

June 18, 2024

Same Sh*t, Different Year—House Republican Appropriators Report Bill with Identical Anti-SRHR Provisions as Last Year

Last Wednesday, the Republican-controlled House Appropriations Committee approved a State Department and foreign operations appropriations bill for fiscal year (FY) 2025 that includes a massive proposed funding cut for bilateral and multilateral family planning and reproductive health (FP/RH) programs and attaches a litany of anti-sexual and reproductive health and rights (SRHR) restrictions, most notably a legislative codification of an expanded version of the Global Gag Rule (GGR) and a prohibition on any U.S. contributions to the United Nations Population Fund (UNFPA).

The committee-approved bill ([H.R. 8771](#)), adopted on a straight party-line vote on June 12, is entirely predictable in duplicating the identical lines of attack directed at global SRHR activities by Republicans in last year's House FY 2024 bill. The text of the bill and report produced by the GOP majority staff is the result of a straight cut-and-paste exercise. (Psst, a confession—much of the text of this update is pulled directly from the Washington Memo reporting on last year's full committee markup. Same sh*t, different year, no need to reinvent the wheel.)

Overall, the bill provides \$51.7 billion for State Department operations and foreign assistance programs, \$7.6 billion (11%) below the FY 2024 enacted level and \$12.3 billion (19%) below the president's FY 2025 budget request, according to the [press release](#) issued by the committee's majority. The amount that the State-Foreign Operations bill received from the full committee's Republican leadership is one of the worst funding allocations to work with among the 12 subcommittees.

More relevant for SRHR advocates, the Global Health Programs (GHP) account in the bill, which encompasses the bulk of [global health assistance](#), suffered a \$1.3 billion (12%) cut below current levels to \$9.3 billion. The majority of the cut is attributable to reductions to the U.S. contribution to the Global Fund to Fight AIDS, Tuberculosis (TB), and Malaria (due to a matching requirement) and to bilateral FP/RH programs (\$114 million), with all other sectors remaining flat (i.e., HIV/AIDS, TB, maternal and child health, neglected tropical diseases) or receiving a slight increase (i.e., malaria, nutrition, vulnerable children).

On policy, the GOP majority's bill again injects the same litany of provisions as those included in last year's bill, evidencing House Republicans' ongoing fixation on fighting "culture wars" and expressing anti-"woke" grievances through the appropriations process in this case, for export. Together with drastic funding cuts to bilateral and multilateral FP/RH programs, these more recent "poison pills" are on top of the [perennial attacks by Republicans](#) directed at contraception and abortion that have occurred in assembling foreign aid bills since the mid-1980s. Their latest iteration in the FY 2025 bill is described below.

Funding for International FP/RH Slashed

The committee-approved bill imposes a statutory ceiling of “not more than” \$461 million for bilateral and multilateral FP/RH programs for FY 2025, a whopping \$146.5 million cut below the [current FY 2024](#) appropriated level of \$607.5 million, enacted into law less than three months ago on March 23. The bill seeks to return FP/RH funding to the same amount appropriated in FY 2008 — 17 years ago at the end of George W. Bush’s presidency— despite the persistently high levels of unmet need for modern contraception expressed by 218 million women in low- and middle-income countries and not accounting for the pernicious effects of inflation on the purchasing power of FP/RH funds. The same cut and cap were included by House Republicans in their bill last year.

The cut of \$146.5 million reflects a reduction of \$114 million for bilateral programs administered by the U.S. Agency for International Development (USAID) and zeroing out the \$32.5 million U.S. contribution to UNFPA from the International Organizations and Programs (IO&P) account. In percentage terms, the \$146.5 million cut is a 24% reduction from current levels. Compared to the [president’s FY 2025 budget request](#), the bill’s funding cap is 26% or \$161.5 million lower than the amount the Biden administration proposed back in March.

(in millions of dollars)	FY 2024 Enacted (P.L. 118-47)	FY 2025 President’s Budget Request	FY 2025 House Committee-Approved Bill (H.R. 8771)
Global Health Programs (GHP) account	(523.95)	549.0	--
Economic Support Fund (ESF)	(51.05)	29.0	--
TOTAL, bilateral FP/RH	575.0	578.0	461.0
U.S. contribution to UNFPA (IO&P)	32.5	44.5	0.0
TOTAL, bilateral & multilateral FP/RH	607.5	622.5	461.0



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).

If the funding cut and cap in the committee-approved bill were enacted into law, the [potential impact](#) on reproductive and maternal health outcomes of a cut of that magnitude in U.S.-assisted countries would be 7.6 million fewer women and couples with contraceptive services — resulting in 2.5 million additional unintended pregnancies, 1 million additional unplanned births, more than 800,000 additional unsafe abortions and 4,400 additional maternal deaths.

Anti-SRHR Policy “Riders”

Global Gag Rule

The bill would legislatively codify the expanded version of the [GGR](#) in place during the Trump administration, known as Protecting Life in Global Health Assistance (PLGHA), by prohibiting appropriated funds “for global health assistance ... to any foreign nongovernmental organization that promotes or performs abortion, except in cases of rape or incest or when the life of the mother

would be endangered if the fetus were carried to term.” The provision would enshrine in statute what has previously otherwise only been an executive branch policy under Republican presidents. Because the eligibility condition applies to all global health assistance, funding to non-U.S. nongovernmental organizations (NGOs) delivering services to improve maternal and child health and nutrition and combat HIV/AIDS, TB, malaria and other infectious diseases would be implicated. This language is identical to that attached to the House version of the FY 2024 bill, as well as the FY 2019 edition passed by the House during the last fiscal year that Republicans held the majority prior to the current 118th Congress.

UNFPA

As was the case last year, the committee-approved bill contains a statutory prohibition on funding for UNFPA from any account. (“None of the funds appropriated or otherwise made available by the Act...”)

As a result, the funding prohibition applies not just to the voluntary contribution provided through the IO&P account but to funding provided to UNFPA through other accounts. UNFPA is not alone as the bill also prohibits all U.S. funding for the World Health Organization. The Republican majority’s bill demonstrates a strong animus toward multilateralism in general and guts U.S. assessed and voluntary contributions to the United Nations (U.N.) and other international organizations. In the case of the U.N., funding for the UN’s regular budget and voluntary contributions to U.N. agencies through the IO&P account are completely eliminated.

For the second year in a row, [report language](#) accompanying the bill from the Republican majority expresses that the “Committee remains deeply concerned by United Nations entities that consider abortion as a foundational component of comprehensive health care, sexual and reproductive rights, and reproductive health and family planning resources by their own organizational definitions” and notes that “in the context of constrained resources, the Committee must be assured, prior to supporting funds, that support for multilateral organizations complies with statutory prohibitions and requirements related to abortion included in this Act and prior acts.” In addition to challenging the underlying premise and motivation for the gratuitous inclusion of such statements, it is important to remember that report language is technically nonbinding legally and unless specifically endorsed in the explanatory statement approved by the House and Senate as part of the final spending agreement, such report language bears no official imprimatur or weight and remains merely an observation or expression of opinion by the committee.

Long-Standing Abortion-Related Restrictions

Language restricting abortion-related activities is incorporated as it is year after year, including: the 1973 Helms amendment restricting the use of U.S. foreign assistance funds to provide “abortion as a method of family planning” and the 1985 Kemp-Kasten amendment blocking funding to organizations or programs determined by the president to “support or participate in the management of program of coerced abortion or involuntary sterilization;” restrictions on abortion coverage for Peace Corps Volunteers; and prohibitions on the use of foreign aid funds for biomedical research on abortion and involuntary sterilization (Biden amendment) or to lobby for or against abortion (Siljander amendment). The inclusion of these [boilerplate statutory restrictions](#) on abortion is not surprising as they will undoubtedly be included in the bipartisan bill to be drafted by Senate appropriators later.

“Culture War” Exports Including Anti-SRHR Policies

Again this year, the Republican majority inserts into the bill statutory provisions seeking to export America’s “culture wars” including bans on funding for counseling, promotion or providing surgery or hormone therapies for gender-affirming care and “drag queen workshops, performances or documentaries” and prohibitions on use of funding to implement Biden executive orders on diversity, equity, inclusion (DEI) and accessibility initiatives to increase diversity in the diplomatic and development workforce or to advance “critical race theory.”

Potentially Malign House Report Language Reiterated

Report language accompanying the FY 2025 bill reiterates the same language the Republican majority inserted in last year’s bill calling for increased monitoring and reporting on compliance with statutory restrictions on abortion-related activities, which was incorporated in the explanatory statement

accompanying the consolidated appropriations act under the terms of the final FY 2024 House and Senate agreement. It requires a report from the Secretary of State and USAID Administrator within 180 days of the bill's enactment listing all prime and sub-partners that received global health assistance during FY 2024 "disaggregated by global health program and include, for each partner, the amount of funding received, the activity description and purpose and the country or region for such activity." The State Department and USAID are presumably engaged right now in collecting this same information for their global health program allocations for the four fiscal years between FY 2020 and FY 2023, which is required in the current appropriations legislation.

The FY 2025 House report also reiterates verbatim House report language on gender equality and empowerment included under terms of the explanatory statement accompanying the FY 2024 consolidated appropriations act that directs the Secretary of State and USAID Administrator "to review guidance for the Department of State and USAID personnel, as well as for implementing partners, with respect to the application of requirements under Global Health Programs and [abortion restrictions reiterated in the general provisions] of this Act to ensure full compliance with such requirements in carrying out the purposes of this section," with particular emphasis on compliance with the Siljander amendment prohibiting use of U.S. funds for lobbying on abortion.

Arguing against increased transparency and monitoring how taxpayer dollars are being used is a difficult political errand, as is calling for compliance with the law. So why is this exercise potentially nefarious? The burden of compiling such an explicitly detailed report on over \$10 billion worth of global health programs is at the very least, a seemingly wasteful use of precious staff time and resources, detracting from the efficient administration of funding for critical health services in the countries that receive U.S. global health assistance. At the risk of questioning the motives of its authors, one cannot help but wonder whether forcing the compilation of such a voluminous list of recipients of U.S. global health assistance is being done to identify potential targets for SRHR opponents, inside and outside Congress, to subject to increased scrutiny and harassment regarding their lawful, non-U.S. government funded abortion-related activities, particularly in the unfortunate event of a reimposition of the GGR in a future Republican administration, perhaps in an even more extreme form as called for in the Heritage Foundation's radical [Project 2025](#).

Full Committee Markup Action

During the House full-committee markup of the bill on June 12, Democratic SRHR champions voiced strong opposition to the Republican majority's draft subcommittee bill. A number of Democrats devoted some of their opening statements to decrying the bill's attack on women's health and rights, including full committee Ranking Member Rosa DeLauro (D-CT), subcommittee Ranking Member Barbara Lee (D-CA) and Representatives Sanford Bishop (D-GA), Debbie Wasserman Schultz (D-FL), Grace Meng (D-NY), Lois Frankel (D-FL), and Ed Case (D-HI).

Across the dais, new full committee Chair Tom Cole (R-OK) and State-foreign operations subcommittee Chair Mario Diaz-Balart (R-FL) reassured House Republicans that no accommodations would be given to SRHR programs and their supporters, with Chair Diaz-Balart concluding his [opening statement](#) by saying, "Finally, and importantly, this bill includes all long-standing pro-life protections." (Same speech as last year except it was "most importantly" then. But it is doubtful this slight revision indicates any change in the priority for inclusion and ordering of the political imperatives necessary to lockdown GOP caucus support for the foreign aid bill.)

Lee Amendment

Offered immediately after the adoption of the bipartisan manager's amendment making non-controversial technical changes, a [Lee amendment](#) sought to strike a package of many of the most egregious provisions on a wide range of topics contained in the Republican majority's draft bill—including in the SRHR realm (UNFPA funding prohibition and legislative codification of expanded Trump GGR), but also language cutting off funding to combat climate change, refugee resettlement, U.N. organizations like the World Health Organization, and support for the Palestinians and Gaza, and imposing the same set of "culture war" funding bans as last year's House GOP bill applying to drag queens, anti-racism and anti-sexism initiatives, advancing DEI and accessibility, combating disinformation, provision of gender-affirming care, and flying Pride flags.

As subcommittee Ranking Member Lee noted in describing the motivation for offering her amendment to strike some of the worst policy “riders” in the majority’s draft bill:

“Many of these are very familiar to us because we had to defeat them last year. But we’re back again, fighting many of the same ugly and, yes, misinformed and harmful riders that really should not be in an appropriations bill. The United States cannot lead if we refuse to engage with others, especially where there is a difference of opinion. We cannot lead if we are fighting with each other at home about whether science is real or whether facts are facts. Our country is stronger when we embrace our diversity and welcome the stranger. That welcoming spirit isn’t only a core American value, but it’s also a strength as we seek to build partnerships that we need as we confront dictators and adversaries.”

Joining Ranking Member Lee in support of her amendment were full committee Ranking Member DeLauro and Reps. Wasserman Schultz and Frankel, both of whom highlighted the draft bill’s attacks on family planning and women’s empowerment programs as central to their support. The Lee amendment was defeated on a straight party-line vote of 25 to 33.

Meng Amendment

Following the adoption of an amendment offered by Subcommittee Chair Diaz-Balart that made some of the most partisan provisions in his own chairman’s mark even worse, Rep. Meng, chair of the International Women’s Rights Caucus of the House Pro-Choice Caucus, offered an amendment that strikes the anti-SRHR section of the draft subcommittee bill (Sec. 7057 — Limitations Related to Global Health Assistance) that codifies the expanded version of the GGR and prohibits funding for UNFPA, deletes the cap on bilateral FP/RH funding at \$461 million in a separate section, and replaces them with a new section that included the following provisions:

- Earmarks bilateral FP/RH funding at “not less than” \$575 million, the current enacted level;
- Permits funding for a voluntary contribution to UNFPA “in order to provide assistance to expand access and use of contraception in developing countries, to furnish maternal and reproductive health care in humanitarian crises, to address the harmful practices of female genital mutilation and child, early and forced marriage, and to prevent obstetric fistula;” and
- Reinstates long-standing restrictions on a UNFPA contribution requiring UNFPA to maintain U.S. funds in a segregated account, none of which may be spent in China, nor fund abortion, dollar-for-dollar “withholding” of the amount UNFPA plans to spend in China; and reprogramming funds that may be withheld from UNFPA due to the “operation of any provision of law” to bilateral “family planning, maternal and reproductive health activities.”

As written, the Meng amendment would have restored funding levels and policy restrictions on international FP/RH programs to the status quo that has persisted for the last 14 fiscal years with the exception of no earmarked U.S. contribution to UNFPA specified, in all likelihood because Republicans zeroed out all funding in the IO&P account from which such voluntary contributions to U.N. agencies have always been derived in the past.

Joining Rep. Meng in speaking in strong support of the amendment to remove the anti-SRHR section inserted by the Republican majority and to restore provisions in current law were full committee Ranking Member DeLauro and subcommittee Ranking Member Lee, who noted that she offered the same amendment last year. Speaking in opposition were subcommittee Chair Diaz-Balart and Rep. Bob Aderholt (R-AL). After a thoughtful and measured defense was waged by its proponents, the Meng amendment was rejected on a straight party-line vote of 26 to 30, with all Democrats present supporting and all

Republicans opposing. Five committee members did not vote—four Republicans, Reps. Ben Cline (R-VA), Tony Gonzalez (R-TX), Kay Granger (R-TX), and Dan Newhouse (R-WA), and one Democrat, Rep. Bonnie Watson Coleman (D-NJ). Both Reps. Granger and Watson Coleman were absent throughout the markup.

In speaking in opposition to the Meng amendment and in attempting to justify the anti-SRHR provisions contained in his bill, subcommittee Chair Diaz-Balart asserted without any factual foundation or evidence that “unfortunately, the Biden administration continues to push the envelope with regards to abiding by longstanding statutory restrictions on funding for partners and activities related to abortions abroad—taxpayer money. We cannot continue to allow this to go unchecked and the bill adds the necessary constraints to reign in the Biden administration’s agenda.” He also described UNFPA as an “unaccountable bureaucracy that has a track record of funding controversial programs by the way notably in communist China that just don’t align with core American values and which actively undermine U.S. security interests,” whatever that means. He justified the low ceiling on FP/RH funding by saying “foreign assistance dollars must be used for bipartisan priorities”—as Rep. Meng correctly noted, support for family planning was bipartisan [once upon a time](#)—and that “Americans don’t support using foreign assistance for abortions or other controversial programs overseas,” an assertion belied by February [polling](#) by Hart Research for Planned Parenthood finding that the GGR is deeply unpopular and the majority of Americans are concerned by the GGR’s dangerous consequences for the health of women overseas.

The debate on the Lee and Meng amendments, available for viewing on a [recording](#) of the markup on the House Appropriations Committee’s YouTube channel, is worth a look or a listen to see the strong performance of SRHR champions and observe just the same old tired rhetoric from Republican opponents.

What’s Next

After a delayed start, new House Appropriations Committee Chair Tom Cole is pursuing an ambitious, expedited schedule for marking up in committee and taking to the House floor the 12 subcommittee bills for the upcoming fiscal year, and so far, he is sticking to it. Last week, House appropriators managed to complete five full committee markups, including State and Foreign Operations and Homeland Security on Wednesday and the Defense, Financial Services, and Legislative Branch bills during a 12-hour marathon markup on Thursday. (The full House already passed the Military Construction-Veterans Affairs bill on June 5.)

House floor action on the State-Foreign Operations bill is currently on the schedule for some time next week, and the House Rules Committee has set a deadline for filing amendments at noon today. It remains to be seen what amendments on international FP/RH funding and policy may be filed by either SRHR opponents or proponents and which may or may not be made in order for floor consideration. One might be tempted to say that it would be hard for SRHR opponents to find a way to make such a bad bill even worse, but some Republican members will inevitably try.

As is typically the case most years, Senate appropriators are on a much slower timetable and scheduling of Senate committee action on FY 2025 appropriations remains uncertain. Late breaking reports suggest that the first markups could begin by mid-July. An agreement among Senate leaders on top-line funding allocations for defense and non-defense discretionary (NDD) programs remains elusive, with Republicans pressing for more than the 1% increase for defense specified in last year’s Fiscal Responsibility Act and Democrats insisting on parity for NDD programs, matching any funding increase for defense with a commensurate increase for domestic social welfare programs. (House Republicans are using allocations that increase defense by 1% but cut domestic programs by 6%, much to the dismay of Democratic appropriators.) Further slowing movement in the Senate, full committee Chair Patty Murray (D-WA) and Vice Chair Susan Collins (R-ME) have not yet reached an agreement on how to proceed and whether to reinstate a no new “riders” deal that helped them achieve committee passage of all 12 subcommittee bills last year, eight of them unanimously.

It being an election year, everyone who is engaged in the appropriations process—whether in government or the private sector—expects without question that Congress will not be able to complete its work prior to the end of the fiscal year on September 30 and will need to pass a continuing resolution until after the November election with a final resolution of the FY 2025 appropriations process likely having to wait until after the swearing-in of the new Congress in January.