

President Joseph R. Biden
The White House
1600 Pennsylvania Avenue
Washington D.C., 20500

April 29, 2021

Re: Call for Executive Action on United States Abortion Restrictions on Foreign Aid

Dear President Biden,

We, the undersigned organizations, welcome your administration's reengagement of the United States (US) with the UN Human Rights Council (HRC) and recommitment to promoting human rights. We also applaud you for revoking the Global Gag Rule (also known as the Mexico City Policy) within your first ten days in office, and now we ask you to go further to implement "the policy of the US to support women's and girls' sexual and reproductive health and rights in the US, as well as globally." Therefore, in light of your administration's response to the recommendations made to the US during the Universal Periodic Review (UPR) before the HRC in Geneva last November, we are writing to urge you to take further steps to implement the UPR recommendations made with regard to sexual and reproductive health and rights, including by taking executive and administrative action to ameliorate the harmful impact of US abortion restrictions on foreign aid, particularly the Helms Amendment, a nearly 50 year-old policy that must be congressionally repealed in its entirety. Recognizing the racist and neo-colonial roots of the Helms Amendment, we also urge the implementation of the recommendations made regarding racism and discrimination. These recommendations were made by 23 countries spanning across Asia, Africa, Latin America, Europe, and the Middle East and, if implemented, would positively impact access to sexual and reproductive health and rights, as well as the livelihood and wellbeing of persons experiencing discrimination.

During the UPR, the US was called on to strengthen its support for sexual and reproductive health and rights at home and abroad. A number of countries made formal recommendations for the US to take action on its restrictions on foreign assistance, and we commend your support of these recommendations. The Netherlands called on the US to "repeal the Helms Amendment...and, in the interim, allow United States foreign assistance to be used, at a minimum, for safe abortion in cases of rape, incest and life endangerment." During the UPR adoption, the United Kingdom specifically addressed its "hope that the US can go further and clarify its interpretation of the Helms Amendment, and ensure universal access to safe abortion care." Congress must repeal the Helms Amendment entirely and the Administration must do all that it can to mitigate the harms of this egregious policy in the interim. In order to implement these recommendations, we encourage you to take steps to:

- Take executive action and issue guidance from relevant agencies and departments to clarify and implement US foreign assistance support for abortion care to the maximum extent allowed under the Helms Amendment, namely by immediately clarifying that funds can be used to support abortion care provided in cases of rape, incest, or life endangerment of the pregnant person.
- Issue guidance from relevant agencies and departments to proactively clarify that US foreign assistance may be used for abortion information and counseling under the Leahy Amendment.
- Prioritize the removal of abortion funding restrictions like the Helms Amendment, in addition to addressing many other important sexual and reproductive health and rights (SRHR) priorities, through the White House Gender Policy Council, with its focus on promoting SRHR domestically and globally, in order to bring US policy in line with its human rights obligations and the administration's stated commitment to advancing global health and equity. All actions by the Gender Policy Council must also consider the role of racial and other forms of discrimination on recipients of sexual and reproductive healthcare in the US and elsewhere across the globe.
- Consult with relevant stakeholders and agencies to issue policies to combat systemic racism and discrimination against marginalized and minoritized populations and ensure implementation of these policies at the state, federal and local levels, recognizing that domestic US policy and practice influence the values exported through US foreign assistance and foreign policy.
- Ensure robust support for sexual and reproductive health and rights, including eliminating Helms and similar abortion coverage restrictions from the Fiscal Year 2022 budget.

The UPR recommendations bring attention to the US' need to address its restrictions on foreign assistance, namely the Helms Amendment, and its current implementation as a total ban on funding for abortion services. As written, the law restricts the use of US foreign assistance for "abortion as a method of family planning." This does not include cases of rape, incest, or life-endangerment; however, lack of clarity around the law has prevented the use of funds in these cases, even in humanitarian emergency settings. The Leahy Amendment clarifies that information and counseling on abortion is expressly permitted. However, some US grantees are unable to provide it out of confusion or overabundance of caution because of the chilling effect of abortion restrictions like the Global Gag Rule and the Helms and Siljander Amendments. This over-implementation denies not only abortion services in cases of rape, incest, or life-endangerment, but also critical health information to countless people despite being permitted under the law. The Biden Administration can unilaterally implement humanitarian and development programs that make abortion services available to those whose lives are endangered by a pregnancy or are survivors of rape or incest, including in conflict zones. The administration can also do more to proactively clarify and implement funding for abortion information and counseling where legally permissible.

The US is the largest funder of global health, including family planning, and is the only donor nation to single out abortion in this way. Many US abortion restrictions, including the Helms Amendment, have consistently been in place for decades, causing generations' worth of harm — and they will continue to do so if action is not taken. This is a matter of utmost urgency as bodily autonomy and reproductive freedom are increasingly under siege.

We appreciate your expressed commitment to protecting and advancing human rights, health, gender equality and racial justice. The Trump Administration caused untold damage to global health systems, especially to sexual and reproductive health and rights, and undermined progress toward a more equitable and tolerant country and world. The Helms Amendment must be congressionally repealed and we urge your administration to expressly support H.R. 1670, the Abortion is Health Care Everywhere Act, which repeals the Helms Amendment and replaces it with proactive language allowing for funding of comprehensive abortion services, training and equipment. Furthermore, we ask that you also remove the Helms language, and other abortion funding restrictions, from your annual budget proposal. You can act **now** to begin to mitigate the harm caused by the Helms Amendment around the world by permitting the use of foreign assistance for abortion care in cases of rape, incest, and life endangerment, and clarifying for grantees that abortion information and counseling are permissible. As a critical step that could help move the US in line with its human rights obligations and reassert US leadership, we urge you to implement the UPR recommendations and take decisive action to ensure that US aid serves its purpose: To alleviate suffering and save lives.

Advocates for Youth
Advocating Opportunity
AFROAMERICAS
AIDS United
Aidsfonds
American Jewish World
Service
American Medical Student
Association
American Society for
Reproductive Medicine
(ASRM)
Amnesty International USA
Arizona Coalition for
Change/Our Voice Our
Vote Arizona
Black Women for Wellness
Action Project
Black Women's Health
Imperative

California Latinas for
Reproductive Justice
Catalysts for Change
Catholics for Choice
Center for Biological
Diversity
Center for International
Policy
Center for Reproductive
Rights
CHANGE (Center for
Health and Gender Equity)
Civil Liberties & Public
Policy
Clearinghouse on Women's
Issues
Colorado Organization for
Latina Opportunity &
Reproductive Rights
(COLOR)
Council for Global Equality

Creative Community
League
Desiree Alliance
Elrha
End Rape On Campus
EngenderHealth
Every Mother Counts
Eyes Right Veteran's
Foundation
Feminist Majority
Foundation
Freedom Network USA
Friends of the Earth US
Fundors Concerned About
AIDS
Global Doctors For Choice
Global Fund for Women
Global Justice Center
Global Network of Black
People working in HIV

Global Woman P.E.A.C.E.
Foundation
Guttmacher Institute
Gynuity Health Projects
Hawai'i Institute for Human
Rights
Health GAP
HealthRight International
Heartland Alliance
International
Human Rights Watch
I AM CLEAN ENERGY,
LLC
Ibis Reproductive Health
If/When/How: Lawyering
for Reproductive Justice
IKAR
In Our Own Voice:
National Black Women's
Reproductive Justice
Agenda
International Action
Network for Gender Equity
& Law (IANGEL)
International Center for
Advocates Against
Discrimination (ICAAD)
International Center for
Research on Women
(ICRW)
International Planned
Parenthood Western
Hemisphere Region
(IPPFWHR)
International Women's
Convocation
International Women's
Health Coalition
Ipas
Jacobs Institute of Women's
Health
Jewish Women
International
John Snow, Inc. (JSI)
Keep Abortion Safe
Keshet
Last Mile4D
Legal Voice

MADRE
Management Sciences for
Health
Medica Mondiale
Medical Students for
Choice
MenEngage Alliance
MPact: Global Action for
Gay Men's Health & Rights
MSI Reproductive Choices
MSI United States
NAPO/MXGM
NASPAG
National Abortion
Federation
National Association Social
Workers
National Birth Equity
Collaborative
National Center for Lesbian
Rights
National Council of Jewish
Women
National Health Law
Program
National Institute for
Reproductive Health
National Organization for
Women
National Partnership for
Women & Families
National Women's Health
Network
New Voices for
Reproductive Justice
Nigerian Women Agro
Allied Farmers Association
North American Men
Engage Network
(NAMEN)
Nurses for Sexual and
Reproductive Health
OutRight Action
International
Oxfam America
Pathfinder International
Physicians for Human
Rights

Population Council
Population Institute
Population Services
International (PSI)
Positive Women's Network-
USA
Prevention Access
Campaign - U=U
Promundo-US
Provide
Rabbinical Assembly
Radiant International
Reconstructionist
Rabbinical Association
Religious Coalition for
Reproductive Choice
Reproaction
Reproductive Health Access
Project
Reproductive Health
Network Kenya
Secular Coalition for
America
Servas International
SFBSP-BURUNDI
SisterLove, Inc.
SisterReach
SisterSong: National
Women of Color
Reproductive Justice
Collective
Society for Maternal-Fetal
Medicine
Stichting EqualA
Foundation (Equal Asia
Foundation)
Tewa Women United
The Fellowship of
Affirming Ministries
The Global Justice Institute
The Good Table United
Church of Christ
The Womxn Project
Together for Girls
Treatment Action Group
UltraViolet
Union for Reform Judaism

Unitarian Universalist
Women's Federation
United State of Women
(USOW)
University of Technology
Sydney
URGE: Unite for
Reproductive & Gender
Equity
Urgent Action Fund for
Women's Human Rights
US Human Rights Network
We Testify

White Ribbon Alliance
Win Without War
Women Deliver
Women Enabled
International
Women Graduates USA
Women Have Options/
Ohio
Women of Reform Judaism
Women's Environment &
Development Organization
(WEDO)

Women's Initiatives for
Gender Justice
Women's Medical Fund
Women's Refugee
Commission
Women's All Points
Bulletin WAPB
Woodhull Freedom
Foundation
WV FREE

CC: Kamala D. Harris, Vice President

Antony J. Blinken, Secretary of State

Lloyd J. Austin III, Secretary of Defense

Linda Thomas-Greenfield, US Ambassador to the United Nations

Gloria D. Steele, Acting Administrator, US Agency for International Development

Lisa Peterson, Senior Official for Civilian Security, Democracy, and Human Rights and Acting
Assistant Secretary Bureau of Democracy, Human Rights, and Labor

Jennifer Klein, Co-Chair and Executive Director of the Gender Policy Council

Julissa Reynoso, Co-Chair of the Gender Policy Council and Chief of Staff to First Lady Jill Biden