

Congress of the United States
Washington, DC 20515

May 4, 2020

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

Dear Secretary Pompeo,

We write to request the administration take immediate action to address policies which hinder the ability of U.S. resources to go to partners in communities affected by the COVID-19 pandemic, specifically the global gag rules and its expansions (also known as Protecting Life in Global Health Assistance or the Mexico City Policy) and restrictions on funding for the United Nations Population Fund (UNFPA). We ask that the administration exempt emergency global health funding appropriated by Congress for the COVID-19 response from the dangerous and inefficient global gag rule and provide a humanitarian exemption to allow UNFPA to compete for emergency supplemental funding.

Given the interconnected nature of our world, we cannot hope to eliminate this threat anywhere unless we eliminate it everywhere. As members of Congress who support access to comprehensive reproductive health care services, we appreciate that technical guidance from key global health programs continues to maintain family planning and reproductive health services as essential health care. However, in order for emergency resources to reach those most in need and for reproductive health care access to continue around the world, the U.S. must take steps to ensure the most qualified organizations and agencies are eligible to receive assistance. This is currently impossible due to the restrictions in place from the global gag rule and its expansions.

A recent Guttmacher analysis on the impact of the current pandemic on sexual and reproductive health demonstrates the urgency of these issues. If there is even a 10 percent decrease in access to sexual and reproductive care in 132 low- and middle-income countries—covering 1.6 billion women of reproductive age—there will be an additional 15 million unintended pregnancies; three million unsafe abortions and 1,000 maternal deaths due to unsafe abortions. Additionally, 1.7 million more women will give birth and 2.6 million newborns will experience major complications but not receive the care they need, resulting in an additional 28,000 maternal deaths and 168,000 newborn deaths.

Since January 2017, the administration's expanded global gag rule has disrupted the delivery of health care services supported by U.S. global health assistance, and negatively impacted people who already face systemic barriers to care. A recent report from the Government Accountability

Office (GAO) highlighted that the global gag rule has resulted in the denial of more than 50 global health awards, spanning HIV/AIDS, family planning and reproductive health, maternal and child health, tuberculosis, and even nutrition programs. Research on previous versions of the policy and early impacts of the current expanded policy demonstrate that the global gag rule is weakening the already fragile health systems in many countries, undermining the goal of U.S. global health assistance. We know from the recent epidemics of Ebola and Zika that global health crises expose fragile health systems and magnify existing inequalities, compounding the negative impact of a policy like the global gag rule. We must ensure emergency funds can flow to the health care providers and community-based organizations that are best qualified and equipped to respond to this crisis and continue to provide essential, life-saving services even amid a pandemic.

This critical need also extends to UNFPA. Since April 2017, this administration has made an annual decision to withhold funding for UNFPA under the Kemp-Kasten amendment, despite evidence that UNFPA has been a leader in promoting the human rights of women and girls and promoting voluntary and informed choice.

UNFPA works in more than 150 countries worldwide with the aim of ending the unmet need for family planning, ending preventable maternal deaths, and ending gender-based violence (GBV) and harmful practices, such as female genital mutilation, and child, early and forced marriage. As the primary provider of reproductive and maternal health care in conflict and humanitarian settings, UNFPA provides life-saving services in areas where the U.S. often cannot operate programs due to security concerns and limited resources. During the COVID-19 pandemic, UNFPA is essential to the global response, focusing resources on strengthening health system capacity, ensuring access to sexual and reproductive health services, promoting risk communication and community engagement, and procuring and delivering essential supplies, including personal protective equipment (PPE). For example, in South Sudan, UNFPA is recruiting midwives to support the anticipated surge in demand for health care, and working with the Ministry of Health to safeguard maternal health services to prevent deaths and illnesses, especially among pregnant and breastfeeding women and their newborns. In Yemen, as of early April, UNFPA has led joint UN efforts between UNICEF and World Food Programme to provide food, hygiene kits and dignity kits to more than 5,200 people under quarantine. UNFPA has also delivered ventilators and distributed PPE to health personnel and facilities.

UNFPA is also the primary UN agency leading efforts to prevent and respond to GBV, which has increased significantly since the beginning of the pandemic. Failing to partner with UNFPA to address GBV and the health of women and girls during the COVID-19 pandemic undermines women's safety and the emergency response and global coordination needed to maintain access to critical services when it is needed most.

These policies have jeopardized global health assistance and access to health care for communities around the world for too long. In the face of an unprecedented global pandemic, we must do everything we can to expand health care access and collaborate with all effective partners to prevent, respond to, and mitigate COVID-19 while protecting access to essential care. We therefore request the Department of State, at a minimum, take the following actions to protect and expand health care access during the COVID-19 pandemic:

- Utilize the State Department authority, in consultation with the Department of Health and Human Services, to exempt global health funding provided through emergency legislation from the dangerous and inefficient global gag rule restrictions to ensure that all organizations are eligible to receive emergency funding and provide essential health care services to the communities most in need.
- Provide a humanitarian exemption to the Kemp-Kasten determination, to allow UNFPA to be eligible to apply for emergency supplemental funding to support global efforts to address COVID-19.

Now more than ever, we must prioritize people's health over politics and remove these ideological policies that undermine health care access and global coordination. The administration and Congress must work together to ensure the U.S. can and will support the partners that will most effectively provide comprehensive, essential health care services, including reproductive health care, and reach the communities that are most marginalized and at risk of being left behind during a crisis.

Sincerely,



Jackie Speier
Member of Congress



Diana DeGette
Member of Congress



Barbara Lee
Member of Congress



Nita M. Lowey
Member of Congress



Eliot L. Engel
Member of Congress

A. Donald McEachin

Adam B. Schiff

Adam Smith

Adriano Espaillat

Al Green

Alan Lowenthal

Albio Sires

Alcee L. Hastings

Alexandria Ocasio-Cortez

Alma S. Adams, Ph.D.

Ami Bera, M.D.

Andy Levin

Ann Kirkpatrick

Ann McLane Kuster

Anthony G. Brown

Ayanna Pressley

Betty McCollum

Bill Foster

Bonnie Watson Coleman

Brenda L. Lawrence

Brendan F. Boyle

Brian Higgins

C.A. Dutch Ruppersberger

Carolyn B. Maloney

Chellie Pingree

Chrissy Houlahan

Daniel T. Kildee

Danny K. Davis

Darren Soto

Dave Loeb sack

David Cicilline

David E. Price

David Trone

Deb Haaland

Debbie Wasserman Schultz

Denny Heck

Derek Kilmer

Dina Titus

Donald M. Payne, Jr.

Donna E. Shalala

Doris O. Matsui

Earl Blumenauer

Ed Case

Eddie Bernice Johnson

Eleanor Holmes Norton

Emanuel Cleaver, II

Frank Pallone, Jr.

Gerald E. Connolly

Gilbert R. Cisneros, Jr.

Grace F Napolitano

Greg Stanton

Harley Rouda

Henry C. "Hank" Johnson, Jr.

Ilhan Omar

Jahana Hayes

James P. McGovern

Jamie Raskin

Jan Schakowsky

Jennifer Wexton

Jerrold Nadler

Jerry McNerney

Jim Cooper

Jim Costa

Jim Himes

Jimmy Gomez

Joe Neguse

John B. Larson

John Yarmuth

Joseph P. Kennedy, III

Josh Harder

Joyce Beatty

Judy Chu

Julia Brownley

Katherine Clark

Kathleen M. Rice

Kim Schrier, M.D.

Lisa Blunt Rochester

Lois Frankel

Lucille Roybal-Allard

Madeleine Dean

Mark Pocan

Matt Cartwright

Mike Quigley

Nydia M. Velázquez

Peter A. DeFazio

Peter Welch

Rashida Tlaib

Raúl M. Grijalva

Robin L. Kelly

Ron Kind

Rosa L. DeLauro

Ruben Gallego

Salud Carbajal

Sean Casten

Sean Patrick Maloney

Stephen F. Lynch

Steve Cohen

Susan A. Davis

Susan Wild

Suzan DelBene

Suzanne Bonamici

Ted Deutch

Ted W. Lieu

Tim Ryan

Tom Malinowski

Tony Cárdenas

Val B. Demings

Veronica Escobar

Yvette D. Clarke

CC:

The Honorable Nancy Pelosi, Speaker of the U.S. House of Representatives

The Honorable Mitch McConnell, Senate Majority Leader

The Honorable Charles Schumer, Senate Minority Leader

The Honorable Kevin McCarthy, House Minority Leader

The Honorable Lindsey Graham, Chairman, Senate Appropriations Subcommittee on State, Foreign Operations, and Related Programs

The Honorable Patrick Leahy, Ranking Member, Senate Appropriations Subcommittee on State, Foreign Operations, and Related Programs

The Honorable Hal Rogers, Ranking Member, House Appropriations Subcommittee on State, Foreign Operations, and Related Agencies

The Honorable Jim Risch, Chairman, Senate Committee on Foreign Relations

The Honorable Robert Menendez, Ranking Member, Senate Committee on Foreign Relations

The Honorable Michael McCaul, Ranking Member, House Committee on Foreign Affairs