

Support the Abortion is Health Care Everywhere Act

As the largest bilateral donor of global health assistance, the U.S. government's investments in global health programs should reduce—not compound—health inequities and barriers to accessing vital sexual and reproductive health services. Globally, more than 35 million women have abortions in unsafe conditions every year.¹ Unsafe abortion is a leading cause of maternal mortality and morbidity in low- and middle-income countries where there are significant barriers to accessing quality abortion care.² Restrictive U.S. foreign policies like the Helms amendment create an added burden and undermine country-led efforts to reduce maternal mortality and advance sexual and reproductive health and rights.³

The latest available research suggests that repealing the Helms amendment would prevent at least 19 million unsafe abortions a year, leading to 17,000 fewer maternal deaths and 12 million fewer women needing medical treatment for complications from unsafe abortion.⁴

Congress must take action to repeal the Helms amendment and support safe abortion care around the world by passing the Abortion is Health Care Everywhere Act.

What is the Helms amendment?

In 1973, in the wake of the *Roe v. Wade* decision legalizing abortion in the United States, anti-choice Senator Jesse Helms (R-NC) successfully amended the Foreign Assistance Act of 1961, restricting the use of U.S. foreign assistance funds to provide abortion “as a method of family planning.”⁵ Ever since, this amendment has been interpreted and implemented—by Republican and Democratic administrations alike—as a near-total ban on funding for abortion services, including in cases of rape, incest and life endangerment.⁶ The Helms amendment was later reiterated in the annual Department of State, Foreign Operations and Related Programs (SFOPS) appropriations bill, where it has become just one of many boilerplate restrictions on abortion and reproductive health funding that is attached to the appropriations bill each year.⁷

Helms Hurts: 50 years of undermining health and rights

For half a century, the Helms amendment has limited the ability of individuals to fulfill their sexual and reproductive rights, exacerbating rates of unsafe abortion and widening existing health inequities.

The Helms amendment's restriction on the use of U.S. foreign assistance for abortion as a method of family planning puts safe abortion care out of reach for communities that heavily rely on funding from the U.S. government. Furthermore, despite legislative action through the Leahy amendment⁸ to clarify that this policy allows for the provision of information, counseling and referrals about all pregnancy options, including abortion where it is legal, confusion about and conflation of the Helms amendment with other abortion restrictions combined with an overabundance of caution on behalf of implementers have led to unnecessary censorship about all available pregnancy options.⁹ The consequences can be deadly: complications from abortions provided in unsafe conditions lead to more than 23,000 deaths per year and countless injuries and infections among people who obtain such procedures.¹⁰

COSPONSOR THE ABORTION IS HEALTH CARE EVERYWHERE ACT

We urge you to support the health and rights of people seeking safe abortion care around the world by cosponsoring the Abortion is Health Care Everywhere Act to permanently repeal the Helms amendment.

This bill would amend the Foreign Assistance Act, the permanent authorizing statute, to:

1. Remove the Helms provision, making it no longer illegal to use U.S. foreign assistance for abortion services.
2. Insert proactive language stating that U.S. funding “may be used to provide comprehensive reproductive health care services, including the provision of abortion services, training and equipment.”
3. Affirm that the United States should work to end unsafe abortion and promote safe abortion care by providing funding to and collaborating with affected governments and service providers.

To be added as a cosponsor of the Abortion is Health Care Everywhere Act, please reach out to staff in the office of Representative Jan Schakowsky (D-IL) or Senator Cory Booker (D-NJ).

Over the past 50 years, global advocates have campaigned and made great strides toward advancing sexual and reproductive health and rights and reducing maternal mortality by liberalizing abortion laws in numerous countries where the United States delivers foreign assistance.¹¹ However, the Helms amendment restricts U.S. funds from being used to provide a necessary healthcare service that is now legal under some or all circumstances in over three-quarters of the countries where the U.S. Agency for International Development (USAID) supports family planning and reproductive health programs.¹²

Eliminating the Helms amendment is necessary for the United States to take comprehensive action towards ending preventable maternal mortality and supporting human rights and gender equality. It is also a vital step in carrying out the Biden-Harris administration's commitment to supporting sexual and reproductive health and rights both domestically and globally.¹³

Endnotes

1. Sully, E.A., Biddlecom, A., Darroch, J.E., Riley, T., Ashford, L.S., Lince-Deroche, N., Firestein, L., Murro, R. (2020, July). *Adding It Up: Investing in Sexual and Reproductive Health 2019*. Guttmacher Institute. <https://www.guttmacher.org/report/adding-it-up-investing-in-sexual-reproductive-health-2019>
2. Ganatra, B., Gerds, C., Rossier, C., Johnson Jr., B.R., Tunçalp, O., Assifi, A., et al. (2017). Global, Regional, and Subregional Classification of Abortions by Safety, 2010–14: Estimates From a Bayesian Hierarchical Model. *The Lancet*, 390, (10110), 2372–2381. [https://doi.org/10.1016/S0140-6736\(17\)31794-4](https://doi.org/10.1016/S0140-6736(17)31794-4); World Health Organization. (2023, February 22). *Maternal mortality*. <https://www.who.int/news-room/fact-sheets/detail/maternal-mortality>
3. Ipas, Ibis Reproductive Health. (2015). *U.S. Funding For Abortion: How The Helms And Hyde Amendments Harm Women And Providers*. <https://www.ipas.org/wp-content/uploads/2020/07/USFUNDE15-USFundingforAbortion.pdf>; *Blueprint for Sexual and Reproductive Health, Rights, and Justice*. (2023) Retrieved October 26, 2023 from <https://reproblueprint.org/wp-content/uploads/2019/07/BlueprintPolicyAgenda-v14-PR-All-1.pdf>; Barot, S. (2013). Abortion Restrictions in U.S. Foreign Aid: The History and Harms of the Helms Amendment. *Guttmacher Policy Review*, 16(3). Retrieved October 17, 2023, from <https://www.guttmacher.org/gpr/2013/09/abortion-restrictions-us-foreign-aid-history-and-harms-helms-amendment>
4. Sully, E.A., Biddlecom, A., Darroch, J.E., Riley, T., Ashford, L.S., Lince-Deroche, N., Firestein, L., Murro, R. (2020, July). *Adding It Up: Investing in Sexual and Reproductive Health 2019*. Guttmacher Institute. <https://www.guttmacher.org/report/adding-it-up-investing-in-sexual-reproductive-health-2019>; Sully, E.A., Ahmed, Z. (2021, February 22). *The Case for Ending the “Global Gag Rule” and the Helms Amendment*. Guttmacher Institute. <https://www.guttmacher.org/article/2021/02/case-ending-global-gag-rule-and-helms-amendment>
5. United States Foreign Assistance Act of 1961, U.S. Code 22 (1961). § 2151 et seq., section 104(f) as amended.
6. Barot, S. (2011, June 1). *Unsafe Abortion: The Missing Link in Global Efforts to Improve Maternal Health*. *Guttmacher Policy Review* 14(2); Code of Federal Regulations (e-CFR), Title 48, Federal Acquisitions Regulation System, Vol. 5, Ch. 7, Parts 700–799–Agency for International Development: 725.704 (Oct 2018).
7. Consolidated Appropriations Act, 2023, H.R. Res. 2617, 117th Cong. (2023). <https://www.congress.gov/117/plaws/publ328/PLAW-117publ328.pdf>
8. Kaiser Family Foundation. (2022, August 26). *The U.S. Government and International Family Planning & Reproductive Health: Statutory Requirements and Policies*. <https://www.kff.org/global-health-policy/fact-sheet/the-u-s-government-and-international-family-planning-reproductive-health-statutory-requirements-and-policies/>
9. Ipas, Ibis Reproductive Health. (2015). *U.S. Funding For Abortion: How The Helms And Hyde Amendments Harm Women And Providers*. <https://www.ipas.org/wp-content/uploads/2020/07/USFUNDE15-USFundingforAbortion.pdf>
10. Sully, E.A., & Ahmed, Z. (2021, February 22). *The Case for Ending the “Global Gag Rule” and the Helms Amendment*. Guttmacher Institute. <https://www.guttmacher.org/article/2021/02/case-ending-global-gag-rule-and-helms-amendment>
11. Center for Reproductive Rights. (n.d.) *Accelerating Progress: Liberalization of Abortion Laws Since ICPD*. <https://reproductiverights.org/sites/default/files/documents/World-Abortion-Map-AcceleratingProgress.pdf>; Center for Reproductive Rights. (2023). *The World’s Abortion Laws*. <https://reproductiverights.org/maps/worlds-abortion-laws/>
12. Ipas, Ibis Reproductive Health. (2015). *U.S. Funding For Abortion: How The Helms And Hyde Amendments Harm Women And Providers*. <https://www.ipas.org/wp-content/uploads/2020/07/USFUNDE15-USFundingforAbortion.pdf>; U.S. Agency for International Development. (n.d.). *USAID FP/RH Recipient Countries*. <https://www.usaid.gov/global-health/health-areas/family-planning/countries>
13. The White House. (2021, January 28). *Memorandum on Protecting Women’s Health at Home and Abroad*. <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/28/memorandum-on-protecting-womens-health-at-home-and-abroad/>; U.S. Department of Health and Human Services. (2023, June 24). *The Biden-Harris Administration’s Commitment to Advancing Sexual and Reproductive Health and Rights Globally*. <https://www.hhs.gov/about/news/2023/06/24/biden-harris-administrations-commitment-advancing-sexual-reproductive-health-rights-globally.html>