

113TH CONGRESS
1ST SESSION

H. R. 2738

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.

IN THE HOUSE OF REPRESENTATIVES

JULY 18, 2013

Mrs. LOWEY (for herself, Ms. BASS, Mr. BERA of California, Mr. BLUMENAUER, Ms. BONAMICI, Mr. BRALEY of Iowa, Ms. BROWN of Florida, Ms. BROWNLEY of California, Mrs. CAPPS, Mr. CAPUANO, Mr. CÁRDENAS, Ms. CHU, Mr. CICILLINE, Ms. CLARKE, Mr. CLAY, Mr. CLEAVER, Mr. COHEN, Mr. CONNOLLY, Mr. CONYERS, Mr. CROWLEY, Mr. DANNY K. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DEFAZIO, Ms. DEGETTE, Ms. DELAURO, Ms. DELBENE, Mr. DEUTCH, Mr. DOGGETT, Ms. DUCKWORTH, Ms. EDWARDS, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Ms. ESTY, Mr. FARR, Mr. FOSTER, Ms. FRANKEL of Florida, Mr. GARAMENDI, Mr. GARCIA, Mr. GRAYSON, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. HANABUSA, Mr. HASTINGS of Florida, Mr. HECK of Washington, Mr. HIGGINS, Mr. HOLT, Mr. HONDA, Mr. HUFFMAN, Mr. ISRAEL, Ms. JACKSON LEE, Mr. JOHNSON of Georgia, Mr. KENNEDY, Mr. KILMER, Mrs. KIRKPATRICK, Ms. KUSTER, Mr. LARSEN of Washington, Ms. LEE of California, Mr. LEVIN, Mr. LEWIS, Mr. LOEBSACK, Ms. LOFGREN, Mr. LOWENTHAL, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. MAFFEI, Mrs. CAROLYN B. MALONEY of New York, Mr. SEAN PATRICK MALONEY of New York, Ms. MATSUI, Ms. MCCOLLUM, Mr. McDERMOTT, Mr. MCGOVERN, Ms. MENG, Mr. GEORGE MILLER of California, Ms. MOORE, Mr. MORAN, Mr. MURPHY of Florida, Mr. NADLER, Ms. NORTON, Mr. O’ROURKE, Mr. PALLONE, Mr. PAYNE, Mr. PETERS of Michigan, Mr. PETERS of California, Ms. PINGREE of Maine, Mr. POCAN, Mr. POLIS, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. RANGEL, Mr. RUSH, Ms. LINDA T. SÁNCHEZ of California, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCHNEIDER, Mr. SCOTT of Virginia, Mr. SHERMAN, Ms. SINEMA, Mr. SIRES, Ms. SLAUGHTER, Mr. SMITH of Washington, Ms. SPEIER, Mr. SWALWELL of California, Mr. TAKANO, Mr. THOMPSON of California, Mr. TIERNEY, Ms. TITUS, Ms. TSONGAS, Mr. VAN HOLLEN, Mr. VEASEY, Ms. WASSERMAN SCHULTZ, Ms. WATERS, Mr. WAXMAN, Mr. WELCH, Ms. WILSON of Florida, and Mr. YARMUTH) introduced the following bill; which was referred to the Committee on Foreign Affairs

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
 19 peaceably to assemble, and to petition the govern-
 20 ment for a redress of grievances” is essential to a

1 thriving democracy and is protected under the
2 United States Constitution.

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

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

18 (5) Similarly, limiting the eligibility for United
19 States assistance on a foreign nongovernmental or-
20 ganization's willingness to forgo its right to provide,
21 with its own funds, medical services that are legal in
22 its own country and would be legal if provided in the
23 United States constitutes unjustifiable interference
24 with the ability of independent organizations to serve
25 the critical health needs of their fellow citizens and

1 demonstrates a disregard and disrespect for the laws
2 of sovereign nations as well as for the laws of the
3 United States.

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

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

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

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

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

