

**(F) Indian Health Care Improvement Act**

The Indian Health Care Improvement Act [25 U.S.C. 1601 et seq.].

**(G) Federal employees health benefits program**

Chapter 89 of title 5.

**(H) Military health care system (including Tricare and CHAMPUS programs)**

Chapter 55 of title 10.

**(I) Veterans medical care**

Chapter 17 of title 38.

**(J) Health services for Peace Corps volunteers**

Section 2504(e) of title 22.

**(K) Medical services for Federal prisoners**

Section 4005(a) of title 18.

**(2) Federal facilities and personnel**

The provisions of subsection (c) apply to facilities and personnel of the following:

**(A) Military health care system**

The Department of Defense operating under chapter 55 of title 10.

**(B) Veterans medical care**

The Veterans Health Administration of the Department of Veterans Affairs.

**(C) Public Health Service**

The Public Health Service.

**(3) Nonexclusive list**

Nothing in this subsection shall be construed as limiting the application of subsection (a) to the programs specified in paragraph (1) or the application of subsection (c) to the facilities and personnel specified in paragraph (2).

(Pub. L. 105–12, § 3, Apr. 30, 1997, 111 Stat. 23.)

**Editorial Notes**

## REFERENCES IN TEXT

This chapter, referred to in subsec. (b), was in the original “this Act”, meaning Pub. L. 105–12, Apr. 30, 1997, 111 Stat. 23, known as the Assisted Suicide Funding Restriction Act of 1997, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 14401 of this title and Tables.

The Social Security Act, referred to in subsec. (d)(1)(A)–(D), is act Aug. 14, 1935, ch. 531, 49 Stat. 620. Titles V, XVIII, XIX, and XX of the Act are classified generally to subchapters V (§ 701 et seq.), XVIII (§ 1395 et seq.), XIX (§ 1396 et seq.), and XX (§ 1397 et seq.), respectively, of chapter 7 of this title, respectively. For complete classification of this Act to the Code, see section 1305 of this title and Tables.

The Public Health Service Act, referred to in subsec. (d)(1)(E), is act July 1, 1944, ch. 373, 58 Stat. 682, which is classified generally to chapter 6A (§ 201 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 201 of this title and Tables.

The Indian Health Care Improvement Act, referred to in subsec. (d)(1)(F), is Pub. L. 94–437, Sept. 30, 1976, 90 Stat. 1400, which is classified principally to chapter 18 (§ 1601 et seq.) of Title 25, Indians. For complete classification of this Act to the Code, see Short Title note set out under section 1601 of Title 25 and Tables.

**§ 14403. Restriction on use of Federal funds under certain grant programs**

Subject to section 14402(b) of this title (relating to construction and treatment of certain services), no funds appropriated by Congress to carry out subtitle B, D, or E of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 [42 U.S.C. 15021 et seq., 15061 et seq., 15081 et seq.] may be used to support or fund any program or service which has a purpose of assisting in procuring any item, benefit, or service furnished for the purpose of causing, or the purpose of assisting in causing, the death of any individual, such as by assisted suicide, euthanasia, or mercy killing.

(Pub. L. 105–12, § 4, Apr. 30, 1997, 111 Stat. 25; Pub. L. 106–402, title IV, § 401(b)(15)(A), Oct. 30, 2000, 114 Stat. 1740.)

**Editorial Notes**

## REFERENCES IN TEXT

The Developmental Disabilities Assistance and Bill of Rights Act of 2000, referred to in text, is Pub. L. 106–402, Oct. 30, 2000, 114 Stat. 1677. Subtitles B, D, and E of the Act probably mean subtitles B, D, and E of title I of the Act, which are classified generally to parts B [§ 15021 et seq.], D [§ 15061 et seq.], and E [§ 15081 et seq.], respectively, of subchapter I of chapter 144 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 15001 of this title and Tables.

## AMENDMENTS

2000—Pub. L. 106–402, § 401(b)(15)(A)(i), substituted “Restriction on use of Federal funds under certain grant programs” for “Restriction on use of Federal funds under certain grant programs under the Developmental Disabilities Assistance and Bill of Rights Act” in section catchline.

Pub. L. 106–402, § 401(b)(15)(A)(ii), substituted “subtitle B, D, or E of the Developmental Disabilities Assistance and Bill of Rights Act of 2000” for “part B, D, or E of the Developmental Disabilities Assistance and Bill of Rights Act”.

**§ 14404. Restriction on use of Federal funds by advocacy programs****(a) In general**

Subject to section 14402(b) of this title (relating to construction and treatment of certain services), no funds appropriated by Congress may be used to assist in, to support, or to fund any activity or service which has a purpose of assisting in, or to bring suit or provide any other form of legal assistance for the purpose of—

(1) securing or funding any item, benefit, program, or service furnished for the purpose of causing, or the purpose of assisting in causing, the suicide, euthanasia, or mercy killing of any individual;

(2) compelling any person, institution, governmental entity<sup>1</sup> to provide or fund any item, benefit, program, or service for such purpose; or

(3) asserting or advocating a legal right to cause, or to assist in causing, the suicide, euthanasia, or mercy killing of any individual.

<sup>1</sup> So in original. Probably should be “or governmental entity”.

**(b) List of programs to which restrictions apply**  
**(1) In general**

Subsection (a) applies to funds appropriated under or to carry out the following:

**(A) Protection and advocacy systems under the Developmental Disabilities Assistance and Bill of Rights Act of 2000**

Subtitle C of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 [42 U.S.C. 15041 et seq.].

**(B) Protection and advocacy systems under the Protection and Advocacy for Mentally Ill Individuals Act**

The Protection and Advocacy for Mentally Ill Individuals Act of 1986<sup>2</sup> [42 U.S.C. 10801 et seq.].

**(C) Protection and advocacy systems under the Rehabilitation Act of 1973**

Section 509 of the Rehabilitation Act of 1973 (29 U.S.C. 794e).

**(D) Ombudsman programs under the Older Americans Act of 1965**

Ombudsman programs under the Older Americans Act of 1965 [42 U.S.C. 3001 et seq.].

**(E) Legal assistance**

Legal assistance programs under the Legal Services Corporation Act [42 U.S.C. 2996 et seq.].

**(2) Nonexclusive list**

Nothing in this subsection shall be construed as limiting the application of subsection (a) to the programs specified in paragraph (1).

(Pub. L. 105–12, § 5, Apr. 30, 1997, 111 Stat. 25; Pub. L. 106–402, title IV, § 401(b)(15)(B), Oct. 30, 2000, 114 Stat. 1740.)

**Editorial Notes**

**REFERENCES IN TEXT**

The Developmental Disabilities Assistance and Bill of Rights Act of 2000, referred to in subsec. (b)(1)(A), is Pub. L. 106–402, Oct. 30, 2000, 114 Stat. 1677. Subtitle C of the Act probably means subtitle C of title I of the Act, which is classified generally to part C (§15041 et seq.) of subchapter I of chapter 144 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 15001 of this title and Tables.

The Protection and Advocacy for Mentally Ill Individuals Act of 1986, referred to in subsec. (b)(1)(B), was Pub. L. 99–319, May 23, 1986, 100 Stat. 478. Pub. L. 99–319 was renamed the Protection and Advocacy for Individuals with Mental Illness Act by Pub. L. 106–310, div. B, title XXXII, § 3206(a), Oct. 17, 2000, 114 Stat. 1193, and is classified generally to chapter 114 (§10801 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 10801 of this title and Tables.

The Older Americans Act of 1965, referred to in subsec. (b)(1)(D), is Pub. L. 89–73, July 14, 1965, 79 Stat. 218, which is classified generally to chapter 35 (§3001 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 3001 of this title and Tables.

The Legal Services Corporation Act, referred to in subsec. (b)(1)(E), is title X of Pub. L. 88–452, as added by

<sup>2</sup> See References in Text note below.

Pub. L. 93–355, § 2, July 25, 1974, 88 Stat. 378, which is classified generally to subchapter X (§2996 et seq.) of chapter 34 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2701 of this title and Tables.

**AMENDMENTS**

2000—Subsec. (b)(1)(A). Pub. L. 106–402 added subpar. (A) and struck out heading and text of former subpar. (A). Text read as follows: “Part C of the Developmental Disabilities Assistance and Bill of Rights Act.”

**§ 14405. Restriction on use of other Federal funds**

**(a) In general**

Subject to section 14402(b) of this title (relating to construction and treatment of certain services) and subsection (b) of this section, no funds appropriated by the Congress shall be used to provide, procure, furnish, or fund any item, good, benefit, activity, or service, furnished or performed for the purpose of causing, or assisting in causing, the suicide, euthanasia, or mercy killing of any individual.

**(b) Nonduplication**

Subsection (a) shall not apply to funds to which section 14402, 14403, or 14404 of this title applies, except that subsection (a), rather than section 14402 of this title, shall apply to funds appropriated to carry out title 10 (other than chapter 55), title 18 (other than section 4005(a)), and chapter 37 of title 28.

(Pub. L. 105–12, § 6, Apr. 30, 1997, 111 Stat. 25.)

**§ 14406. Clarification with respect to advance directives**

Subject to section 14402(b) of this title (relating to construction and treatment of certain services), sections 1395cc(f) and 1396a(w) of this title shall not be construed—

(1) to require any provider or organization, or any employee of such a provider or organization, to inform or counsel any individual regarding any right to obtain an item or service furnished for the purpose of causing, or the purpose of assisting in causing, the death of the individual, such as by assisted suicide, euthanasia, or mercy killing; or

(2) to apply to or to affect any requirement with respect to a portion of an advance directive that directs the purposeful causing of, or the purposeful assisting in causing, the death of any individual, such as by assisted suicide, euthanasia, or mercy killing.

(Pub. L. 105–12, § 7, Apr. 30, 1997, 111 Stat. 26.)

**§ 14407. Application to District of Columbia**

For purposes of this chapter, the term “funds appropriated by Congress” includes funds appropriated to the District of Columbia pursuant to an authorization of appropriations under title V of the District of Columbia Home Rule Act and the term “Federal government” includes the government of the District of Columbia.

(Pub. L. 105–12, § 8, Apr. 30, 1997, 111 Stat. 26; Pub. L. 105–33, title XI, § 11717(b), Aug. 5, 1997, 111 Stat. 786.)