

Congress of the United States

Washington, DC 20515

October 31, 2002

Secretary Colin Powell
U.S. Department of State
2201 C Street, NW
Washington, D.C. 20520-0001

Dear Secretary Powell,

Once again, we write to express our concerns over the Administration's overly broad interpretation of Kemp-Kasten which has caused the United Nations Population Fund (UNFPA) to lose the \$34 million Congress appropriated for the Fiscal Year 2002.

It is our understanding that three weeks ago, the State Department froze a portion of the U.S. contribution to the World Health Organization (WHO), approximately \$3 million from the WHO's FY2002 Foreign Operations appropriation, because of anti-abortion activists' objections to the WHO's research entity, Human Reproduction Program (HRP). Funding has been frozen for HRP because of its research on mifepristone, commonly called RU-486. Mr. Secretary, we are especially concerned because this seems to be the same strategy used to withhold funding and ultimately defund UNFPA and is a direct result of your Administration's interpretation of Kemp-Kasten.

Indeed, it is our belief that your interpretation of Kemp-Kasten exceeds even the broadest reading of the law. In fact, your Administration's own investigative team found no evidence of UNFPA's involvement in coercive activities in China. Yet, your Administration contends that UNFPA is in violation of Kemp-Kasten, relying on a strained interpretation that a mere presence in China is tantamount to support for any coercive practice in the country. You claim that because UNFPA provided equipment, such as computers, medical equipment and vehicles to the Chinese State Family Planning Commission (SFPC) and the Chinese Ministry of Health that UNFPA was actively involved and supportive of China's coercive population policies. While we clearly disagree with this assessment, we have more immediate concerns regarding the possible impact of this interpretation on funding for other international organizations who also work with the two aforementioned Chinese agencies. Among them are: UNICEF (FY02 appropriation \$120M), the World Health Organization (WHO) (FY02 appropriation \$108.1M), the United Nations Development Program (UNDP)(FY02 appropriation \$97.1M), and even the World Bank (FY02 appropriation \$792.4M).

For example, UNICEF and the United Nations Program on HIV/AIDS (UNAIDS), have provided support to SFPC to help spread AIDS awareness in China. The WHO has jointly sponsored symposia with the SFPC and the WHO, the UNDP and the World Bank run the Special Programme of Research, Development and Research Training in Human Reproduction (HRP), which has supported and set up programs in China with the SFPC. These are just a few

examples of the working relationship international organizations have with the SFPC that explain why we are concerned with your overly broad interpretation of Kemp-Kasten. If your Administration follows the same interpretation that was used to defund UNFPA, we fear that the funding for each of these other organizations will also be jeopardized because each provides assistance to the SFPC.

At a time when the United States is trying to work with the United Nations more than ever before, we feel strongly that resolving this issue would help achieve your goal. We ask for your assurance that the State Department has no plan to apply the overly broad interpretation of Kemp-Kasten to these other international organizations which would risk their funding in the Fiscal Year 2003 budget and ask if you know of any plans to address this situation? Further, we ask for the State Department's explanation of why these organizations may *not* fall under your interpretation of Kemp-Kasten so that their funding may not be jeopardized in the upcoming appropriations process.

As we are sure you will agree, defunding these international organizations would have enormous implications on the services provided to women and children around the world, and to their lives, just like your decision is having on the live of women and young people served by UNFPA.

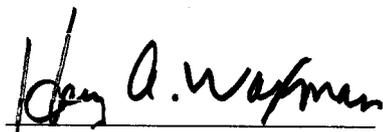
Sincerely,

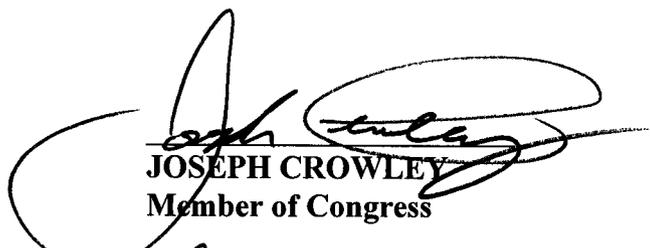

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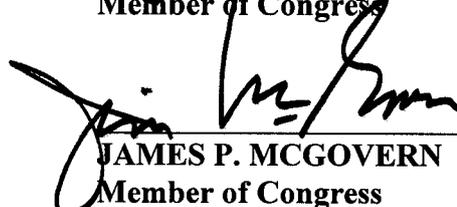

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