

Director, Office of Management Services
U.S. Agency for International Development
1300 Pennsylvania Avenue NW
Ronald Reagan Building, Room 2.12-010
Washington, DC 20523

June 4, 2018

RE: FOIA Request – F-00118-18

Dear Appeal Officer,

This is an appeal to the email dated April 4, 2018, denying expedited production of records for our April 3, 2018 FOIA request, Case Number **F-00118-18**, on the ground that our request does not demonstrate a “compelling need.” The email states: “Your rationale does not articulate an imminent threat to the life or physical safety of an individual, nor is it an urgency to inform the public.”

As a human rights nonprofit organization, the Global Justice Center (GJC) is primarily engaged in disseminating information. The public has an urgent need for information pertaining to the Helms Amendment, the “Protecting Life in Global Health Assistance” Policy, and United States abortion policy as indicated in the requested materials—particularly in light of the fact that such policies may place the U.S. in violation of several international laws, norms and regimes including the Geneva Conventions, the Convention against Torture, and the Convention on Civil and Political Rights. GJC is a reliable source of information and legal analysis concerning U.S. foreign policy positions regarding reproductive health, especially with regard to humanitarian aid in crises. Expedited disclosure of the requested materials will enhance GJC’s ability to inform the public about U.S. government actions that now affect up to \$10 billion in global health funding. Moreover, the issue of the application of the abortion restrictions is one under active consideration by the U.S. government and materially affects countless Americans, humanitarian service providers and victims of war and other crises.

Additionally, this request pertains to the direct impact of the United States’ restriction of medical services provided to women and girls around the world, which is an issue of utmost importance and certainly constitutes a threat to “the life or physical safety of an individual.” The U.S. government has laudably made ending the use of rape as a weapon of war a major focus of U.S. foreign policy. It has also repeatedly documented that the trauma, mortality, and morbidity of women rape victims is exacerbated for those who become pregnant from war rape. The Geneva Conventions’ guarantee of full medical care for these war victims necessarily includes access to abortions. Ensuring the availability of abortion for these torture/war crimes victims is a matter of saving lives.

Further, since the reinstatement of the Mexico City Policy (also known as the Global Gag Rule) and its expansion through the “Protecting Life in Global Health Assistance” policy in 2017, numerous [reports](#) have been published detailing the [devastating impact](#) that this expanded policy will have on medical care [received by millions around the world](#) – not only [sexual and reproductive medical care](#), but also programs to treat diseases [like HIV/AIDS, malaria, and tuberculosis](#). In addition, the

conclusions in the six-month review have already been contradicted by [early impact studies](#) by human rights and reproductive rights groups, which have found disruptions in health care systems. There is a clear demand for greater information on changes to U.S. abortion policy, and the documents we have requested through the FOIA process will contribute significantly to the public's understanding of the initial impacts of the expanded Gag Rule in conjunction with existing U.S. abortion restrictions on foreign aid.

GJC, as thought-leaders and advocacy lawyers, intends to use the requested information to evaluate new changes to U.S. policy, inform the public of these changes, and determine how international law resolves potential issues accompanying the shift. Since 2010 GJC has been a reliable source of information and legal analysis concerning the U.S.'s foreign policy positions concerning reproductive health. With the information gathered as part of this request, we will issue press releases, analyses, explanatory memos and other media that will contribute significantly to public understanding of government operations and activities and utilize this information in our advocacy efforts around this issue. For these reasons and those outlined above that expedited production of the requested documents should be approved.

If you have any questions, please call me at (212) 725-6530 ext. 203. The documents should be sent to Akila Radhakrishnan at the Global Justice Center, 11, Hanover Square, 6th Floor, New York, NY 10005.

Sincerely,



Akila Radhakrishnan
President (Acting)
Global Justice Center