

United States Senate

WASHINGTON, DC 20510

May 4, 2020

The Honorable Mike Pompeo
U.S. Secretary of State
The State Department
2201 C Street, NW
Washington, DC 20520

Dear Secretary Pompeo:

We write with extreme concern about the effect of the novel coronavirus (COVID-19) on access to and the availability of sexual and reproductive health globally. The United States should be a leader in addressing this pandemic, rather than lagging behind and allowing ideological objections to drive decision-making and contribute to poor access to health care. Ideological actions taken by the Trump-Pence Administration, like reinstating and expanding the Global Gag Rule, otherwise known as the Mexico City Policy or the Protecting Life In Global Health Assistance Policy, and defunding the United Nations Population Fund (UNFPA), undermine global access to sexual and reproductive health care, which needlessly endangers health care workers and their patients worldwide. We urge you to reconsider policies that prevent the United States from partnering fully with entities best positioned to deliver lifesaving care and supplies amid the COVID-19 pandemic. Ideology is no excuse for hampering the international response to COVID-19, jeopardizing hard-won progress in the fight against HIV/AIDS, or failing to act as access to contraceptive care decreases and gender-based violence increases.

COVID-19 has forced health facilities to shift focus, which has reduced access to other health care services. Physical distancing measures have further limited patients' ability to seek care. Disruptions to supply chains and reductions in delivery capacity have also resulted in shortfalls in health systems' ability to meet reproductive, maternal, and perinatal care demand, particularly in developing countries. According to new data released by UNFPA, Johns Hopkins University and Avenir Health, a six-month disruption in access to health care could lead to nearly 50 million women losing access to contraceptives.¹ A six-month disruption could also result in an additional 31 million cases of gender-based violence as cramped living conditions, social isolation, and economic distress increase due to precautions in place to combat the COVID-19 pandemic.² UNFPA is the UN agency mandated to end preventable maternal death, end the unmet need for voluntary contraception, and end gender-based violence. Additionally, in response to the COVID-19 pandemic, UNFPA has mobilized contract tracers in Liberia, delivered ventilators in Yemen, surged midwife capacity in South Sudan, and delivered critical sanitizing agents and personal protective equipment globally – including in the United States.³ Rather than supporting the work of UNFPA, the Trump-Pence Administration has instead refused to allocate the Congressionally-appropriated funding for this critical partner, and also has not provided a humanitarian exemption to the ban on funding. While ideological interference with health care is

¹ https://www.unfpa.org/sites/default/files/resource-pdf/COVID-19_impact_brief_for_UNFPA_24_April_2020_1.pdf

² Id.

³ <https://www.unfpa.org/covid19>

never appropriate, continuing to withhold funding during a global pandemic particularly is harmful.

Additionally, the Trump-Pence Administration's expansion of the Global Gag Rule continues to put up unnecessary and harmful barriers that interfere with access to health care by making effective and trusted providers ineligible to receive U.S. funding if they use their own, non-U.S. funds to offer abortion information, counseling, referrals, advocacy or services. Even with regards to the Administration's purported goal of reducing abortion, recent peer-reviewed studies have shown the previous versions of the Global Gag Rule were counterproductive, and led to both decreases in the use of contraception and increases in abortion.⁴ Research on the current Global Gag Rule and its predecessors shows the policy limits access to sexual and reproductive health services and supplies, particularly in hard to reach and vulnerable communities. In light of the COVID-19 pandemic and the urgent need for global coordination, we are especially concerned the global gag rule has further weakened already fragile health systems and may be hindering our ability to effectively work with other donors and the full range of partners responding to this growing crisis.

A report recently released by the U.S. Government Accountability Office (GAO) on how widely the policy is being applied found that over 1,300 global health projects were found to be subject to the policy in its first year and a half alone, accounting for over \$12 billion in planned funding. GAO found that 54 awardees had already been forced to decline funding they had been awarded and may have already planned to use, spanning programs on HIV/AIDS, family planning and reproductive health care, maternal and child health, tuberculosis, and nutrition.⁵

A recent survey by the Foundation for AIDS Research, or amfAR, found the expansion of the Global Gag Rule is disrupting HIV services provided by the President's Emergency Plan for AIDS Relief (PEPFAR) partners, with over one-third of such organizations reporting forced alterations to their programming.⁶ Nearly one-half of the affected organizations reduced, or planned to reduce, services to provide sexual and reproductive health information, with a disproportionate effect on programs that served pregnant women or men who have sex with men. The amfAR survey also found many programs have been forced to cut programs relating to contraception, HIV services, and adolescent health. Despite this clear indication of harm resulting from the expanded Global Gag Policy, the Department still has not followed up on its commitment to report to Congress on the policy's impact.

While we continue to urge the Administration to reverse the Global Gag Rule and the Kemp-Kasten determination barring funding to UNFPA, we request at a minimum it do the following during the COVID-19 pandemic:

⁴ [https://www.thelancet.com/journals/langlo/article/PIIS2214-109X\(19\)30267-0/fulltext](https://www.thelancet.com/journals/langlo/article/PIIS2214-109X(19)30267-0/fulltext)

⁵ <https://www.gao.gov/assets/710/705388.pdf>

⁶ <https://www.amfar.org/issue-brief-the-effect-of-the-expanded-mexico-city-policy/>

1. Exempt emergency global health funding from the dangerous and inefficient Global Gag Rule restrictions to ensure all organizations are eligible to receive emergency funding based on their ability to provide essential health care services to communities most in need.
2. Provide a humanitarian exemption to the Kemp-Kasten determination to allow UNFPA to compete for emergency supplemental funding to support global efforts to address COVID-19.
3. Halt any Department of State work on a Fiscal Year 2020 Kemp-Kasten determination and allow appropriated funding to go to UNFPA given its critical role in the COVID-19 response.

We thank you in advance for your prompt attention to this matter. Please contact Laurel Sakai (laurel_sakai@help.senate.gov) with Senator Murray's HELP Committee staff or Daisy Bledsoe-Herring (Daisy_Bledsoe-Herring@shaheen.senate.gov) with Senator Shaheen's staff with any questions.

Sincerely,

/s/ _____
Patty Murray
United States Senator

/s/ _____
Jeanne Shaheen
United States Senator

/s/ _____
Richard Blumenthal
United States Senator

/s/ _____
Benjamin L. Cardin
United States Senator

/s/ _____
Christopher A. Coons
United States Senator

/s/ _____
Bernard Sanders
United States Senator

/s/ _____
Angus S. King, Jr.
United States Senator

/s/ _____
Ron Wyden
United States Senator

/s/

Chris Van Hollen
United States Senator

/s/

Kamala D. Harris
United States Senator

/s/

Tina Smith
United States Senator

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Elizabeth Warren
United States Senator

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Jacky Rosen
United States Senator

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Amy Klobuchar
United States Senator

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Jeffrey A. Merkley
United States Senator

/s/

Sherrod Brown
United States Senator

/s/

Christopher S. Murphy
United States Senator

/s/

Edward J. Markey
United States Senator

/s/

Mazie K. Hirono
United States Senator

/s/

Tim Kaine
United States Senator

/s/

Catherine Cortez Masto
United States Senator