

111TH CONGRESS  
1ST SESSION

# H. R. 708

To restrict assistance to foreign organizations that perform or actively  
promote abortions.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 27, 2009

Mr. SMITH of New Jersey (for himself, Mr. SENSENBRENNER, Mr. STUPAK,  
and Ms. ROS-LEHTINEN) introduced the following bill; which was referred  
to the Committee on Foreign Affairs

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## A BILL

To restrict assistance to foreign organizations that perform  
or actively promote abortions.

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. RESTRICTION ON ASSISTANCE TO FOREIGN OR-**  
4                       **GANIZATIONS THAT PERFORM OR ACTIVELY**  
5                       **PROMOTE ABORTIONS.**

6       Section 104 of the Foreign Assistance Act of 1961  
7       (22 U.S.C. 2151b) is amended—

8               (1) by redesignating subsection (g) as sub-  
9       section (h); and

1           (2) by inserting after subsection (f) the fol-  
2       lowing:

3       “(g) RESTRICTION ON ASSISTANCE TO FOREIGN OR-  
4       GANIZATIONS THAT PERFORM OR ACTIVELY PROMOTE  
5       ABORTIONS.—

6           “(1) PERFORMANCE OF ABORTIONS.—(A) Not-  
7       withstanding any other provision of law, no funds  
8       appropriated for population planning activities or  
9       other population assistance may be made available  
10      for any foreign private, nongovernmental, or multi-  
11      lateral organization until the organization certifies  
12      that it will not, during the period for which the  
13      funds are made available, perform abortions in any  
14      foreign country, except where the life of the mother  
15      would be endangered if the pregnancy were carried  
16      to term or in cases of forcible rape or incest.

17          “(B) Subparagraph (A) may not be construed  
18      to apply to the treatment of injuries or illnesses  
19      caused by legal or illegal abortions or to assistance  
20      provided directly to the government of a country.

21          “(2) LOBBYING ACTIVITIES.—(A) Notwith-  
22      standing any other provision of law, no funds appro-  
23      priated for population planning activities or other  
24      population assistance may be made available for any  
25      foreign private, nongovernmental, or multilateral or-

1       ganization until the organization certifies that it will  
2       not, during the period for which the funds are made  
3       available, violate the laws of any foreign country  
4       concerning the circumstances under which abortion  
5       is permitted, regulated, or prohibited, or engage in  
6       any activity or effort to alter the laws or govern-  
7       mental policies of any foreign country concerning the  
8       circumstances under which abortion is permitted,  
9       regulated, or prohibited.

10       “(B) Subparagraph (A) shall not apply to ac-  
11       tivities in opposition to coercive abortion or involun-  
12       tary sterilization.

13       “(3) APPLICABILITY.—The prohibitions of this  
14       subsection apply to funds made available to a for-  
15       eign organization either directly or as a subcon-  
16       tractor or subgrantee, and the required certifications  
17       apply to activities in which the organization engages  
18       either directly or through a subcontractor or sub-  
19       grantee.”.

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