

July 12, 2016

House Appropriators Set Up for Stalemate with Pro-Family Planning Senate Counterparts

Earlier this afternoon, the House Appropriations Committee adopted its version of the FY 2017 State Department-foreign operations spending bill that guts funding for international family planning and reproductive health (FP/RH) programs and attaches harmful policy “riders.” Amidst a highly partisan atmosphere during full committee markup, three amendments offered by Democratic champions to reject the majority’s attacks on FP/RH programs in the underlying bill failed on party-line votes—with one exception on one amendment.

For the sixth year in a row, the draft subcommittee bill produced by its Chairwoman Kay Granger (R-TX) proposes that total FP/RH funding be capped at \$461 million, a \$146.5 million reduction below the current FY 2016 enacted level, prohibits a U.S. contribution to the United Nations Population Fund (UNFPA), and seeks to impose the onerous Global Gag Rule legislatively.

In her opening statement, Ranking Member Nita Lowey (D-NY) decried the ideologically-driven attacks on family planning in the draft bill, prominently listing them among other “poison pills” that have been rejected by the Senate and will provoke a veto threat from the President. Ranking Member Lowey consolidated many of these issues into a global Democratic alternative proposal, which, in addition to family planning, dealt with refugee admissions programs, voluntary contributions to UN agencies, the Green Climate Fund, the Export-Import Bank and coal, U.S.-Cuban relations, and Guantanamo Bay detainees. Any one of these issues alone is capable of inciting virtually unanimous opposition on the Republican side of the aisle and sealed its inevitable defeat.

With regard to the family planning components of the amendment, Ranking Member Lowey sought to fix the bill’s treatment of these vital programs by including the following provisions:

- Earmark not less than \$585 million for USAID’s bilateral FP/RH programs, the President’s budget request level and \$10 million more than current funding;
- Strike the Global Gag Rule from the bill and replace with the operative language of the [Global Democracy Promotion Act](#) (H.R. 2740), a permanent legislative repeal; and
- Earmark a \$35 million U.S. contribution to UNFPA under all of the longstanding restrictions governing UNFPA’s use of U.S. funds with the exception of the dollar-for-dollar withholding of any amount UNFPA spends in China.

As Ranking Member Lowey explained, passage of her amendment would have resulted in the House bill being identical to the Senate version ([S. 1117](#)) with regard to FP/RH funding, GGR, and UNFPA after the passage of the [Shaheen amendment](#) on bipartisan vote of 17 to 13 late last month. Chairwoman Granger was the only speaker in opposition, arguing in part that the Lowey amendment would “reverse pro-life policies” in her bill. Unfortunately but unsurprisingly, the wide-ranging Lowey amendment failed on a vote 20 to 29 with all Democratic committee members supporting and all Republicans opposed. (Rep. David Jolly, Republican of Florida, was absent from the markup.)

Rep. Tim Ryan (D-OH) immediately followed Ranking Member Lowey by offering a family planning-specific amendment focused on restoring bilateral and multilateral funding and sought to steer clear of abortion-related controversies. The amendment earmarked \$585 million for bilateral USAID FP/RH programs, deleted the prohibition of a U.S. contribution to UNFPA contained in the underlying subcommittee bill, and earmarked \$37.5 million for UNFPA, of which \$35 million could only be spent by UNFPA on contraceptive procurement and distribution in the 46 countries in which UNFPA donates contraceptive supplies and \$2.5 million could only be spent by UNFPA for Zika response in affected countries.

Rep. Ryan spoke passionately on behalf of his amendment by emphasizing the urgency of responding to the Zika epidemic raging in Latin America right now, highlighting the high unmet need for contraception and UNFPA's unique role in helping to reduce unintended pregnancies in the region. Reps. Debbie Wasserman-Schultz (D-FL), Mike Quigley (D-IL), and Mike Honda (D-CA) echoed the call for more funding for UNFPA to help prevent the spread of Zika and its devastating impact on pregnant women and their offspring, as well as UNFPA's vital work in addressing the reproductive health needs of Syrian refugees.

Coloring debate over the Ryan amendment was the high-profile political battle being waged over President Obama's \$1.9 billion emergency supplemental request for domestic and international programs to respond to the Zika epidemic which remains unconscionably stalled by Republican partisan brinksmanship with a long summer congressional recess fast approaching. Chairwoman Granger was the only speaker in opposition to the Ryan amendment pointing to the lack of offsets in funds for other programs being included to pay for the \$161.5 million increase proposed for bilateral and multilateral FP/RH programs, citing maternal and child health, TB, and malaria programs as potentially suffering funding reductions as a result of its adoption. The Ryan amendment was defeated on a straight party-line vote of 20-29.

Immediately before the markup concluded, Rep. Rosa DeLauro (D-CT) hurriedly offered an amendment to strike the prohibition on a U.S. contribution to UNFPA in the draft subcommittee bill and to replace it with a set of five designated family planning and reproductive health-related programs and activities—namely maternal and RH needs in emergencies, contraceptive supplies, obstetric fistula, combating coercive practices, and child marriage and female genital mutilation—for which a \$37.5 million U.S. contribution to UNFPA could be utilized. Rep. Barbara Lee (D-CA) quickly interjected her support for UNFPA and the amendment. Chairwoman Granger was again the lone voice of opposition noting the nearly \$1 billion she included in the bill for maternal and child health programs, a \$115 million increase over current levels. The DeLauro amendment was rejected on a vote of 20 to 28 with all Democrats being joined by Republican Congressman Charles Dent (R-PA), normally a consistent family planning supporter who earlier had sided with his Republican colleagues in opposition to the Ryan funding amendment as well as the Lowey amendment. (Rep. Sanford Bishop, Democrat of Georgia, was absent for this vote.)

Neither the House nor the Senate committee-approved versions of the State Department-foreign operations bill will be considered on the floor of either chamber. However, with a limited number of days left on the legislative calendar before the election, congressional leaders have already turned their attention to the need for a continuing resolution (CR) to keep the government running after the end of the fiscal year on September 30. Discussion of the length of an inevitable CR is underway with some favoring returning in a lame-duck session after the election to complete the FY 2017 appropriations process and others advocating pushing final action into the new Congress next March. No decisions have been reached.

As has been the case for the last several years, the provisions in the two committee-approved bills on international FP/RH funding and policy are diametrically opposed to each other. The chess pieces are aligned on their respective sides of the board as they have been before. In the current political environment for reproductive rights in Congress, achieving a stalemate with family planning funding intact and no policy "riders" on either side of the board left standing would be an outcome worthy of a grand master.