

117TH CONGRESS  
2D SESSION

# S. 4641

To amend the Foreign Assistance Act of 1961 to authorize the use of funds for comprehensive reproductive health care services, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JULY 27, 2022

Mr. BOOKER (for himself, Ms. DUCKWORTH, Ms. SMITH, Ms. HIRONO, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Mr. BROWN, Mr. WYDEN, Mr. HEINRICH, Mr. MARKEY, Ms. WARREN, Mr. SCHATZ, Mr. MURPHY, Ms. KLOBUCHAR, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. MERKLEY, Mr. CARDIN, Mr. PADILLA, Mr. SANDERS, and Mr. LEAHY) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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## A BILL

To amend the Foreign Assistance Act of 1961 to authorize the use of funds for comprehensive reproductive health care services, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Abortion is Health  
5 Care Everywhere Act of 2022”.

1 **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

2 (a) FINDINGS.—Congress makes the following find-  
3 ings:

4 (1) International agreements have recognized  
5 reproductive rights for more than 25 years, and the  
6 2015 United Nations Sustainable Development  
7 Goals reiterated the centrality of reproductive rights  
8 to gender equality.

9 (2) Studies have repeatedly demonstrated that  
10 when people, including young women and adolescent  
11 girls, gender nonconforming individuals, and  
12 transgender men, are able to control their reproduc-  
13 tive lives, there are enormous social and economic  
14 benefits, not just for the individual and their family,  
15 but for entire communities.

16 (3) Countries that prioritize reproductive  
17 health, rights, and justice and human rights are  
18 more likely to have better overall health throughout  
19 their countries.

20 (4) Health system cost is reduced when abor-  
21 tion is widely available and integrated with other  
22 types of health care.

23 (5) Without access to safe abortion care, people  
24 risk their lives to end their pregnancies. At least  
25 24,100 people in low- and middle-income countries

1 die every year from complications from unsafe abor-  
2 tions.

3 (6) Ninety-seven percent of unsafe abortions  
4 occur in developing countries in Africa, Asia, and  
5 Latin America. In low- and middle-income countries,  
6 the annual cost of post-abortion care for all who  
7 need is estimated to be \$4,000,000,000. The major-  
8 ity of this cost is attributed to treating complications  
9 from abortions provided in unsafe conditions.

10 (7) Restricting abortion does not reduce either  
11 the need for or number of abortions. Abortion rates  
12 are similar in countries where it is highly restricted  
13 by law and where it is broadly legal.

14 (8) When abortions are performed in accord-  
15 ance with World Health Organization guidelines and  
16 standards, there is minimal risk of severe complica-  
17 tions or death.

18 (9) United States law restricting United States  
19 foreign assistance funding from being used to pro-  
20 vide safe abortion services has the effect of harming  
21 people who seek to terminate their pregnancies in  
22 several ways, including by blocking access to services  
23 and erecting barriers to providers obtaining the  
24 training and equipment needed to deliver care to  
25 those in need.

1           (10) Since the enactment of section 104(f)(1) of  
2           the Foreign Assistance Act of 1961 (22 U.S.C.  
3           2151b(f)(1)) (commonly referred to as the “Helms  
4           amendment”) in 1973, dozens of governments across  
5           the globe have liberalized abortion laws and policies.

6           (11) In countries where the United States sup-  
7           ports family planning and reproductive health care  
8           and in which abortion is legal on, at least some  
9           grounds, support for safe abortion could avert more  
10          than 19,000,000 unsafe abortions and 17,000 ma-  
11          ternal deaths each year.

12          (b) SENSE OF CONGRESS.—It is the sense of Con-  
13          gress that—

14               (1) abortion is a critical component of sexual  
15               and reproductive health care and should be acces-  
16               sible and affordable for all people;

17               (2) all people have the right to make their own  
18               choices about their sexual and reproductive health,  
19               and to access quality and affordable sexual and re-  
20               productive health care; and

21               (3) as part of their commitment to prevent un-  
22               safe abortions and preventable deaths and to ensure  
23               that all people have access to comprehensive sexual  
24               and reproductive health care and can exercise their  
25               right to full control over their sexuality and repro-

1       duction, developing countries and donor governments  
2       must work collaboratively to deploy funding, align  
3       policies, and mobilize expertise to make safe abortion  
4       services available to those seeking to terminate preg-  
5       nancies.

6       **SEC. 3. STATEMENT OF POLICY.**

7       It is the policy of the United States Government—

8               (1) to recognize safe abortion as a critical com-  
9       ponent of comprehensive maternal and reproductive  
10      health care and include safe abortion services as  
11      part of foreign assistance programs funded by the  
12      United States Government;

13              (2) to make safe abortion widely available and  
14      integrated with other types of health care; and

15              (3) to work to end unsafe abortion and to pro-  
16      mote safe abortion services by providing funding and  
17      collaborating with affected governments and service  
18      providers to provide training, commodities and  
19      equipment, and access to safe abortion services.

20      **SEC. 4. USE OF FUNDS FOR COMPREHENSIVE REPRODUC-**  
21                                   **TIVE HEALTH CARE SERVICES.**

22      Section 104 of the Foreign Assistance Act of 1961  
23      (22 U.S.C. 2151b) is amended—

24              (1) in subsection (f)—

25                              (A) by striking paragraph (1); and

1 (B) by redesignating paragraphs (2) and  
2 (3) as paragraphs (1) and (2), respectively;

3 (2) by redesignating subsection (g) as sub-  
4 section (h); and

5 (3) by inserting after subsection (f), as amend-  
6 ed, the following:

7 “(g) USE OF FUNDS FOR COMPREHENSIVE REPRO-  
8 DUCTIVE HEALTH CARE SERVICES.—Notwithstanding  
9 any other provision of law, funds made available to carry  
10 out this part may be used to provide comprehensive repro-  
11 ductive health care services, including abortion services,  
12 training, and equipment.”.

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