the private  
12      and sensitive physician-patient relationship would be  
13      intolerable in the United States and is an unjustifi-  
14      able intrusion into the practices of health care pro-  
15      viders when attempted in other countries.

16          (2) Freedom of speech is a fundamental Amer-  
17      ican value. The ability to exercise the right to free  
18      speech, which includes the “right of the people

1 peaceably to assemble, and to petition the govern-  
2 ment for a redress of grievances” is essential to a  
3 thriving democracy and is protected under the  
4 United States Constitution.

5 (3) The promotion of democracy is a principal  
6 goal of United States foreign policy and critical to  
7 achieving sustainable development. It is enhanced  
8 through the encouragement of democratic institu-  
9 tions and the promotion of an independent and po-  
10 litically active civil society in developing countries.

11 (4) Limiting eligibility for United States devel-  
12 opment and humanitarian assistance upon the will-  
13 ingness of a foreign nongovernmental organization  
14 to forgo its right to use its own funds to address,  
15 within the democratic process, a particular issue af-  
16 fecting the citizens of its own country directly under-  
17 mines a key goal of United States foreign policy and  
18 would violate the United States Constitution if ap-  
19 plied to United States-based organizations.

20 (5) Similarly, limiting the eligibility for United  
21 States assistance on a foreign nongovernmental or-  
22 ganization’s willingness to forgo its right to provide,  
23 with its own funds, medical services that are legal in  
24 its own country and would be legal if provided in the  
25 United States constitutes unjustifiable interference

1 with the ability of independent organizations to serve  
2 the critical health needs of their fellow citizens and  
3 demonstrates a disregard and disrespect for the laws  
4 of sovereign nations as well as for the laws of the  
5 United States.

6 **SEC. 3. ASSISTANCE FOR FOREIGN NONGOVERNMENTAL**  
7 **ORGANIZATIONS UNDER PART I OF THE FOR-**  
8 **EIGN ASSISTANCE ACT OF 1961.**

9 Notwithstanding any other provision of law, regula-  
10 tion, or policy, in determining eligibility for assistance au-  
11 thorized under part I of the Foreign Assistance Act of  
12 1961 (22 U.S.C. 2151 et seq.), foreign nongovernmental  
13 organizations—

14 (1) shall not be ineligible for such assistance  
15 solely on the basis of health or medical services, in-  
16 cluding counseling and referral services, provided by  
17 such organizations with non-United States Govern-  
18 ment funds if such services do not violate the laws  
19 of the country in which they are being provided and  
20 would not violate United States Federal law if pro-  
21 vided in the United States; and

22 (2) shall not be subject to requirements relating  
23 to the use of non-United States Government funds  
24 for advocacy and lobbying activities other than those  
25 that apply to United States nongovernmental organi-

1 zations receiving assistance under part I of such  
2 Act.

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