



United Nations Population Fund (UNFPA)

“I said we’re not going to use taxpayers’ money to fund abortion, and I’m going to make sure we’re not using taxpayers’ money to fund abortion.”

—President George W. Bush, March 2002,
Responding to a question about his freezing UNFPA funding,
The Associated Press, March 23, 2002

“Regrettably, the PRC has in place a regime of severe penalties on women who have unapproved births. This regime plainly operates to coerce pregnant women to have abortions in order to avoid the penalties and therefore amounts to a ‘program of coercive abortion.’ Regardless of the modest size of UNFPA’s budget in China or any benefits its programs provide, **UNFPA’s support of, and involvement in, China’s population-planning activities allows the Chinese government to implement more effectively its program of coercive abortion.**”

—Secretary of State Colin Powell’s letter to Congress, July 21, 2002
<http://www.house.gov/burton/RSC/UNFPAletter.pdf>

“Secretary of State Colin Powell has decided that the \$34 million that we have for the UN Population Fund, with the approval of Congress, will be spent on population programs under USAID’s Child Survival and Health Program Fund. While Americans have different views on the issues of abortion, I think all agree that no woman should be forced to have an abortion. After careful consideration of the law and all the information that’s available, including the report from the team that we sent to China in May, **we came to the conclusion that the UN Population Fund monies go to Chinese agencies that carry out coercive programs.**”

—State Department Spokesman Richard Boucher,
July 22, 2002, <http://www.state.gov/>

U.S. FUNDING FOR UNFPA (SINCE 1993):

FY93	\$14.5 million	
FY94	\$40 million	
FY95	\$35 million	
FY96	\$22.8 million	(First fiscal year of Republican majority)
FY97	\$25 million	
FY98	\$20 million	
FY99	\$0	
FY00	\$25 million	
FY01	\$25 million	

FY02: “not more than \$34,000,000”; “Provided further, That none of the funds made available in this Act nor any unobligated balances from prior appropriations may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization.”

FY03 Law: “an equal amount” [as FY02]

“SEC. 572. **Funds appropriated in Public Law 107-115 that were available for the United Nations Population Fund (UNFPA), and an equal amount in this Act, shall be made available for the UNFPA if the President determines that the UNFPA no longer supports or participates in the management of a program of coercive abortion or involuntary sterilization:** *Provided*, That none of the funds made available for the UNFPA may be used in the People's Republic of China: *Provided further*, That the other conditions on availability of funds for abortion and abortion-related activities contained in either this Act or Public Law 107-115, including but not limited to section 576(c), shall apply to any assistance provided for the UNFPA in this Act or Public Law 107-115, respectively: *Provided further*, That the conditions on availability of funds for the UNFPA as contained in section 576(c) of Public Law 107-115 shall apply to any assistance provided for the UNFPA in this Act: *Provided further*, That the amount of funds that the UNFPA plans to spend in the People's Republic of China in calendar years 2002 and 2003, as determined by the Secretary of State, shall be deducted from funds made available to the UNFPA under Public Law 107-115 and this Act” (emphasis added).

[Translation: this provision includes the same language from FY02 to keep the U.S. funding out of China, keep the U.S. contribution separate and not commingled and disallow funding if UNFPA funds abortion or provides funding for the State Planned Birth Commission or its affiliates. In addition, the U.S. contribution to UNFPA would be decreased by the amount of money UNFPA spends in China, which was \$3.5 million in FY02. The bolded text would make the \$34 million from FY02 available to UNFPA if the President determines that the UNFPA is no longer in violation of Kemp-Kasten. The funds from FY02 and FY03 will not be distributed *unless* the President makes a positive determination that the UNFPA is *no longer* violating Kemp-Kasten. In other words, if the President does nothing new, UNFPA will not receive any U.S. funds.]

UNFPA BUDGET:

UNFPA’s Budget= \$266 million

U.S. portion = \$25 million in FY2001, “up to \$34 million” in FY2002 [prior to Bush revocation]

—Source: July 15, 2002, *Kansas City Star*, “Bush will cut aid to U.N. family planning program, sources say” <http://www.kansascity.com/mld/kansascitystar/news/3663424.htm?>

PRESIDENTS REAGAN AND BUSH CUT OFF UNFPA FUNDING 1985-1992:

At the 1984 Mexico City Conference, the Reagan Administration established the requirement that UNFPA provide “concrete assurances that [it] is not engaged in, or does not provide funding for, abortion or coercive family planning programs.” Concern was highest over UNFPA's activities in China's coercive family planning practices. At the time, the Administration reportedly held up \$19 million (of \$38 million allocated for UNFPA for FY1984) until the organization could provide the necessary assurances.

WHAT IS “KEMP-KASTEN”?:

Congress enacted the “Kemp-Kasten Amendment” in the Fiscal Year 1985 Supplemental Appropriations Act (P.L. 99-88) and has continued the language in similar form in annual Foreign Operations Appropriations bills. The most recently approved text appears in P.L. 107-115, signed by the President on January 10, 2002.

Under Title II it states:

Provided further, That none of the funds made available in this Act nor any unobligated balances from prior appropriations may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization:

http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=107_cong_public_laws&docid=f:publ115.107

Following enactment of the Kemp-Kasten Amendment, USAID announced that \$10 million of \$46 million that had been earmarked for UNFPA during FY1985 would be redirected to other programs, and later said that the United States would not contribute to UNFPA at all in 1986.

Most of the \$25 million originally allocated for UNFPA was spent for other international population control planning activities. At the time of suspension, U.S. payments represented nearly one-third of UNFPA's annual budget. From 1986 through 1993, an unbroken series of determinations by Presidents Ronald Reagan and George H. W. Bush concluded that the Kemp-Kasten amendment prohibited U.S. funding to the UNFPA and thus the group received no U.S. funds. President George H.W. Bush even vetoed the 1989 Foreign Operations Appropriations bill because it would have forced the U.S. to contribute to the UNFPA.

PRESIDENT CLINTON FUNDS UNFPA:

In 1993, the Clinton Administration dramatically revised the official interpretation of the “Kemp-Kasten amendment” in order to facilitate U.S. funding of UNFPA, thus making available \$14.5 million in FY1993 while stipulating that none of these specific funds could be used in China. Congress attached restrictions in appropriation measures that in most cases reduced the U.S. contribution by the amount UNFPA spent in China. UNFPA completed a 5-year program in China in 1997, but in 1998 negotiated a new multi-year Chinese program. As a result, Congress cut off UNFPA funds in FY1999. Congress resumed UNFPA funding in FY2000 and 2001 but under the condition that the \$25 million earmark would be reduced by whatever amount UNFPA's program cost for China.

—Source: Congressional Research Service, July 17, 2002

RECENT CHARGES AGAINST UNFPA:

On October 17, 2001, the House International Relations Committee heard testimony from an undercover fact-finding team that went to investigate claims of forced abortion in Sihui, a UNFPA county in China where the UNFPA told Congress that abortion and sterilization are voluntary. Investigators received testimony from many victims and witnesses of coercion, and as formal interviews were being conducted and recorded, bystanders often gathered and began to tell their own stories of coercion.

The investigators were told that family planning is not voluntary in Sihui, and coercive family planning policies in Sihui include: age requirements for pregnancy; birth permits; mandatory use of IUDs; mandatory sterilization; crippling fines for non-compliance; imprisonment for non-compliance; destruction of homes and property for non-compliance; forced abortion and forced sterilization.

“On the first day of our investigation, we interviewed women in a family planning clinic **about a mile from the county office of the UNFPA**. We interviewed a 19-year-old there who told us she was too young to be pregnant according to the unbending family planning policy. While she was receiving a **non-voluntary abortion** in an adjacent room, her friends told us that she indeed desired to keep her baby, but she had no choice, since the law forbids” (emphasis added).

—Testimony before House IR Committee on Coercive Abortion in China, October 17, 2001

Mrs. Gao Xiao Duan, who served for 14 years as a planned birth officer in China’s Fujian province, stated in a January 24, 2002 U.S. press conference, “I do know that any organization that is contributing to China’s population control policy is encouraging these officials to implement forced abortion, sterilization and punishments ranging from detainment to house destruction as means of enforcement.”

UNFPA PRAISES CHINA’S ONE-CHILD POLICY

"For all the bad press, China has achieved the impossible," says Sven Burmester, the United Nations Population Fund representative in Beijing. "The country has solved its population problem."

—*Time-Asia*, August 29, 2001 <http://www.time.com/time/asia/news/magazine/0,9754,168514,00.html>

"China has had the most successful family planning policy in the history of mankind in terms of quantity and with that, China has done mankind a favour," United Nations Population Fund (UNFPA) representative Sven Burmester said last week.

—10/11/99 *Agence France-Presse*

"In strictly quantitative terms, it was the most successful family-planning policy ever developed," said Sven Burmester, the UN Population Fund representative in Beijing. "My own view is that there is a generation of Chinese who sacrificed themselves for the benefit of society and they should be recognized for that." —*Chicago Tribune* Monday, May 1, 2000

"I have had the honor of being associated with China's reproductive health and family planning programme for more than two decades. I was instrumental in initiating UNFPA's cooperation with China in 1979."

"...I also feel proud that UNFPA made the wise decision to resist external pressures and continued its fruitful cooperation with China."

(Nafis Sadik, UNFPA Executive Director 1987- 2000, accepting the "International Cooperation Honorary Prize" from the Chinese Government on January 12, 2002.)
—Official State Family Planning Commission of China web site, January 12, 2002
<http://www.sfpc.gov.cn/EN/enews20020114-2.htm>

PRESIDENT GEORGE H.W. BUSH'S 1989 VETO OVER UNFPA:

Message to the House of Representatives Returning Without Approval the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990

November 19, 1989

To the House of Representatives:

I am returning herewith without my approval H.R. 2939, the appropriations bill for foreign operations, export financing, and related programs for the fiscal year 1990.

I do not take this action lightly. In a good faith effort to resolve the constitutional and other problems contained in the bill, the Administration has engaged in extensive negotiations with the Congress. Those negotiations have not succeeded, and serious problems remain. Consequently, I must veto this bill.

Several sections of the bill, and in particular Section 582, interfere with my constitutional authority to conduct the foreign relations of the United States. The bill would also require the expenditure of millions of dollars to support a United Nations fund that, in turn, strongly defends and supports a foreign nation's policy of coercive abortion. United States assistance to the fund reverses existing United States policy and is unacceptable.

...

The bill would also require the use of appropriated funds to support the United Nations Fund for Population Activities, which supports and participates in the management of a program in a foreign nation that involves coercive abortion.

On October 6, 1989, I informed the Congress of my continued strong support of the Kemp-Kasten Amendment, also known as the Kemp-Inouye-Helms Amendment, which has applied to foreign operations appropriations since 1985. The Kemp-Kasten Amendment denies United States population assistance funds to any organization that, as determined by the President, supports, or participates in the management of, a program of coercive abortion or involuntary sterilization. I stated that if this bill as ultimately presented to me by the Congress contained any language which would weaken the current Kemp-Kasten provision, or exempt the United Nations Fund or any other organization from its full application, I would veto the bill.

Let me restate my strong support for international family planning programs, and my view that the United States should support such efforts so long as they do not violate Kemp-Kasten or other established policies of the U.S. Government.

Unfortunately, the Congress has inserted in the bill the so-called Mikulski Amendment, which would fatally weaken the integrity of the Kemp-Kasten anti-coercion provision by earmarking funds for the United Nations Fund, the only organization that has ever been determined to violate that provision. The Fund participates in and strongly defends the program of a particular foreign government which relies heavily upon compulsory abortion. This fund has received no United States assistance since 1985, precisely because of its involvement in this coercive abortion policy. The current bill thus represents radical and unwarranted change in policy.

The Mikulski Amendment is rendered no more acceptable by a clause which requires the Fund to keep its books in a manner so as to prevent the direct flow of United States assistance to the particular foreign government. The current Kemp-Kasten law tells all family planning organizations that they must refrain from supporting coercive programs, or the United States will direct its resources to alternative organizations which respect the fundamental principle of voluntariness. The bill would negate this essential human rights principle through substitution of a simple accounting requirement, and I find this unacceptable. The bookkeeping provision would clearly place the United States in the position of supporting a program that in turn supports coercive abortions, a program that is inconsistent with American values. Such support would undermine our position that family planning must be voluntary and would contradict the human rights character of our foreign policy around the world.

Although these provisions, standing alone, would lead me to veto this bill, many other provisions of the bill also pose constitutional problems. The Administration has discussed those provisions in detail in letters to both houses of Congress.

I look forward to working with the Congress to craft a bill that I can enthusiastically support and to passage of an appropriations bill that will facilitate our many foreign policy initiatives.

George Bush

The White House,

November 19, 1989.

NEXT STEP FOR \$34 MILLION:

By September 30, 2002 the President had to notify Congress that he planned on transferring the \$34 million originally appropriated to the State Department's IOP account into the United States Agency for International Development's (USAID) Child Survival and Health Programs Fund. This transfer, because it does not equal more than 10% of the total IOP account, is allowed under 610a of the Foreign Assistance Act (Title 22 of the U.S. Code) and only requires Congressional notification, not Congressional approval.

For Immediate Release
Office of the Press Secretary
September 30, 2002

PRESIDENTIAL DETERMINATION NO. 2002-32

MEMORANDUM FOR THE SECRETARY OF STATE

SUBJECT: Presidential Determination on the Transfer of Funds from International Organizations and Programs Funds to the Child Survival and Health Programs Fund

Pursuant to the authority vested in me by the Constitution and laws of the United States, including section 610 of the Foreign Assistance Act of 1961, as amended (FAA), I hereby determine it is necessary for the purposes of the FAA that the \$34 million in FY 2002 International Organizations and Programs funds that were allocated for the United Nations Population Fund be transferred to, and consolidated with, the Child Survival and Health Programs Fund, and such funds are hereby transferred and consolidated. **The transferred funds will be administered by the U.S. Agency for International Development in support of reproductive health and maternal health and related programs.**

You are authorized and directed to transmit this determination to the Congress and to arrange for its publication in the Federal Register.

GEORGE W. BUSH

—<http://www.whitehouse.gov/news/releases/2002/09/print/20020930-4.html> [emphasis added]

Once the President notified Congress of the transfer, and the money was transferred, USAID's next step was to file a reprogramming request with Congress. This request outlined USAID's proposed use of the \$34 million within the Child Survival and Health Programs Fund. (This Fund is "no-year" money and thus remains available until appropriated.) There are numerous programs within the fund among which the \$34 million could have been allocated. For instance, the fund contains the international population control (family planning) account, an international AIDS account, and Child Survival accounts such as malaria prevention and vaccinations.

In its reprogramming request transmitted to House and Senate Appropriations, USAID reportedly requested \$25 million of the original \$34 million to be transferred to a program for Afghanistan health care (including population control) and \$9 million to go to a program for Pakistan health (including population control). Senator Leahy (D-VT) and Representative Kolbe (R-AZ) reportedly put a hold on this reprogramming request and the Omnibus Appropriations bill for FY03 designated unspent UNFPA funds be distributed to UNFPA in the event that the group is found to be in compliance with US laws and no longer cooperating in coercive population control programs.

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CALLS ARE NEEDED TO HOUSE MEMBERS now also to urge opposition to the Crowley Amendment when the House takes up the State Dept. Authorization bill. The measure is scheduled to take center stage shortly after Congress returns from the July 4 recess, but calls are needed, appropriate and useful any time from now until the matter is settled.

What's at stake? The long-standing policy that Americans are not taxed to abet coercive depopulation pogroms like the horrific "one-child" rule in Red China or Peru's scandalous forced abortion and involuntary sterilization campaign. As we reported May 12, the House Committee on International Relations narrowly adopted an amendment by Rep. Joseph Crowley (D-NY) revoking the ban on such participation, adopted 17 years ago via legislation sponsored by then-Rep. Jack Kemp (NY) and then-Sen. Bob Kasten (WI).

The Crowley Amendment is intended as a precursor to restoring funding to UNFPA, the United Nations Population Fund, which the President has recognized as knee-deep in Beijing's self-genocide. Secretary of State Colin Powell last July cited the Kemp/Kasten human rights provision in announcing he had recommended the President embargo funds provisionally appropriated to the UN's depopulation agency. The amendment even earmarks \$100 million for UNFPA over the next two years.

Pro-life citizens and officials should take this issue very seriously; the last time an issue close to this one was voted in the US House, in 1999, the abortion coercionists prevailed.