

Congress of the United States
Washington, DC 20515

October 30, 2020

Honorable Mark Esper
Secretary
Department of Defense
100 Pentagon Defense
Washington, DC 20301

Honorable Emily W. Murphy
Administrator
General Services Administration
1800 F Street, N.W.
Washington, D.C. 20405

Honorable James F. Bridenstine
Administrator
National Aeronautics and Space
Administration
300 E Street, S.W.
Washington, D.C. 20546

Re: Federal Acquisition Regulation: Protecting Life in Global Health Assistance, RIN: 9000-AN62, FAR Case 2018-002

Dear Secretary Esper, Administrator Murphy, and Administrator Bridenstine:

We write to express our strong support and gratitude for the September 14, 2020 proposed rule on Protecting Life in Global Health Assistance (PLGHA). The proposed extension of PLGHA to contracts and sub-contracts will close a significant loophole and further protect U.S. taxpayer dollars from flowing to the international abortion industry.

First implemented under President Reagan 36 years ago, the Mexico City Policy ensured that foreign non-governmental organizations (NGOs) receiving U.S. foreign aid through the USAID Family Planning Assistance program would not be allowed to perform or actively promote abortion as a method of family planning in foreign countries. President Trump reinstated and expanded this policy in 2017 to include all “global health assistance furnished by all departments or agencies”.¹ President Trump’s expansion of the Mexico City Policy, PLGHA, ensured that \$9 billion in taxpayer funding was protected from supporting abortion, compared to \$600 million under previous administrations.²

On August 17, 2020, the Trump Administration released a report reviewing the implementation of PLGHA. It found that, out of 1,340 prime partners, only eight prime grantees declined to comply with the PLGHA terms; forty-seven subgrantees also declined to comply.³ The report noted that, when a subrecipient declined, in most cases the prime grantee was able to transition the activities to another organization. Overall, the report found that the vast majority of grantees chose to comply with the PLGHA terms and implementation caused minimal disruption to health care delivery.

Under the proposed rule issued on September 14th we will see even stronger protections. Currently, PLGHA only applies to global health assistance provided through grants and cooperative agreements.⁴ Under the proposed rule, PLGHA will be extended to include contracts as well. Additionally, the proposed rule states that all foreign contractors must comply with the PLGHA terms, and clarifies that, while U.S. contractors and subcontractors are not subject to PLGHA themselves, they are responsible for ensuring the compliance of any foreign subcontractors. We applaud this much-needed clarification.

¹ 82 FR 8495

² <https://www.state.gov/background-briefing-senior-administration-officials-on-protecting-life-in-global-health-assistance/>

³ Department of State. “Review of the Implementation of the Protecting Life in Global Health Assistance Policy.” August 17, 2020. <https://www.state.gov/wp-content/uploads/2020/08/PLGHA-2019-Review-Final-8.17.2020-508.pdf>

⁴ “Protecting Life in Global Health Assistance Frequently Asked Questions and Answers.” Pg. 6. <https://www.state.gov/wp-content/uploads/2019/10/PLGHA-FAQs-September-2019.pdf>

Abortion is not healthcare, and more than 76 percent of Americans oppose using taxpayer dollars to support abortions in other countries.⁵ This proposed rule's extension of PLGHA to contracts will redirect additional U.S. foreign assistance away from funding the global abortion industry and toward legitimate, life-affirming global health initiatives.

This proposed rule is a critical step forward to strengthen and support the PLGHA. We thank you for your work to close this loophole and ask that you finalize the September 14th rule.

Sincerely,

CC: The Honorable Mike Pompeo
Secretary
U.S. Department of State
2201 C St. NW
Washington, D.C. 20520

The Honorable John Barsa
Acting Administrator
U.S. Agency for International Development
Ronald Reagan Building
Washington D.C. 20523



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Andy Biggs
U.S. Representative

Kevin Cramer
U.S. Senator

⁵Marist Poll. "Americans' Opinions on Abortion." January 2020. <http://www.kofc.org/un/en/resources/news-room/polls/americans-opinions-abortion.pdf>



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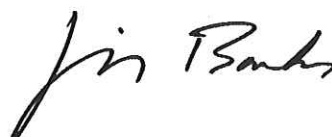
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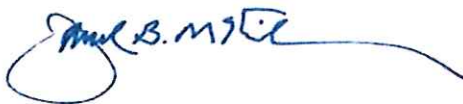
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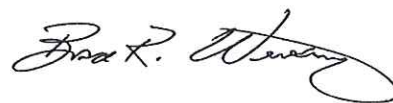
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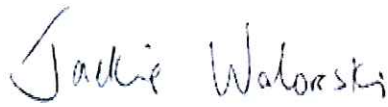
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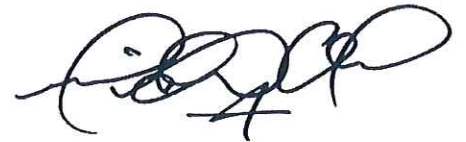
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