

LEGISLATIVE *Analysis*

Center for Family and Human Rights

Girls Leadership, Engagement, Agency, and Development Act of 2021 (S.634/H.R.1661)

This bill mandates the creation of a new single strategy on strengthening the participation of adolescents, particularly adolescent girls, in democracy, human rights and government through foreign assistance projects. However, international programs that promote adolescent girls’ and women’s civic engagement and political participation” often promote government funded abortion access. The bill creates additional bureaucratic apparatus making it harder for a Republican administration to shift away pro-abortion programming.

1. Codifying the LEAD Act mandate for foreign assistance will add multiple layers of bureaucratic red tape for all foreign programs to help adolescent girls. This is unnecessary and undermines executive discretion over U.S. foreign assistance programs.

The LEAD Act does not create or fund any new programs. Essentially it is a law that mandates a new bureaucratic process by which federal government foreign assistance programs promote adolescent girls’ participation in democracy. The LEAD Act’s mandate consists of the creation, implementation, and continued monitoring of a comprehensive strategy related to the participation of adolescent girls in democracy, human rights and government.

Far from promoting civic education in the U.S. tradition of self-government and of human rights, as might be expected from well-intentioned legislators, under the Biden administration, such a strategy can be expected to promote woke goals of gender equity, controversial gender ideology, and racial strife across the world. More worrying still, the LEAD Act mandate is broad and ambiguous enough to be used to promote abortion as a democratic goal, something abortion groups do not shy away from.

As a result of enacting the LEAD Act, and its required creation and implementation of a federal strategy, future Republican administrations will be tied to the strategies adopted by the Biden administration and will have a much harder time crafting better strategies and programming in federal foreign assistance. Existing strategies, such as the one contemplated by this bill, are already difficult to change even when they are not encoded into law. Once a strategy is congressionally mandated it is much harder to remove, not just because the strategy has become a legal requirement, but also because the bureaucratic apparatus set in motion through the LEAD Act mandate will be responsive to the Democratic policy goals it was created to enshrine in U.S. foreign assistance.

2. The LEAD Act must exclude health programming and include abortion neutrality language.

To the extent that a strategy with the problems listed above can be improved, the possibility that it can be used to promote abortion in U.S. foreign assistance must be eliminated or reduced to a minimum.

This bill requires that programming include strategic objectives “to advance the leadership, civic, and political engagement of adolescents, particularly adolescent girls, including a description of how such efforts will . . . reduce distinct barriers that adolescent girls . . . face” which according to the prevailing narrative must include abortion. (Sec. 4(b)(2)).

Abortion advocates argue that a lack of control over if and when to have children, makes it difficult for women to participate and lead in civil society and, therefore, women must have access to abortion to overcome this barrier.¹ Similarly, they claim that adolescent girls are barred from participating due to lack of education which is sometimes caused by unplanned pregnancy and therefore, girls must have access to contraception and abortion to overcome this barrier.

The U.S. is already a leader in providing global health assistance, including for adolescent girls; to the extent that this bill is not to be duplicative, it should focus on adolescent girls' education and opportunities for civic engagement. By bringing in health aspects, particularly pertaining to pregnancy and its prevention, this bill greatly increases its likelihood of being used to fund abortion-promoting organizations. To alleviate these concerns we recommend "barriers" be defined or language be included that specifies the bill does not include any health component and only be used for educational programming. The bill must specifically state that no funds allocated in accordance with this strategy apply to health services. The bill should also include abortion neutrality language, specifically prohibiting the use of program funding granted in accordance with this strategy for performing or promoting abortion.

3. The Bill must not be tied to existing federal strategies and should be entirely independent of them.

The Bill mandates that U.S. programs align with "existing United States foreign assistance policies and strategies relevant to promoting global gender equality and women's and girls' empowerment." Both existing strategy documents and the Biden Administration's new policies have never been reviewed and adopted by U.S. voters and their representatives. Many of these policy and strategy documents adopt international standards wholesale, and even promote abortion. (Sec. 4(b)(1)(B)(4)).

Biden's current [gender policy](#) promises to "protect the constitutional right to safe and legal abortion established in *Roe v. Wade* . . ." and to "restore U.S. global leadership on sexual and reproductive rights and comprehensive sex education. . ." Pursuant to the new advisory, this policy applies to U.S. defense programming, diplomacy, foreign aid, and trade efforts. The Biden administration is also working actively to remove existing legal safeguards to keep U.S. foreign aid from funding abortion (i.e. the Helms Act).

Biden's gender policy is based upon a set of international norms developed through the United Nations and other international mechanisms. They are not founded in international law, nor do they reflect U.S. obligations to the international community. In fact, the term "gender" is defined in internationally binding treaties and other agreements as *only* referring to women and men in the context of society. Notwithstanding this definition, "gender" is now widely used by powerful development agencies to promote LGBT rights in tandem with women's rights.

Many existing strategies promote abortion, for example:

- *Global Strategy for Adolescent Girls*: As the most explicitly pro-abortion of all the gender policies launched by the Obama Administration, it refers not only to "sexual and reproductive health," a euphemistic term understood to refer to abortion, but also "sexual and reproductive health and right" (SRHR), which is even more contentious because it has never been defined by or accepted in the UN General Assembly.
- *Global Strategy for Gender Equality and Female Empowerment* (USAID): This strategy includes several mentions of "reproductive health," which frequently, euphemistically, refers to abortion. (See page 6, 7).
- *U.S. Strategy to Prevent and Respond to Gender-Based Violence Globally* (USAID/State): Similar to the strategy on gender equality (see above), this document contains reference to "health (including sexual and reproductive health)." (See page 14).

In addition, other policy documents implicitly discourage relationships with pro-life faith-based organizations. For example, the *LGBT Vision for Action* (USAID) refers to "certain faith-inspired

groups” as being opposed to events that “have content referring to sexual orientation and/or gender identity”—alongside “neo-Nazis.” This juxtaposition implies that a religious opposition to the promotion of immoral behavior can be likened to the bigotry, violence, and ideology of neo-Nazi groups. (See page 5). In addition, *Integrating LGBTQI+ Considerations Into Education Programming* (USAID) warns that educators who profess religious belief that reject the LGBT lifestyle may be unable to provide an “inclusive” environment for students who identify as LGBT.

4. Abortion Groups and International Allies in Government and Civil Society Routinely Link Abortion to Democracy Programming.

The Bill requires USAID to create a single strategy “strengthening the participation of adolescents, particularly adolescent girls, in democracy.” (Sec. 4(a)). However, pro-democracy programming often fuels pro-abortion activism because international experts, legal scholars, and government officials present abortion and democracy as inextricably linked.

During the recent Generation Equality Forum, Vice President Kamala Harris [stated](#), “Democracy is strongest when everyone participates, and it is weaker when people are left out. . . . When women have access to reproductive healthcare [read: abortion] to stay healthy, they can participate more fully and our democracy grows stronger.”

Harris’ remarks are in keeping with the overall tenor of abortion groups and their political allies. Examples of politician and abortion groups linking abortion rights to democracy abound:

- NYU’s Brennan Center, which promotes democratic reforms through policy innovation, launched a new scholarly series titled “[Abortion Rights Are Essential to Democracy](#).”
- During a recent [policy discussion](#), Madiba Dennie, counsel for the Brennan Center’s Democracy compared Texas’ Heartbeat Law abortion restrictions to klansmen preventing people of color from voting, and in particular, women of color from political participation.
- In an interview with [Teen Vogue](#), Senator Elizabeth Warren (D., Mass) described voting rights and abortion rights as “key issues” in protecting an individual’s freedoms: “Both voting and access to abortion are basic. They’re about the functioning of our democracy and about the protection of personal autonomy.”
- International Youth Organizations and leadership development programs, like GirlUP, [YouthPower](#), [Uganda Youth and Adolescents Health Forum](#), and others, actively promote [pro-abortion activism](#) and controversial [comprehensive sexuality education](#), and as large, established and, in the case of GirlUp, UN-backed, organizations, they are most likely to apply for and receive foreign assistance funding. Any strategy informs foreign assistance for advancing the participation of adolescents in democracy, must not promote abortion and must not undermine the sovereignty of foreign government’s that protect unborn children.

5. Lack of Oversight and Accountability

The strategy mandated by the LEAD Act must be made subject to all pro-life protections in Foreign Assistance Law, including Helms and Siljander and compliance with these provisions should be monitored, and it must include these requirements as part of the overall strategy’s implementation.

Enhanced oversight and accountability for such pro-life protections are necessary to ensure that this bill does not directly or indirectly fund abortion overseas. For this reason the following should be added to the LEAD Act:

- All U.S. foreign assistance funds awarded to prime recipients and sub-recipients to implement programs under the LEAD Act strategy must be reported to USAID and/or the Department of State annually, including descriptions of each program for which such funds are used. Future funding would be forfeited by failure to adequately report.

- Funding to multilateral organizations and public-private partnerships should be avoided because it impairs ordinary oversight and dilutes the good-will impact of U.S. foreign assistance with the people who benefit directly from the funds.

Endnotes

1 International Planned Parenthood Federation. “Sexual and reproductive health and rights – the key to gender equality and women’s empowerment,” 2015.



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