

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To increase the amount appropriated for family planning/reproductive health, to provide \$35,000,000 for the United Nations Population Fund, and to permit funding for foreign nongovernmental organizations.

**IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.**

**S.** \_\_\_\_\_

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2016, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENTS intended to be proposed by Mrs. SHAHEEN (for herself, Mr. LEAHY, Ms. MIKULSKI, Mr. DURBIN, Ms. BALDWIN, Mr. MERKLEY, Mr. KIRK, Mr. UDALL, Mr. SCHATZ, Mrs. FEINSTEIN, and Mrs. MURRAY)

Viz:

1       Beginning on page 256, line 25, strike “of the funds  
2 appropriated by this Act,” and all that follows through  
3 page 257, line 2, and insert the following: “of the funds  
4 appropriated under title III, not less than \$577,600,000  
5 shall be made available for family planning/reproductive  
6 health, including in areas where population growth threat-  
7 ens biodiversity or endangered species.”.

1 On page 271, strike lines 1 through 14 and insert  
2 the following:

3 INTERNATIONAL FAMILY PLANNING AND REPRODUCTIVE  
4 HEALTH

5 SEC. 7063. (a) UNITED NATIONS POPULATION  
6 FUND.—

7 (1) CONTRIBUTION.—Of the amounts made  
8 available under the heading “INTERNATIONAL ORGA-  
9 NIZATIONS AND PROGRAMS” in this Act for fiscal  
10 year 2016, \$35,000,000 shall be made available for  
11 the United Nations Population Fund (referred to in  
12 this section as “UNFPA”).

13 (2) AVAILABILITY OF FUNDS.—Amounts appro-  
14 priated under this Act for UNFPA that are not  
15 made available for UNFPA because of the operation  
16 of any provision of law shall be transferred to the  
17 “GLOBAL HEALTH PROGRAMS” account and shall be  
18 made available for family planning, maternal, and  
19 reproductive health activities, subject to the regular  
20 notification procedures of the Committees on Appro-  
21 priations.

22 (3) PROHIBITION ON USE OF FUNDS IN  
23 CHINA.—None of the amounts made available under  
24 this Act may be used by UNFPA for a country pro-  
25 gram in the People’s Republic of China.

1           (4)    CONDITIONS    ON    AVAILABILITY    OF  
2           FUNDS.—Amounts made available under this Act for  
3           UNFPA may not be made available unless—

4                   (A) UNFPA maintains such amounts in  
5                   an account that is separate from other UNFPA  
6                   accounts and does not commingle such funds  
7                   with other funds; and

8                   (B) UNFPA does not fund abortions.

9           (b) ASSISTANCE FOR FOREIGN NONGOVERNMENTAL  
10          ORGANIZATIONS.—The Foreign Assistance Act of 1961  
11          (22 U.S.C. 2151 et seq.) is amended by inserting after  
12          section 104C the following:

13        **“SEC. 104D. ELIGIBILITY FOR ASSISTANCE.**

14           “Notwithstanding any other provision of law, regula-  
15          tion, or policy, in determining eligibility for assistance  
16          under sections 104, 104A, 104B, and 104C, a foreign non-  
17          governmental organization—

18                   “(1) shall not be ineligible for such assistance  
19                   solely on the basis of health or medical services, in-  
20                   cluding counseling and referral services, provided by  
21                   such organization with non-United States Govern-  
22                   ment funds if such services—

23                           “(A) are permitted in the country in which  
24                           they are being provided; and

1                   “(B) would not violate United States law if  
2                   provided in the United States; and  
3                   “(2) shall not be subject to requirements relat-  
4                   ing to the use of non-United States Government  
5                   funds for advocacy and lobbying activities other than  
6                   those that apply to United States nongovernmental  
7                   organizations receiving assistance under this part.”.