

# The Helms Amendment

**P**er the United States Foreign Assistance Act of 1973, “No foreign assistance funds may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions.”

Introduced by Senator Jesse Helms, a Republican from North Carolina, the Helms Amendment was passed in 1973 as a permanent part of the Foreign Assistance Act, and has been in effect ever since. Despite the clear intent to be a limitation on abortion funding for family planning purposes, it has been interpreted and enforced by every presidential administration as an outright ban on funding safe abortion — even in cases of rape, incest, and threat to a woman’s life.

The Helms Amendment has been criticized as imperialistic, hypocritical (in the United States, there are important exceptions to the ban on federal funding for abortion, whereas there are none with regard to U.S. foreign assistance), and dangerous to the lives of women who will seek unsafe abortions in the absence of access to safe abortion services. Ironically, post-abortion care is permitted under the Helms Amendment, so women can procure unsafe abortions and then have the potentially deadly consequences attended to with U.S. funds. Of course, equipment such as manual vacuum aspirators, which are often needed to treat the aftermath of unsafe abortions, cannot be purchased with U.S. aid.

## Presidential Reinterpretation

Because the Helms Amendment specifies that U.S. funds can’t be used for “abortion as a method of family planning,” there is room for the president to reinterpret the ban to include exceptions for situations outside of family planning — namely, for rape, incest, and threat to the woman’s life (in countries where such abortions are legal).

So far, no American president has reinterpreted Helms to ban only those abortions that would be classified as family planning, but Hillary Clinton and Bernie Sanders both said during their presidential campaigns that they would do so if elected. Of course, they were not elected, and we now have Donald Trump as our president — there is no hope of a presidential reinterpretation at least until he’s out of office.

## Congressional Repeal

In the meantime, Congress could repeal Helms at any point by passing new legislation, allowing U.S. foreign aid to be used for safe abortion under any voluntary circumstance.

## #HelmsHurts

Our sister organization, Population Connection Action Fund, collected many stories of women who have suffered from pregnancies due to rape and incest, in its #HelmsHurts campaign. Many of these women became suicidal because of the desperation of their situations. One of these stories is transcribed below. Read the others at [www.populationconnectionaction.org/helmshurts/](http://www.populationconnectionaction.org/helmshurts/).

“ I am 17 years old and my son is one year and six months old. I was unfortunately impregnated by unknown armed people who raped me. I had no ways to terminate the pregnancy. I did not know what to do when I discovered I was pregnant. I was afraid, I was thinking I was going to die of the pregnancy. My life has been paralyzed entirely. It is very difficult to be a mother, especially when you have to provide support to the child, when he’s sick or hungry and you have nothing to meet these needs. I had never been lucky to go to school because my parents died when I was 11 years old. I suffered and I am suffering a lot.”

– Julie, Democratic Republic of the Congo