

September 26, 2019

## Like a Bad Penny—Republican’s Draft Foreign Aid Spending Bill Turns Back up and is Approved without Global Gag Rule Repeal Amendment

Faced with the prospect of losing a vote in the Appropriations Committee on a bipartisan amendment this morning, the Senate Appropriations Committee put a full committee markup of the fiscal year 2020 State Department and Foreign Operations appropriations bill back on the schedule and approved the original draft’s silence on the [Global Gag Rule \(GGR\)](#), while at the same time denying Senator Jeanne Shaheen (D-NH) the opportunity to offer her bipartisan amendment to repeal the Trump-Pence administration’s disastrous and deadly policy, which was expanded to all U.S. global health assistance. As a result, a GGR repeal amendment will finally and definitively NOT be included in the Senate’s version of the State-Foreign Operations appropriations bill [for the first time in 19 years](#).

The Appropriations Committee leadership of both parties pushed hard on their memberships to resurrect the State-Foreign Operations bill after the Republican Majority Leader took it and the Labor, Health and Human Services, and Education bill directly to the Senate floor last Wednesday as part of a four-bill minibus, [bypassing a committee markup](#) as part of some political gambit. By all accounts, subverting the committee process in this manner was an unprecedented breach of the longstanding traditions, norms and protocols of the Senate. Given the desire of Chairman Richard Shelby (R-AL) and Ranking Member Patrick Leahy (D-VT) to return to “regular order” and to reassert the committee’s method of operating, Senator Shaheen was thwarted in her ability to offer her amendment since it might complicate swift approval. GGR repeal and other pressing issues were sacrificed in order to advance the State-Foreign Operations bill and the legislative language it contains on other topics important to committee members.

What did Sen. Shaheen and family planning supporters on the committee get in return for being forced to stand down on offering her bipartisan GGR repeal amendment?

- A modest bilateral funding increase for the family planning and reproductive health (FP/RH) programs of the U.S. Agency for International Development (USAID) to \$632.55 million—\$37.5 million above the amount that the committee approved in its FY 2019 version of the bill after adopting a Shaheen amendment in last year’s markup, but \$117.5 less than the [amount approved by the full House](#) in June; and
- A U.S. voluntary contribution to the United Nations Population Fund (UNFPA) of \$32.5 million. This level represents a \$5 million reduction from that contained in last year’s Shaheen amendment adopted by the committee, but equal to the FY 2019 enacted level. In addition, all of the standard boilerplate restrictions on how UNFPA can utilize the U.S. contribution have been reinserted with the exception of the dollar-for-dollar reduction in the contribution by the amount that UNFPA spends in China. The draft bill originally issued by Subcommittee Chair Lindsay Graham (R-SC) contained zero funding for UNFPA.

The revisions to the draft bill were made as the committee adopted a “manager’s amendment,” a bipartisan package of statutory and report language negotiated between the staffs of Chairman Graham and Ranking Member Leahy. A table comparing the bilateral and multilateral FP/RH funding levels for the current fiscal

year with the President’s FY 2020 budget request, the House-passed bill and the Senate committee-approved bill follows below.

| (in millions of dollars)               | FY 2019 Enacted (P.L. 116-6) | FY 2020 President’s Budget Request | FY 2020 House-passed Bill (H.R. 2839) | FY 2020 Senate Committee-approved Bill |
|--|------------------------------|------------------------------------|---------------------------------------|--|
| Global Health Programs account         | (523.95)                     | 237.0                              | <b>750.0</b>                          | (581.5)                                |
| Economic Support Fund (ESF)            | (51.05)                      | 22.0                               | —                                     | (51.05)                                |
| TOTAL, bilateral FP/RH                 | <b>575.0</b>                 | 259.0                              | <b>750.0</b>                          | <b>632.55</b>                          |
| U.S. contribution to UNFPA (IO&P)      | <b>32.5</b>                  | 0                                  | <b>55.5</b>                           | <b>32.5</b>                            |
| TOTAL, bilateral & multi-lateral FP/RH | 607.5                        | 259.0                              | 805.5                                 | 665.05                                 |



NOTE: FP/RH funding levels that were earmarked in the statute are indicated in **bold**, while funding levels that were specified in report language are denoted in (parentheses).

Today is [World Contraception Day](#). There is a certain irony that the Senate Appropriations Committee was unable today to help improve access to contraception for all of the women and couples who want to use it by eliminating a Trump-Pence administration policy whose only true impact is to reduce the cost-effectiveness of U.S. investments in critical services that save lives and enhance the health and quality of life of those who use them.

Nevertheless, in the wake of today’s markup, appropriations champions in the Senate have improved their leverage in trying to push the final FY 2020 State-Foreign Operations bill’s treatment of international FP/RH program funding and policy further in the direction of the House-passed bill’s far more favorable provisions—two iterations of a GGR repeal amendment (a permanent and a one-year) and dramatically higher funding for both USAID bilateral programs and the U.S. contribution to UNFPA. This will be a reversal of the roles played by each chamber in the endgame negotiations for the last ten years, but with a significant difference. Though flawed, this year’s Senate bill is diametrically opposite the unadulterated hostility toward FP/RH programs that has characterized House bills for the last decade. This bodes well for the prospects of success for House and Senate appropriations defenders’ efforts to sustain continued U.S. leadership in FP/RH around the globe.

The full Senate today also passed a “continuing resolution” to keep the federal government operating through November 21st, heading off the possibility of a government shutdown when the fiscal year ends next Monday. With upcoming recesses, Congress will only be in session for a mere five weeks before the next deadline for completing action on all 12 appropriations bills, including the State-Foreign Operations bill. As per usual lately, it will be a close call if Congress and the White House can get it done in time.