

June 12, 2015

The More Things Change, the More They Stay the Same

As it has for the last five years, today the House Appropriations Committee once again approved a State-Foreign Operations appropriations bill that slashes and caps funding for international family planning and reproductive health (FP/RH) programs, legislatively codifies the Global Gag Rule, and prohibits a U.S. contribution to the United Nations Population Fund. This despite three pro-family planning amendments being offered by House champions on the committee to strip the funding cap and eliminate both policy “riders.” All three were rejected on straight party-line votes with only one exception.

During markup this morning, Ranking Member Nita Lowey (D-NY) proposed an amendment that would have stricken the legislative codification of the Global Gag Rule in the draft subcommittee bill and replaced it with the provisions of the Global Democracy Promotion Act. The Lowey amendment would have permanently prohibited the President from refusing to fund foreign nongovernmental organizations (NGOs) solely because they provide medical services, counseling, and referral, including for abortion, that are permitted in their country and are legal in the United States. The amendment would also prevent the U.S. from imposing free speech restrictions on the foreign NGOs that are not imposed on U.S. organizations receiving U.S. foreign assistance.

As she noted in her remarks, the formulation was a departure from amendments on the Gag Rule that she has offered in prior years in which she merely sought to preserve the status quo by stripping out the offensive language in the Republican majority’s draft bill. Tired of making women overseas political pawns, she was moved to strike and replace with the language of the GDPA, as well as reintroducing the GDPA today in the House with 119 original cosponsors.

The Lowey amendment would also have struck the prohibition on U.S. contributions to UNFPA in the subcommittee draft bill and appropriated \$35 million for UNFPA, the current enacted level. It maintained all the longstanding restrictions on the contribution in current law, including those that require UNFPA to maintain U.S. funds in a segregated account, none of which may be spent in China or for abortion, and withholds dollar-for-dollar the amount UNFPA plans to spend in China during the fiscal year.

The Lowey amendment was rejected on a vote of 22 to 29 with Representative Charles Dent (R-PA) joining all committee Democrats voting in support and all other Republicans voting against, including Rep. Rodney Frelinghuysen (R-NJ). Second in seniority among Republicans on the committee, Rep. Frelinghuysen has been—at least until today—a remarkably consistent family planning supporter, compiling a record of 27 out of 28 pro-family planning floor and committee votes on Gag Rule and UNFPA amendments since 1997. Joining Ranking Member Lowey in speaking in favor of her amendment were Reps. Mike Quigley (D-IL), Betty McCollum (D-MN), and Barbara Lee (D-CA). Subcommittee Chairwoman Kay Granger (R-TX) defended her bill as written and was the only speaker in opposition to the Lowey amendment.

Rep. Debbie Wasserman Schultz (D-FL) offered an amendment to remove the funding cap contained in the draft subcommittee bill that limited FP/RH to “not more than” \$461 million, the FY 2008 enacted level and nearly \$150 million less than the current appropriation. A brief flurry of tension swept the room when Rep. Jamie Herrera Beutler (R-WA) took offense at Rep. Wasserman Schultz asking the question of who in the room “had an opportunity to decide how many children you wished to have,” accusing her of playing a “game.”

Speaking in favor of the Wasserman Schultz amendment were Reps. Quigley and Lee citing the 225 million women in developing countries that want to delay or avoid pregnancy but face barriers or lack access to effective family planning. Chairwoman Granger urged a no vote arguing that passage would allow the Obama administration the “flexibility to reduce funding for child survival programs, tuberculosis, malaria, vulnerable children, and UNICEF by allowing funds to be redirected to family planning.” She noted the overall allocation for global health in the draft bill took into account the drastic proposed cut to family planning funding. The amendment was defeated on a straight party-line vote of 21 to 30 with Rep. Dent this time siding with his Republican counterparts in opposing this pure pro-FP funding proposal.

Noting her longstanding work on obstetric fistula prevention and repair, Rep. Rosa DeLauro (D-CT) 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 family planning and reproductive health-related programs and activities for which a \$35 million U.S. contribution to UNFPA can be utilized. Rep. McCollum spoke in favor of the DeLauro amendment. Professing her support and concern about women’s health and referencing the maternal and child health funding level included in the bill and report language on obstetric fistula, Chairwoman Granger concluded the amendment was more about restoring funding to UNFPA than MCH programs. The amendment was rejected on a voice vote.

At the conclusion of the markup, the committee unanimously adopted the FY 2016 State-foreign operations bill. As unlikely as it once seemed, there are growing suggestions that the bill may be considered on the House floor, perhaps as early as next week. This would mark the first time in six years that a State-foreign operations bill has reached the House floor. Stay tuned for further updates on possible positive and negative amendments on FP/RH funding and policy that may be offered, if and when the bill is scheduled for floor action.