

108TH CONGRESS
2D SESSION

H. R. 4848

To amend the Foreign Assistance Act of 1961 to provide for the establishment of centers for the treatment of obstetric fistula in developing countries.

IN THE HOUSE OF REPRESENTATIVES

JULY 15, 2004

Mr. SMITH of New Jersey (for himself, Ms. ROS-LEHTINEN, Mr. PITTS, Mr. PAYNE, and Mr. PENCE) 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 the establishment of centers for the treatment of obstetric fistula in developing countries.

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 “Obstetric Fistula Sur-
5 gical Repair, Assistance, and Prevention Act of 2004”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) Obstetric fistula is a devastating condition
9 that occurs during childbirth when prolonged pres-

1 sure of the baby's head against the mother's pelvis
2 can lead to the child's death as well as cut off the
3 blood supply of the tissues surrounding the woman's
4 vagina, bladder, or rectum, causing those tissues to
5 deteriorate, and thus leaving an open hole, or fistula.

6 (2) Obstetric fistula can be excruciatingly pain-
7 ful and often causes a woman to lose control of her
8 bowel movements.

9 (3) To date, an estimated 2,000,000 cases of
10 obstetric fistula have been reported worldwide—
11 mostly in Africa among women who are very young,
12 delivering their first child, lacking proper nutrition
13 and maternity care, and living in rural areas.

14 (4) The actual number of women who have ob-
15 stetric fistula may actually be much higher due to a
16 lack of adequate reporting. For example, an addi-
17 tional estimate contends that in Nigeria alone, ap-
18 proximately 1,000,000 women suffer from obstetric
19 fistula.

20 (5) It is estimated that 50,000 to 100,000 new
21 cases of obstetric fistula occur each year, mostly in-
22 volving women under the age of 20.

23 (6) Women who suffer from obstetric fistula
24 may also suffer from social isolation because they

1 are often abandoned by their husbands, families, and
2 employers.

3 (7) Women who suffer from obstetric fistula
4 may also suffer severe emotional stress from their
5 condition and social isolation that is often magnified
6 by the death of their child during labor.

7 (8) Obstetric fistula can be prevented through
8 increased access by women to emergency obstetrical
9 care, a postponement of sexual activity and child-
10 bearing past the teenage years, and increased train-
11 ing for birth attendants in local communities.

12 (9) Obstetric fistula can also be treated through
13 a relatively minor surgical procedure that is 90 per-
14 cent effective and which can cost as little as \$150.

15 (10) A large percentage of women who suffer
16 from obstetric fistula are unaware that treatment
17 exists and may spend their entire lives suffering
18 from this condition needlessly.

19 (11) Unfortunately, there are few treatment
20 centers or hospitals with the capacity to treat obstet-
21 ric fistula in developing countries, particularly coun-
22 tries in Africa, and demand for services and surgery
23 far exceed the supply.

24 (12) Currently the United States Agency for
25 International Development provides assistance for

1 programs that target prevention of obstetric fistula
2 but not programs that target treatment of obstetric
3 fistula.

4 (13) Tens of thousands of women in developing
5 countries suffering from obstetric fistula could be
6 successfully treated if adequate resources were de-
7 voted to this objective.

8 (b) PURPOSE.—The purpose of this Act is to ensure
9 that, in addition to the prevention of obstetric fistula,
10 treatment of obstetric fistula is an important priority of
11 United States bilateral foreign assistance programs, in-
12 cluding through—

13 (1) the establishment and expansion of the ca-
14 pacity to treat obstetric fistula in developing coun-
15 tries, including through the provision of surgery and
16 post-surgery care; and

17 (2) the reduction of the incidence of obstetric
18 fistula in developing countries, including through the
19 conduct of appropriate seminars and the dissemina-
20 tion of appropriate educational materials, such as
21 brochures, pamphlets, and posters.

22 **SEC. 3. DEFINITION.**

23 In this Act, the term “obstetric fistula” means a rup-
24 ture or hole in tissues surround a woman’s vagina, blad-
25 der, or rectum that occurs when the woman is in ob-

1 structed childbirth for a prolonged period of time without
2 adequate medical attention.

3 **SEC. 4. AMENDMENTS TO THE FOREIGN ASSISTANCE ACT**
4 **OF 1961.**

5 Section 104(c) of the Foreign Assistance Act of 1961
6 (22 U.S.C. 2151b(c)) is amended—

7 (1) by redesignating paragraph (4) as para-
8 graph (5); and

9 (2) by inserting after paragraph (3) the fol-
10 lowing new paragraph:

11 “(4)(A) In carrying out the purposes of this sub-
12 section, the President is authorized to furnish assistance,
13 on such terms and conditions as the President may deter-
14 mine, for the establishment and operation of not less than
15 twelve centers for the treatment of obstetric fistula at ap-
16 propriate sites in developing countries.

17 “(B) In selecting sites for the establishment of cen-
18 ters pursuant to subparagraph (A), the President should
19 seek the consultation and advice of United States embassy
20 officials, appropriate nongovernmental organizations, and
21 local government officials in developing countries with
22 high rates of obstetric fistula, with particular emphasis on
23 countries in Africa.

1 “(C) Each center established pursuant to subpara-
2 graph (A) shall, to the maximum extent practicable, carry
3 out the following activities:

4 “(i) The provision of surgery to repair obstetric
5 fistula in women who do not otherwise have the re-
6 sources to pay for such surgery and the provision of
7 necessary post-surgery care and support for such
8 women.

9 “(ii) Assistance related to surgery and post-sur-
10 gery care and support described in clause (i), includ-
11 ing the provision of transportation to and from the
12 center for women in need of such transportation and
13 the provision of necessary temporary shelter and
14 food assistance to women in need of such shelter and
15 food assistance.

16 “(iii) Activities to reduce the incidence of ob-
17 stetric fistula, including the conduct of appropriate
18 seminars and the dissemination of appropriate edu-
19 cational materials, such as brochures, pamphlets,
20 and posters.

21 “(D) Not later than January 31 of each year, the
22 President shall prepare and transmit to Congress a report
23 on the implementation of this paragraph for the prior fis-
24 cal year.

1 “(E) In addition to amounts otherwise available for
2 such purpose, there are authorized to be appropriated to
3 the President \$35,000,000 for each of the fiscal years
4 2005 and 2006 to carry out this paragraph. Amounts ap-
5 propriated under this clause are authorized to remain
6 available until expended.

7 “(F) In this paragraph, the term ‘obstetric fistula’
8 means a rupture or hole in tissues surrounding a woman’s
9 vagina, bladder, or rectum that occurs when the woman
10 is in obstructed childbirth for a prolonged period of time
11 without adequate medical attention.”.

