



Silencing Aid:

What is the Helms Amendment?

The Helms Amendment is an anti-abortion policy that restricts U.S. foreign assistance funds from being used for abortion services as a method of family planning.¹ The policy has been in effect ever since it was introduced in 1973 as a legislative reaction to the U.S. Supreme Court's *Roe v. Wade* decision. The amendment has been consistently overinterpreted by policymakers as an outright ban on any abortion-related services and information, even in cases of rape, incest, or a life-threatening pregnancy and in countries where abortion is legal.² Congress must repeal the Helms Amendment to prevent further harm to global reproductive health.

FAST FACTS

What is it?

An anti-abortion policy that restricts the use of U.S. foreign assistance funds for abortion services as a method of family planning.

Why is it Important?

The Helms Amendment imposes U.S. political views on abortion over sovereign nations' health policies. The policy restricts access to safe and legal abortion care to people living in low- and middle-income countries.

What Needs to Happen?

Congress must pass the *Abortion is Health Care Everywhere Act* to repeal the Helms Amendment. This bill would ensure that U.S. foreign aid can be used to provide comprehensive reproductive health services, including safe and legal abortion, in countries where abortion is legal.

Helms Amendment Limits Global Reproductive Health Care

The Helms Amendment has been restricting access to comprehensive reproductive health care globally for more than 50 years. The policy, which is renewed annually as part of the State and Foreign Operations Appropriations bill, blocks all U.S. foreign aid from funding abortion as a method of family planning or to motivate or coerce any person to practice abortions. Though only intended to apply to abortion “as a means of family planning,” the amendment is often broadly interpreted as a near-total ban of abortion—even in cases of rape, incest, or medical emergency.³

The policy was first introduced by Senator Jesse Helms (R-NC) in 1973 as an amendment to the Foreign Assistance Act of 1961, following the U.S. Supreme Court decision in *Roe v. Wade*.⁴ This landmark decision, which was overturned in 2022, spurred an unprecedented number of restrictive abortion measures both domestically and globally starting with the Helms Amendment.



TIMELINE

The Helms Amendment represents the beginning of unprecedented restrictions and requirements on domestic and global access to safe and legal abortion.

1973

U.S. Supreme Court rules that abortion is a constitutional right in *Roe v. Wade*.

U.S. Congress passes the **Helms Amendment** at the end of 1973, which restricts all U.S. foreign assistance funds from funding abortion as a method of family planning or to motivate or coerce any person to practice abortions.

1981

U.S. Congress passes the **Siljander Amendment**, which forbids the use of funds to lobby for or against changes in abortion laws.

1985

U.S. Congress passes the **Kemp-Kasten Amendment**, which prohibits funding any organization or program, as determined by the President, that supports or participates in coercive abortion or involuntary sterilization.

1994

U.S. Congress passes the **Leahy Amendment**. This amendment clarifies the meaning of “motivate” in the Helms Amendment, stating that it does not prohibit organizations from providing information or counseling about all pregnancy options permitted by local law in the countries where they provide services.

2022

The U.S. Supreme Court overturns the 1973 *Roe v. Wade* decision. Abortion is no longer a constitutional right in the United States.

The United States is the largest bilateral donor for family planning and reproductive health in the world with millions of people relying on U.S. funding for access to necessary reproductive healthcare. The Helms Amendment is a major barrier to realizing global sexual and reproductive health and rights.

U.S. Congress must pass the *Abortion is Healthcare Everywhere Act* and permanently repeal the Helms Amendment to ensure global gender equality and reproductive rights.

Helms Amendment’s Impact on Global Health Endures

The Helms Amendment exacerbates existing health inequities and fragments health services by limiting access to safe abortion care in countries where the United States provides assistance. Restricting U.S. foreign aid in this way contributes to higher rates of unsafe abortions and increased maternal mortality. The amendment also fosters stigma against abortion and hampers efforts to improve sexual and reproductive health outcomes globally. The lack of clarity around the restrictions of the Helms Amendment often invokes health professionals’ fear about providing available services, even when they are permitted.

According to an analysis by the Guttmacher Institute, lack of full support for safe abortion from the United States and other countries contributes to more than 35 million unsafe abortions (abortions either performed by people lacking the necessary skills or in an environment lacking minimal medical

standards, or both) that occur annually in low- and middle-income countries.⁵ If the Helms Amendment were to be repealed, Guttmacher estimates that each year there would be 19 million fewer unsafe abortions, 17,000 fewer maternal deaths, and 12 million fewer cases of women with abortion-related complications requiring medical treatment.⁶ The policy change would also have positive financial implications, including an estimated net savings of \$641 million annually for the health system.⁷

The Helms Amendment also disproportionately affects low- and middle-income countries and marginalized populations—including people experiencing poverty, BIPOC individuals, young people, and the LGBTQI+ community—by limiting access to necessary comprehensive reproductive health care.⁸

Helms Amendment Represents U.S. Overreach in Global Health Policy

The Helms Amendment represents a form of U.S. political overreach that undermines reproductive health and rights in other countries. The policy reinforces colonialist dynamics by imposing U.S. anti-abortion policies on nations that may otherwise permit safe and legal abortion. Despite global trends towards liberalizing national abortion laws, the United States continues to interfere with foreign governments’ efforts.⁹ Within the past 50 years, more than 60 countries have liberalized their abortion laws, yet the United States continues to stunt progress with the Helms Amendment.¹⁰

What Can We Expect in the Future?

PROJECT 2025

Project 2025—also known as the Presidential Transition Project—is a broad vision for the United States formulated by the Heritage Foundation and conservative activists. The vision proposes the continued application of the Helms Amendment and enforces a complete ban on the use of U.S. taxpayer dollars to pay for abortions abroad.¹¹ Project 2025 interprets the amendment broadly to apply to all abortion—not just abortion as a means of family planning—including in cases of rape, incest, or medical emergency.

The United States must ensure full realization of global sexual and reproductive health by permanently repealing the Helms Amendment and passing the *Abortion is Healthcare Everywhere Act*. This legislation would remove Helms' language from the Foreign Assistance Act—allowing U.S. foreign assistance funds for comprehensive sexual and reproductive health care services abroad, including safe and legal abortion. Recognizing safe abortion as a crucial part of comprehensive sexual, reproductive, and maternal health care would save lives, improve health outcomes, and affirm global gender equality.

Representative Jan Schakowsky (D-IL) and Senator Cory Booker (D-NJ) reintroduced the *Abortion Is Healthcare Everywhere Act* in March of 2023.¹² The Act currently has 163 co-sponsors in the House and 24 co-sponsors in the Senate and is awaiting review by the House Committee on Foreign Affairs and the Senate Committee on Foreign Relations.

Endnotes

- 1 United States Foreign Assistance Act of 1961, 22 U.S.C. § 2151 (1961). <https://www.govinfo.gov/content/pkg/COMPS-1071/pdf/COMPS-1071.pdf>.
- 2 Moss, K., and Kates, J. 2022. *The Helms Amendment and abortion laws in countries receiving U.S. global health assistance*. Kaiser Family Foundation. <https://www.kff.org/global-health-policy/issue-brief/the-helms-amendment-and-abortion-laws-in-countries-receiving-u-s-global-health-assistance/>.
- 3 Dennis, R. 2020. *The Helms Amendment: You should have been gone by now*. PAI. <https://pai.org/resources/the-helms-amendment-you-should-have-been-gone-by-now/>.
- 4 Barot, S. 2013. *Abortion restrictions in U.S. foreign aid: The history and harms of the Helms Amendment*. Guttmacher Institute. <https://www.guttmacher.org/gpr/2013/09/abortion-restrictions-us-foreign-aid-history-and-harms-helms-amendment>.
- 5 Sully, E., et al. 2020. *Adding it up: Investing in sexual and reproductive health 2019*. Guttmacher Institute. <https://doi.org/10.1363/2020.31593>; and World Health Organization. 2024. *Abortion*. <https://www.who.int/news-room/fact-sheets/detail/abortion>.
- 6 Sully, E. and Ahmed, Z. 2021. *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>.
- 7 Sully and Ahmed. *The case for ending the global gag rule and the Helms Amendment*.
- 8 Fós Femenista. 2022. *The Helms Amendment and why it needs to end*. <https://fosfeminista.org/wp-content/uploads/2022/08/Fos-Feminista-Fact-Sheet-Helms-Amendment-EN-Final.pdf>.
- 9 James, N., et. al. 2024. *Abortion law: Global comparisons*. Council on Foreign Relations. <https://www.cfr.org/article/abortion-law-global-comparisons>.
- 10 Center for Reproductive Rights. 2023. *The world's abortion laws*. Center for Reproductive Rights. https://reproductiverights.org/wp-content/uploads/2023/12/WALM_2023-v3-Updated_12-20-23.pdf.
- 11 The Heritage Foundation. 2023. *Project 2025*. Washington D.C.: The Heritage Foundation.
- 12 118th Congress. 2023-2024. *Abortion is Health Care Everywhere Act of 2023*. Bill. S.929.; 118th Congress. 2023-2024. *Abortion is Health Care Everywhere Act of 2023*. Bill. H.R.1723.



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