

119TH CONGRESS
1ST SESSION

H. R. 5302

To prohibit United States funds from being provided to foreign governments or organizations that subsidize or promote abortion, to codify the Mexico City Policy, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 11, 2025

Mr. MASSIE (for himself, Mr. GOSAR, and Ms. GREENE of Georgia) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To prohibit United States funds from being provided to foreign governments or organizations that subsidize or promote abortion, to codify the Mexico City Policy, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SEC. 1. SHORT TITLE.**

4 This Act may be cited as the “No Funds for Foreign
5 Abortions Act”.

1 **SEC. 2. PROHIBITION ON FUNDING ABORTION AND ABOR-**
2 **TION PROMOTION OVERSEAS.**

3 (a) PROHIBITION ON FOREIGN GOVERNMENTS.—No
4 funds made available under any Act authorizing or appro-
5 priating funds for foreign assistance may be obligated or
6 expended to the government of any foreign country that,
7 during the preceding fiscal year, provided, either directly
8 or indirectly, regardless of whether such funds were seg-
9 regated, commingled, or otherwise designated for a sepa-
10 rate purpose, public funds or other funds controlled, di-
11 rected, or disbursed by such government or by any entity
12 substantially owned, operated, or funded by such govern-
13 ment—

14 (1) for the performance of abortions;

15 (2) to any entity or program that performs,
16 provides referrals for, or actively promotes abortion;

17 (3) to any entity or program that furnishes or
18 develops any item intended to perform or procure
19 abortions;

20 (4) to coerce or provide any financial incentive
21 to any person to undergo an abortion or involuntary
22 sterilization;

23 (5) to any entity or program that coerces or
24 provides any financial incentive to any person to un-
25 dergo an abortion or involuntary sterilization;

1 (6) to pay for any biomedical research which re-
2 lates, in whole or in part, to methods of, or the per-
3 formance of, abortions or involuntary sterilization;
4 or

5 (7) to any entity or program that pays for any
6 biomedical research which relates, in whole or in
7 part, to methods of, or the performance of, abortions
8 or involuntary sterilization.

9 (b) PROHIBITION ON FOREIGN NONGOVERNMENTAL
10 ORGANIZATIONS AND MULTILATERAL ENTITIES.—No
11 funds made available under any Act authorizing or appro-
12 priating funds for foreign assistance may be furnished to
13 any nongovernmental organization, international organiza-
14 tion, or multilateral entity that, regardless of the source
15 of funds—

16 (1) performs abortions or provides referrals for
17 abortion services;

18 (2) actively promotes abortions;

19 (3) furnishes or develops any item intended to
20 perform or procure abortions;

21 (4) coerces or provides any financial incentive
22 to any person to undergo an abortion or involuntary
23 sterilization; or

1 (5) pays for any biomedical research which re-
2 lates, in whole or in part, to methods of, or the per-
3 formance of, abortions or involuntary sterilization.

4 (c) APPLICATION REGARDLESS OF FUNDING
5 SOURCE.—The prohibitions in subsections (a) and (b)
6 shall apply whether or not the activity described is funded
7 in whole or in part by funds furnished by the United
8 States.

9 (d) DEFINITIONS.—In this section—

10 (1) the term “abortion” means the use or pre-
11 scription of any instrument, medicine, drug, or any
12 other substance or device—

13 (A) to intentionally kill the unborn child of
14 a woman known to be pregnant; or

15 (B) to intentionally terminate the preg-
16 nancy of a woman known to be pregnant, with
17 an intention other than—

18 (i) to remove a dead unborn child
19 caused by miscarriage;

20 (ii) to remove an ectopic pregnancy;

21 (iii) to perform a pre-viability separa-
22 tion procedure when such procedure is, in
23 reasonable medical judgment, necessary to
24 save or preserve the life of the pregnant
25 woman; or

1 (iv) after viability, to produce a live
2 birth and preserve the life and health of
3 the child born alive;

4 (2) the term “actively promotes abortion” in-
5 cludes advocating for abortion in public or private
6 fora, counseling a woman in favor of obtaining an
7 abortion, lobbying for changes to abortion laws or
8 policies that expand access to abortion, producing or
9 disseminating materials that encourage abortion, or
10 training personnel in abortion procedures;

11 (3) the term “foreign nongovernmental organi-
12 zation” means any entity not organized under
13 United States law, including any subsidiary, affil-
14 iate, or branch thereof located outside the United
15 States, regardless of whether such entity also main-
16 tains a presence or registration in the United States;

17 (4) the term “indirectly” means through an
18 intermediary, subrecipient, contractor, subgrantee,
19 multilateral entity, international organization, pooled
20 funding mechanism, in-kind contribution, fungible
21 budget support, or any other arrangement in which
22 United States funds, property, or services are used
23 in a manner that enables, offsets, supplements, or
24 allows other funds to be used for a prohibited activ-
25 ity, whether or not such use was a but-for cause of

1 that activity, and regardless of whether such use is
2 formally earmarked for that activity;

3 (5) the term “multilateral entity” includes the
4 World Health Organization, the United Nations
5 Population Fund, any specialized agency of the
6 United Nations, any multilateral development bank,
7 or any international body that funds or promotes
8 abortion;

9 (6) the term “pre-viability separation proce-
10 dure” means a medical procedure performed by a
11 physician to remove an unborn child from his or her
12 mother’s uterine cavity before that stage of fetal de-
13 velopment when, in the reasonable medical judgment
14 of the physician based on the particular facts of the
15 case before him or her and in light of the most ad-
16 vanced medical technology and information available
17 to him or her, there is a reasonable likelihood of sus-
18 tained survival of the unborn child outside the body
19 of his or her mother, with or without artificial sup-
20 port. The term does not include an “abortion” as
21 defined herein; and

22 (7) the term “public funds” means funds ap-
23 propriated by a foreign government from its national
24 or subnational budget, or funds controlled, directed,
25 or disbursed by any entity substantially owned, oper-

1 ated, or funded by such government, whether pro-
2 vided in cash, in-kind, or as a fungible budget sup-
3 port.

4 (e) COVERAGE OF UNITED STATES BASED ENTITIES
5 OPERATING ABROAD.—For the purposes of this section,
6 the prohibitions applicable to foreign nongovernmental or-
7 ganizations shall also apply to any activity conducted out-
8 side the United States by any organization, whether or
9 not incorporated or organized under the laws of the
10 United States, including any branch, office, affiliate, or
11 other operation located outside the United States, regard-
12 less of whether such operation is separately incorporated
13 or registered in the host country.

14 (f) EXCEPTIONS.—The prohibitions described in sub-
15 sections (a) and (b) do not apply to abortions resulting
16 from rape or incest.

17 (1) For the exception to apply, a woman must
18 provide a copy of a restraining order, police report,
19 medical record, or other court order or documenta-
20 tion providing evidence that she is obtaining the
21 abortion because she is a victim of rape or incest.

22 (g) CERTIFICATION, MONITORING, AND PEN-
23 ALTIES.—

24 (1) CERTIFICATION REQUIREMENT.—As a pre-
25 condition to the obligation or expenditure of any

1 funds subject to this section, and annually thereafter
2 for the duration of assistance, and at any other time
3 the Secretary of State determines necessary based
4 on credible information of a potential violation, the
5 Secretary of State shall certify to the Committee on
6 Foreign Affairs and the Committee on Appropriations
7 of the House of Representatives and the Committee
8 on Foreign Relations and the Committee on
9 Appropriations of the Senate, and shall make such
10 certification publicly available on the website of the
11 Department of State, that the recipient government,
12 organization, or entity is in full compliance with the
13 requirements of this section.

14 (2) MONITORING AND AUDITS.—

15 (A) IN GENERAL.—The Secretary of State
16 and the Administrator of the United States
17 Agency for International Development shall establish
18 monitoring, audit, and reporting mechanisms to ensure
19 compliance with the prohibitions under this Act, and upon
20 receipt of credible evidence of a potential violation, the
21 Secretary shall immediately suspend further obligation
22 or expenditure of funds to the recipient
23 pending the outcome of an investigation.
24

1 (B) DEADLINE.—Any investigation initi-
2 ated under this paragraph shall be completed
3 not later than 90 days after the date of suspen-
4 sion, unless the Secretary of State submits to
5 the Committee on Foreign Affairs and the
6 Committee on Appropriations of the House of
7 Representatives and the Committee on Foreign
8 Relations and the Committee on Appropriations
9 of the Senate a written notification explaining
10 the reasons for any delay and specifying the an-
11 ticipated completion date, which shall not ex-
12 ceed an additional 90 days.

13 (3) PENALTIES FOR VIOLATIONS.—If a viola-
14 tion of this section is found after the funds have
15 been disbursed, the Secretary of State shall—

16 (A) terminate further assistance to the vio-
17 lating recipient;

18 (B) require repayment of misused funds to
19 the United States Treasury;

20 (C) declare the recipient ineligible for fu-
21 ture assistance for a period of not less than
22 three years from the date of such determina-
23 tion; and

24 (D) refer the matter to the Attorney Gen-
25 eral of the United States for potential civil or

1 criminal enforcement, including prosecution for
2 fraud, false statements, or misuse of Federal
3 funds.

4 (4) RECORD KEEPING.—The Secretary of State
5 shall maintain all certifications, monitoring reports,
6 audit findings, and investigative records related to
7 this Act for a period of not less than ten years, and
8 such records shall be available to the relevant con-
9 gressional committees upon request.

10 (h) NON-SUPERSESSION CLAUSE.—No amendment
11 to this title, the Foreign Assistance Act of 1961, or any
12 other provision of law shall be construed to supersede,
13 amend, or repeal this section unless such amendment spe-
14 cifically cites this section and expressly states the intent
15 to supersede, amend, or repeal it.

16 (i) RULE OF CONSTRUCTION.—Nothing in this sec-
17 tion shall be construed to authorize the obligation or ex-
18 penditure of funds for any purpose for which the obliga-
19 tion or expenditure of such funds is otherwise prohibited
20 under any other provision of law.

21 (j) SEVERABILITY.—If any provision of this section,
22 or the application of such provision to any person or cir-
23 cumstance, is held to be invalid, the remainder of this sec-

1 tion, and the application of the remaining provisions, shall
2 not be affected.

○