



November 18, 2022

The Honorable Nancy Pelosi
Speaker
United States House of Representatives
1236 Longworth House Office Building
Washington, DC 20515

The Honorable Kevin McCarthy
Minority Leader
United States House of Representatives
2468 Rayburn House Office Building
Washington, DC 20515

The Honorable Rosa DeLauro
Chair
Committee on Appropriations
2413 Rayburn House Office Building
Washington, DC 20515

The Honorable Kay Granger
Ranking Member
Committee on Appropriations
1026 Longworth House Office Building
Washington, DC 20515

Dear Speaker Pelosi, Minority Leader McCarthy, Chairwoman DeLauro, and Ranking Member Granger:

I am writing to you today as the President of the Ethics and Religious Liberty Commission (ERLC). Our organization serves as the public policy arm of the Southern Baptist Convention (SBC), the nation's largest Protestant denomination with over 50,000 churches and congregations and nearly 14 million members. As Congress presses toward either completing the appropriations process or passing another continuing resolution by the end of December 16, I write to convey the [concerns](#) of Southern Baptists in these negotiations.

Southern Baptists support the inclusion of key pro-life riders, such as the Hyde Amendment, because of what they represent and their importance in this time of deep division in our nation. Not only do these riders save lives, many, like the Weldon Amendment, protect the consciences of millions of Americans and maintain national unity over a sensitive issue. Both the Senate and House appropriations bills strip these and other important pro-life protections, actions that are unacceptable in the minds of countless constituents who do not want a dime of their resources supporting the abortion industry in any way, shape, or form.



Just as last year, the Hyde Amendment has again not been included in the initial Labor-HHS appropriations bill. The Hyde Amendment prevents Medicaid from covering the cost of abortion, and protects American consciences. At the 2021 Annual Meeting of the Southern Baptist Convention, messengers unanimously approved a [resolution](#) condemning efforts to strip Hyde from any federal appropriations bill and called upon Congress to uphold all pro-life riders.

We are all made in the image of God endowed with immeasurable worth from conception until natural death. And we strongly object to tax dollars being used for what we believe to be a great moral wrong. It is estimated that the Hyde Amendment has saved over two million lives since it was enacted.

Additionally, the appropriations bills again removed the Weldon Amendment. The amendment protects the rights of conscience for healthcare professionals and institutions by preventing HHS from denying funding to recipients that refuse to provide, pay for, or refer for abortion. The budget also removes the Dornan (Hyde protections in the District of Columbia) and would also prohibit any president from re-instituting the Mexico City Policy, reestablished and expanded by President Donald Trump, as the Protecting Life in Global Health Assistance policy.

Just as they were ultimately included in Fiscal Year 2022 appropriations, it is crucial that these and all pro-life riders continue to be included in appropriations legislation during the 117th Congress.

The bills also exclude any organization, including child welfare and foster care organizations from receiving funding from the U.S. Department of Health and Human Services (HHS) that do not adhere to the ever-shifting notions of sexual orientation and gender identity ideology. These actions only harm children by eliminating faith-based organizations that could serve and care for them.

The ERLC urges Congress to defend protections against federal funds being used for abortion and to ensure that pro-life spending riders are approved in all spending legislation passed in the 117th Congress. These amendments save lives and protect American consciences. We also urge Congress to remove harmful provisions that would exclude people of faith from serving the most vulnerable. This would be an

act of courageous leadership that recognizes our great experiment as a democratic republic is strongest when we respect one another in the midst of our disagreements. Such an act of across-the-aisle policymaking is desperately needed.

At the end of this letter, you'll find enclosed the ERLC's [complete list of concerns](#) in the appropriations bills.

I look forward to working with you on these and other important issues.

Respectfully,

A handwritten signature in cursive script that reads "Frederick Brent Leatherwood". The signature is written in black ink and is positioned to the left of the typed name.

Frederick Brent Leatherwood
President
Southern Baptist Ethics & Religious Liberty Commission



ERLC Concerns in FY2023 Appropriations

Southern Baptists affirm the full dignity of every human being: every life is worthy of protection and celebration, beginning with the unborn. We believe life begins at conception, and that abortion denies precious human lives both personhood and protection. Scripture is clear that every person is made in the image of God, and his knowledge of each of us even precedes the creative act of conception (Jeremiah 1:5; Psalm 139:13). At the 2018 Annual Meeting of the Southern Baptist Convention, the Messengers passed a resolution to “reaffirm the sacredness and full dignity and worthiness of respect and Christian love for every single human being, without any reservation.”

The ERLC is committed to conscience protection policies because they uphold two of our most dearly held convictions. First, we work to protect the consciences of our neighbors because we believe religious freedom is an inalienable human right secured as the first freedom in the Bill of Rights. Second, our pro-life ethic compels us to protect healthcare workers from the coercive power of the profit-seeking, on-demand abortion industry.

The ERLC opposes appropriation riders that deny religious freedom and conscience protections to millions of Americans. Efforts to codify sexual orientation and gender identity as protected classes under federal law have explicitly included attempts to roll back religious freedom and conscience protections. Many of the riders discussed below do the same. As the ERLC has long maintained, a government that can pave over the conscience has the unlimited ability to steamroll dissent on any issue.

Agriculture - No concerns

Commerce, Justice, Science (CJS)

Section 203 (House and Senate)

While this budget proposal bans funding of abortions for federal prisoners, prisons are still required to transport pregnant women to off-site abortion clinics if requested.

SEC. 202. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 203. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility.

Section 531 (House and Senate)

Section 531 prohibits the Department of Justice from preventing certain States and territories from implementing State or territory laws regarding the use of medical marijuana.



SEC. 531. None of the funds made available under this Act to the Department of Justice may be used, with respect to any of the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming, or with respect to the District of Columbia, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, Guam, or Puerto Rico, to prevent any of them from implementing their own laws that authorize the use, distribution, possession, or cultivation of medical marijuana.

Section 539 (House)

Section 539 prohibits the Department of Justice from using these funds to prevent states and territories from implementing laws regarding marijuana use.

SEC. 539. prohibits the use of funds made available by this Act to the Department of Justice to prevent States, the District of Columbia, or Territories from implementing laws that authorize marijuana use, distribution, possession, or cultivation.

Section 540 (House), Section 539 (Senate)

This section would prevent the DOJ from investigating or prosecuting individuals who assist those obtaining abortions in another state.

None of the funds made available by this Act to the Department of Justice may be used to investigate or prosecute any individual that (i) crosses state lines to access abortion services or (ii) provides assistance to another individual to obtain abortion services.

Department of Defense

Section 8145 (House)

Section 8145 prohibits the use of funds that would hinder a DOD employee or service member from taking leave in order to receive an abortion or assisting a family member or spouse from an abortion.

SEC. 8145. None of the funds appropriated or otherwise made available by this Act may be used to deny leave for any member of the Armed Forces or civilian employee of the Department of Defense— (1) who is pregnant and requests leave to obtain an abortion; or (2) who is the spouse, partner, or significant other of a pregnant individual and requests leave to assist that individual in obtaining an abortion.



Energy & Water - No concerns

Financial Services and General Government

Dornan Amendment (D.C. Hyde) (House and Senate)

The proposed 2023 budget excludes the Dornan Amendment. The Dornan Amendment prohibits federal and congressionally approved local funds from paying for elective abortions in the District of Columbia.

Smith Amendment (House and Senate)

The proposed 2023 budget excludes the Smith Amendment which has been included in almost every budget since 1984. The amendment bans funding for elective abortions for federal employees through the Federal Employee Health Benefits (FEHB) program.

Federal Payment for School Improvement (House and Senate)

The Federal Payment for School Improvement section again included language from the Scholarships for Opportunity and Results Act (SOAR), which enables low-income DC students to attend private schools. The modified language places cumbersome federal requirements on private, religious schools, thus largely eliminating them from the program.

For a Federal payment for a school improvement program in the District of Columbia, \$52,500,000, to remain available until expended, for payments authorized under the Scholarships for Opportunity and Results Act (division C of Public Law 112–10): Provided, That, to the extent that funds are available for opportunity scholarships and following the priorities included in section 3006 of such Act, the Secretary of Education shall make scholarships available to students eligible under section 3013(3) of such Act (Public Law 112–10; 125 Stat. 211) including students who were not offered a scholarship during any previous school year: Provided further, That within funds provided for opportunity scholarships up to \$1,750,000 shall be for the activities specified in sections 3007(b) through 3007(d) of the Act and up to \$500,000 shall be for the activities specified in section 3009 of the Act: Provided further, That none of the funds made available under this heading may be used for an opportunity scholarship for a student to attend a school which does not certify to the Secretary of Education that the student will be provided with the same protections under the Federal laws which are enforced by the Office for Civil Rights of the Department of Education which are provided to a student of a public elementary or secondary school in the District of Columbia and which does not certify to the Secretary of Education that the student and the student's parents will be provided with the same services, rights, and protections under the Individuals With Disabilities Education Act (20 U.S.C. 1400 et seq.) which are provided to a student and a student's parents of a public elementary or secondary school in the District of Columbia, as enumerated in Table 2 of Government Accountability Office Report 18–94 (entitled



“Federal Actions Needed to Ensure Parents Are Notified About Changes in Rights for Students with Disabilities”), issued November 2017.

Section 631 (House)

Like last year, Section 631 removed penalties for banks that provide financial services to the marijuana industry. This provision would allow the marijuana industry to gain access to expanded funding and financial capital.

SEC.631: None of the funds made available in this Act may be used to penalize a financial institution solely because the institution provides financial services to an entity that is a manufacturer, a producer, or a person that participates in any business or organized activity that involves handling hemp, hemp-derived cannabidiol products, other hemp-derived cannabinoid products, marijuana, marijuana products, or marijuana proceeds, and engages in such activity pursuant to a law established by a State, political subdivision of a State, or Indian Tribe.

Section 714 (Senate)

No government department, agency, or corporation can use funds to promote religious training for employment.

SEC. 714. (a) None of the funds made available in this or any other Act may be obligated or expended for any employee training that—
(4) contains any methods or content associated with religious or quasi-religious belief systems or “new age” belief systems as defined in Equal Employment Opportunity Commission Notice N-915.022, dated September 2, 1988

Amendment 132 (House-passed version)

The House voted to add Amendment 132, which prohibits funds from being used to oppose access to reproductive healthcare. This would restrict pro-life pregnancy centers and many other organizations from receiving federal funding under this Act.

Provides that none of the funds appropriated by this Act may be used in contravention of Executive Order 14076 (87 Fed. Reg 42053; relating to protecting access to reproductive healthcare services).

Homeland Security - No concerns

Interior and Environment - No concerns

Labor, HHS, Education



Hyde Amendment (House and Senate)

Like last year, the proposed 2023 budget excludes the Hyde Amendment. The Hyde Amendment is an annual appropriations policy first introduced in 1976 that prevents Medicaid from covering the cost of abortion. This policy alleviates taxpayers from unwanted financial responsibility for a practice that millions of Americans find to be a grave moral wrong. Because the Hyde Amendment is attached as a “rider” to the appropriations bill, it is only applicable for the money appropriated that year and therefore must be attached to appropriations bills each year to be effective. The Hyde Amendment saves an estimated 60,000 preborn lives each year.

Weldon Amendment (House and Senate)

The proposed 2023 budget excludes the Weldon Amendment for the third consecutive year. The amendment, which was previously included in the appropriations process every year since 2006, protects the rights of conscience for healthcare professionals and institutions by preventing HHS from denying funding to recipients that refuse to provide, pay for, or refer for abortion.

Family Planning (House)

Like last year, Title X guidance requires recipients of federal funding to provide abortion counseling and referral. Additionally, Title X grantees must provide abortifacients, which end life, to receive funding. The Title X funding portion increases the funding level from \$400 million to \$500 million.

For carrying out the program under title X of the PHS Act to provide for voluntary family planning projects, \$500,000,000: Provided, That amounts provided to said projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative proposal or candidate for public office: Provided further, That all entities funded under this heading shall provide clinical services consistent with nationally recognized clinical standards: Provided further, That projects funded under section 1001 of the PHS Act shall provide a broad range of contraceptive products approved and cleared by the Food and Drug Administration: Provided further, That all patients served under title X of the PHS Act with a positive pregnancy test shall be given the opportunity to be provided information and counseling regarding: (1) prenatal care and delivery; (2) infant care, foster care, and adoption; and (3) pregnancy termination: Provided further, That if such a patient requests information specified in the preceding proviso, such patient shall be provided with neutral, factual information and nondirective counseling on each such option, including referral upon request, except with respect to any option about which the patient indicates no interest in receiving such information and counseling.



Family Planning (Senate)

For carrying out the program under title X of the PHS Act to provide for voluntary family planning projects, \$512,000,000: Provided, That amounts provided to said projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative proposal or candidate for public office: Provided further, That all entities funded under this heading shall provide clinical services consistent with nationally recognized clinical standards: Provided further, that projects funded under section 1001 of the PHS 23 Act shall provide the full range of contraceptive products approved by the Food and Drug Administration: Provided further, that all patients served under title X of the PHS Act with a positive pregnancy test shall be given the opportunity to be provided information and counseling regarding: (1) prenatal care and delivery; (2) infant care, foster care, and adoption; and (3) pregnancy termination: Provided further, That if such a patient requests information specified in the preceding proviso, such patient shall be provided with neutral, factual information consistent with nationally recognized clinical standards and nondirective counseling on each such option, including upon request of a patient a referral to medical providers for the purposes of terminating a pregnancy: Provided further, that no information shall be provided under the preceding proviso, with respect to any option about which the patient indicates no interest in receiving such information and counseling.

Section 240 (House) Section 238 (Senate)

Organizations who operate consistent with deeply held religious convictions—including adoption and foster care agencies—will not be eligible for funding from HHS if they do not violate their consciences to provide services to same-sex couples. Section 240 would block HHS from granting further religious liberty waivers, like the Miracle Hill waiver to South Carolina. More than 407,493 children currently live in the U.S. foster care system, and this childhood crisis demands contributions from a wide range of organizations to serve children in need.

SEC. 240. (a) None of the funds made available by this Act may be awarded to any organization, including under the Child Welfare or Federal Foster Care programs under part B or E of title IV of the Social Security Act, that does not comply with paragraphs (c) and (d) of section 75.300 of title 45, Code of Federal Regulations (prohibiting discrimination on the basis of age, disability, sex, race, color, national origin, religion, gender identity, or sexual orientation), as in effect on October 1, 2019.

(b) None of the funds made available by this Act may be used by the Department of Health and Human Services to grant an exception from either such paragraph for any Federal grantee.



Sexual Risk Avoidance Funding (House and Senate)

Sexual Risk Avoidance Funding (SRAF) funds abstinence-based education programs for youth until they are in committed relationships. The 2023 budget excludes SRAF, which was funded with \$35 million in FY2022.

Teen Pregnancy Prevention Funding (House)

This section under “General Departmental Management” would effectively require funding for the Teen Pregnancy Prevention program to continue going to abortion-providing organizations and increases funding over FY2022 levels.

For necessary expenses, not otherwise provided, for general departmental management, including hire of six passenger motor vehicles, and for carrying out titles III, XVII, XXI, and section 229 of the PHS Act, the United States-Mexico Border Health Commission Act, and research studies under section 1110 of the Social Security Act, \$563,894,000, together with \$75,728,000 from the amounts available under section 241 of the PHS Act to carry out national health or human services research and evaluation activities: Provided, That of this amount, \$60,000,000 shall be for minority AIDS prevention and treatment activities: Provided further, That of the funds made available under this heading, \$130,000,000 shall be for making competitive contracts and grants to public and private entities to fund medically accurate and age appropriate programs that reduce teen pregnancy and for the Federal costs associated with administering and evaluating such contracts and grants, of which not more than 10 percent of the available funds shall be for training and technical assistance, evaluation, outreach, and additional program support activities, and of the remaining amount 75 percent shall be for replicating programs that have been proven effective through rigorous evaluation to reduce teenage pregnancy, behavioral risk factors underlying teenage pregnancy, or other associated risk factors, and 25 percent shall be available for research and demonstration grants to develop, replicate, refine, and test additional models and innovative strategies for preventing teenage pregnancy: Provided further, That of the amounts provided under this heading from amounts available under section 241 of the PHS Act, \$7,700,000 shall be available to carry out evaluations (including longitudinal evaluations) of teenage pregnancy prevention approaches: Provided further, That funds provided in this Act for embryo adoption activities may be used to provide to individuals adopting embryos, through grants and other mechanisms, medical and administrative services deemed necessary for such adoptions.



Pregnancy Prevention Funding (Senate)

For necessary expenses, not otherwise provided, for general departmental management, including hire of six passenger motor vehicles, and for carrying out titles III, XVII, XXI, and section 229 of the PHS Act, the United States-Mexico Border Health Commission Act, and research studies under section 1110 of the Social Security Act, \$565,394,000, together with \$64,828,000 from the amounts available under section 241 of the PHS Act to carry out national health or human services research and evaluation activities: Provided, That of this amount, \$60,000,000 shall be for minority AIDS prevention and treatment activities: Provided further, That of the funds made available under this heading, \$130,000,000 shall be for making competitive contracts and grants to public and private entities to fund medically accurate and age appropriate programs that reduce teen pregnancy and for the Federal costs associated with administering and evaluating such contracts and grants, of which not more than 10 percent of the available funds shall be for training and technical assistance, evaluation, outreach, and additional program support activities, and of the remaining amount 75 percent shall be for replicating programs that have been proven effective through rigorous evaluation to reduce teenage pregnancy, behavioral risk factors underlying teenage pregnancy, or other associated risk factors, and 25 percent shall be available for research and demonstration grants to develop, replicate, refine, and test additional models and innovative strategies for preventing teenage pregnancy: Provided further, That of the amounts provided under this heading from amounts available under section 241 of the PHS Act, \$6,800,000 shall be available to carry out evaluations (including longitudinal evaluations) of teenage pregnancy prevention approaches: Provided further, That funds provided in this Act for embryo adoption activities may be used to provide to individuals adopting embryos, through grants and other mechanisms, medical and administrative services deemed necessary for such adoptions.

Sexual Orientation and Gender Identity (SOGI) Research Center (House)

This section of the Labor, HHS, and Education appropriations would make \$2 million available to fund additional research promoting further adoption of the LGBTQ agenda.

The Committee includes \$2,000,000 to establish the SOGI Research Center, which will build upon the success of the NASEM consensus study and the Sexual and Gender Minority Research Office to disseminate best practices in data collection on sexual orientation, gender identity, and sex characteristics on a governmentwide basis.

Section 243 (Senate)

This section of the Labor, HHS, and Education appropriations would make \$350 million available to fund public and private organizations that help women gain access to abortion. This could include providing funds for women who need to travel to access abortions.



In addition to amounts otherwise appropriated by this Act under the heading “Office of the Secretary—General Departmental Management” there are hereby appropriated an additional \$350,000,000, to remain available until expended, for the Secretary to make grants to, and enter into contracts with, public or nonprofit private entities that assist individuals in accessing abortion services and overcoming barriers that might impede access to such services, including by covering the costs of travel, lodging, and childcare, through hiring, and the construction and renovation (including equipment) of health care and other facilities, and by otherwise assisting providers: Provided, That the Secretary may transfer amounts made available under this section to other accounts of the Department of Health and Human Services for such purposes.

Legislative Branch

Reproductive Healthcare (House)

The proposed 2023 budget requests that congressional offices offer taxpayer-funded health plans that provide “infertility treatments and assisted reproduction procedures” like IVF. High-risk procedures like IVF and ART can result in the destruction of already-fertilized embryos, thus ending invaluable preborn lives.

The Committee recognizes the importance of comprehensive health insurance for House employees, including the coverage of comprehensive reproductive medical care. The Committee encourages Congress to make available health plans that cover reproductive medical care that include infertility treatments and assisted reproduction procedures. It is the Committee’s goal to provide equal treatment for all House employees who wish to make use of assisted reproduction, without regard to gender, sexual orientation, ability status, and marital status. (p.17-18 of committee report)

Military Construction, VA

Section 233 (House); 234 (Senate)

This amendment to Sec. 233 would permanently allow the Department of Veterans Affairs to fund reproductive procedures, including in vitro fertilization (IVF) and assisted reproductive technology (ART), for veterans who are infertile due to service-related injuries. High-risk procedures like IVF and ART can result in the destruction of already-fertilized embryos, thus ending invaluable preborn lives. The Appropriations Committee increased funding for these procedures by \$500,000.

SEC. 233. Subchapter II of chapter 17 of title 38, United States Code, is amended by adding at the end the following new section (and conforming the table of sections at the beginning of such chapter accordingly): “§ 1720K. Infertility counseling and treatment; reimbursement of adoption expenses”



(a) INFERTILITY COUNSELING AND TREATMENT

(1) Pursuant to regulations the Secretary shall prescribe to carry out this subsection, the Secretary may provide infertility counseling and treatment, using assisted reproductive technology, including in vitro fertilization, intrauterine insemination, and other advanced reproductive technologies, to the following:

“(A) A veteran—“(i) who is enrolled in the system of annual patient enrollment established and operated under section 1705 of this title; and “(ii) who, in the judgment of a health care professional of the Department— “(I) has a service-connected disability or condition causing or aggravating infertility; or “(II) is infertile as a result of having received medically necessary treatment pursuant to this chapter.

Section 251 (Senate)

This section appropriates almost \$1 billion to “gender-specific” efforts to “deliver care for women veterans.” The bill text is unclear whether this includes abortions.

SEC. 251. Of the amounts made available for the Department of Veterans Affairs for fiscal year 2023, in this or any other Act, under the “Veterans Health Administration — Medical Services”, “Veterans Health Administration — Medical Community Care”, “Veterans Health Administration — Medical Support and Compliance”, and “Veterans Health Administration — Medical Facilities” accounts, \$911,119,000 shall be made available for gender specific care and programmatic efforts to deliver care for women veterans.

State-Foreign Operations (SFOPS)

Helms Amendment (House)

The 2023 SFOPS budget excludes the “Helms Amendment” — language preventing foreign aid from directly paying for abortion as a method of family planning.

United States Commission on International Religious Freedom (USCIRF) Funding (Senate)

Though the House-passed SFOPS bill funds USCIRF’s important work at \$4.5 million and with little restriction, the Senate SFOPS bill cuts USCIRF’s funding by \$1 million and severely restricts its usage. At the same time, the Senate bill expands USCIRF’s mandate to monitor and work against laws and policies of foreign governments that “permit or condone discrimination against, or violations of human rights of, minority groups and other vulnerable communities on the basis of religion.” USCIRF’s current, focused scope allows it to effectively work to protect people of faith around the world, and this language unhelpfully broadens that scope.

United Nations Population Fund (UNFPA) (House)

According to the Congressional Pro-Life Caucus, “the Kemp-Kasten amendment was



adopted in 1985. The Kemp-Kasten Amendment restricts funds from organizations that the President determines support or participates in a coercive abortion program. Presidents Ronald Reagan, George H.W. Bush, George W. Bush, and Donald Trump all interpreted this provision to require the elimination of funds for UNFPA.” Like last year, the 2023 budget again weakens the provision authorizing the president to discontinue funding to organizations that manage coercive population control and/or abortion programs. Additionally, this appropriations bill keeps the funding for UNFPA at \$70 million.

SEC. 7057. (a) CONTRIBUTION.—Of the funds made available under the heading “International Organizations and Programs” in this Act for fiscal year 2023, \$70,000,000 shall be made available for the United Nations Population Fund (UNFPA).

AVAILABILITY OF FUNDS.—Funds appropriated by this Act for UNFPA, that are not made available for UNFPA because of the operation of any provision of law, shall be transferred to the “Global Health Programs” account and shall be made available for family planning, maternal, and reproductive health activities, subject to the regular notification procedures of the Committees on Appropriations.

United Nations Population Fund (UNFPA) (Senate)

Notably, this appropriations bill increase the funding for UNFPA to \$60 million, a \$27.5 million increase from last year.

(a) CONTRIBUTION.—Of the funds made available under the heading “International Organizations and Programs” in this Act for fiscal year 2023, \$60,000,000 shall be made available for the United Nations Population Fund (UNFPA). 4 (b) AVAILABILITY OF FUNDS.—Funds appropriated by this Act for UNFPA, that are not made available for UNFPA because of the operation of any provision of law, shall be transferred to the “Global Health Programs” account and shall be made available for family planning, maternal, and reproductive health activities, subject to the regular notification procedures of the Committees on Appropriations.

(2) UNFPA does not fund abortions.

Peace Corps (House and Senate)

The 2023 budget excludes language that has been passed since 1979 that prevents Peace Corps money from being used to pay for abortions. Current law prohibits all federal funding for abortions except in cases of rape, incest, or to save the life of the mother.

Section 7058 (House)

Section 7058 funds global health programs related to HIV / AIDS prevention, research, and treatment. However, \$760 million is set aside for family planning and reproductive health services, which includes funding for abortions.



IN GENERAL.—Funds appropriated 8 under the heading “Global Health Programs” in this Act that are made available for bilateral assistance for global health programs including activities relating to research on, and the prevention, treatment and control of, HIV/ AIDS may be made available notwithstanding any other provision of law except for provisions under the heading “Global Health Programs” and the United States Leadership Against HIV/ AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amended: Provided, That of the funds appropriated under the heading “Global Health Programs” in this Act, not less than \$760,000,000 shall be made available for family planning/ reproductive health, including in areas where population growth threatens biodiversity or endangered species.

Section 7058 (Senate)

Section 7058 funds global health programs related to HIV/ AIDS prevention, research, and treatment. However, \$650 million is set aside for family planning and reproductive health services, which includes funding for abortions.

IN GENERAL.—Funds appropriated under titles III and IV of this Act that are made available for bilateral assistance for global health programs including activities relating to research on, and the prevention, treatment, and control of, HIV/ AIDS may be made available notwithstanding any other provision of law except for provisions under the heading “Global Health Programs” and the United States Leadership Against HIV/ AIDS, Tuberculosis, and Malaria Act of 2003, as amended: Provided, that of the funds appropriated under the heading “Global Health Programs” in this Act, not less than \$650,000,000 shall be made available for family planning/ reproductive health, including in areas where population growth threatens biodiversity or endangered species.

Gender Equality (House and Senate)

This budget includes \$200 million in funding for the “Gender Equity and Equality Action Fund.” This fund would go to support abortion as one element of “reproductive health.”

(3) GENDER EQUITY AND EQUALITY ACTION FUND.—Of the funds appropriated under title III of this Act, not less than \$200,000,000 shall be made available for the Gender Equity and Equality Action Fund.

Global Health Activities (House and Senate)

Section 7058 prohibits any President from reinstating the “Mexico City Policy,” reestablished and expanded by President Donald Trump as the “Protecting Life in Global Health Assistance” policy. This provision, rescinded by President Biden, required foreign nongovernmental organizations to agree not to perform or promote abortions as a precondition of their receipt of US grant money.

SEC. 7058. (a) IN GENERAL.—Funds appropriated under the heading “Global Health Programs” in this Act that are made available for bilateral assistance for global health



programs including activities relating to research on, and the prevention, treatment and control of, HIV / AIDS may be made available notwithstanding any other provision of law except for provisions under the heading “Global Health Programs” and the United States

Leadership Against HIV / AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amended: Provided, That of the funds appropriated under the heading “Global Health Programs” in this Act, not less than \$760,000,000 shall be made available for family planning / reproductive health, including in areas where population growth threatens biodiversity or endangered species.

Provided further, That none of the funds made available in this Act nor any unobligated balances from prior appropriations Acts may be made available to any organization or program which, as determined by the President of the United States, directly supports or participates in the management of a program of coercive abortion or in voluntary sterilization: Provided further, That any determination made under the previous proviso must be made not later than 6 months after the date of enactment of this Act, and must be accompanied by the evidence and criteria utilized to make the determination: Provided further, That none of the funds made available under this Act may be used to lobby for or against abortion:

In order to reduce reliance on abortion in developing nations, funds shall be available only to voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services, and that any such voluntary family planning project shall meet the following requirements: (1) service providers or referral agents in the project shall not implement or be subject to quotas, or other numerical targets, of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning (this provision shall not be construed to include the use of quantitative estimates or indicators for budgeting and planning purposes);

Provided further, That in awarding grants for natural family planning under section 104 of the Foreign Assistance Act of 1961 no applicant shall be discriminated against because of such applicant’s religious or conscientious commitment to offer only natural family planning; and, additionally, all such applicants shall comply with the requirements of the previous proviso:

Provided further, That for purposes of this or any other Act authorizing or appropriating funds for the Department of State, foreign operations, and related programs, the term “motivate”, as it relates to family planning assistance, shall not be construed to prohibit the provision, consistent with local law, of information or counseling about all pregnancy options. Provided further, That information provided about the use of condoms and modern contraceptives as part of projects or activities that are funded from amounts



appropriated by this Act shall be medically accurate and shall include the public health benefits and failure rates of such use.

Transportation, Housing and Urban Development (THUD)

Sections 403 and 404 (House and Senate)

These sections would prohibit any funds going to employee training that contains religious or quasi-religious belief systems or is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace. This could prohibit faith based grant receiving organizations from receiving funding.

SEC. 403. The expenditure of any appropriation under this Act for any consulting service through a procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 404. (a) None of the funds made available in 23 this Act may be obligated or expended for any employee 24 training that— (1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties; (2) contains elements likely to induce high levels of emotional response or psychological stress in some participants; (3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation; (4) contains any methods or content associated with religious or quasi-religious belief systems or “new age” belief systems as defined in Equal Employment Opportunity Commission Notice N– 915.022, dated September 2, 1988; or (5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.