

June 21, 2016

The Honorable Hal Rogers
Chair
U.S. House Committee on Appropriations
Room H-305, The Capitol
Washington, D.C. 20515

The Honorable Nita Lowey
Ranking Member
U.S. House Committee on Appropriations
1016 Longworth House Office Building
Washington, D.C. 20515

Dear Chairman Rogers and Ranking Member Lowey:

We, the undersigned organizations that support the health and rights of immigrant women, write to express our strong opposition to proposals to restrict access to abortion for women in U.S. Immigration and Customs Enforcement (ICE) detention. These proposals seek to impose, through a rider on the Homeland Security appropriations bill, a ban on coverage and provision of abortion services for individuals in ICE custody except in cases of rape, incest, and a very narrow definition of life endangerment. This language further chips away at access to abortion by allowing any ICE employee to refuse “to perform or facilitate in any way” any abortion.

Each year, thousands of immigrants, many of whom pose no threat to public safety, are detained for prolonged periods of time- sometimes years- as part of our nation’s inhumane, ineffective, and unduly costly immigration system. Women and children, including asylum-seeking families from Central America, are being held in miserable conditions in U.S. immigration facilities. Human rights advocates estimate that the rate of girls raped on their journey to the United States is between 60 percent and 80 percent. But even these abhorrent numbers fail to fully capture the histories of abuse and mistreatment that immigrants, particularly women, face during their journeys and upon arrival to the United States. When immigrant women are locked up, they are put in a unique position of vulnerability. Immigration facilities are plagued with pervasive levels of sexual violence, human and civil rights abuses, all of which pose serious risk to the health and safety of those under U.S. government’s custody.

Proposals to limit access to abortion for immigrant women do nothing to address the sub-standard conditions of detention, but are instead cruel attacks on the ability of some of the most marginalized women in our society to make decisions about their health and well-being. All too often, women in detention are separated from their children, their families, their communities, and their health care providers. The problems women face in detention have been well documented: pregnant women have been forced to give birth in shackles, some women have been denied HIV medication, and others have been sexually assaulted by guards. Advocates and policymakers have been working together to eliminate the reliance on jail-like detention, to set basic standards for health care, and to address the epidemic of sexual violence in detention centers. This new proposal undermines efforts underway to make our immigration system more humane, makes already dire circumstances even more difficult for women in federal immigration custody, and represents yet another harmful iteration of the Hyde Amendment which denies coverage of abortion to those who are qualified and enrolled in Medicaid.

Additionally alarming, these proposals include a harsh restriction on abortion access by including broad exemptions for ICE employees who refuse to comply with the law. Allowing

any individual ICE employee to refrain from “facilitating in any way” abortion dangerously jeopardizes the health of women in detention. Although proponents of the policy rider suggest that it just reinforces the current policy restriction on funds administered by the Department of Justice, the additional refusal provisions make this an even more extreme attack on women’s health. Under this proposal, an ICE employee could refuse to participate in emergency transportation for appropriate medical care, endangering women’s lives and health.

Every woman should be able to access the health care she needs, including abortion, and no one should face political interference in their health care decisions, including while a woman is detained. This proposal is yet another politicized attack on access to care and decision-making for immigrant women. Regardless of legal status, all immigrants, including detainees retain their basic human right to be treated with dignity and respect, in an environment free from harm and mistreatment.

We respectfully urge you to oppose these unjust restrictions on women’s reproductive decision making. Immigrant women’s health should never be used as a political bargaining chip.

Sincerely,

30 for 30 Campaign
Advocates for Youth
America's Voice
American Civil Liberties Union
American Congress of Obstetricians and Gynecologists
Americans for Immigrant Justice
Amnesty International USA
Asian & Pacific Islander American Health Forum
Asian Law Alliance
Association of Reproductive Health Professionals
Austin Jewish Voice for Peace
California Latinas for Reproductive Justice
Casa de Esperanza
Catholics for Choice
Center for Gender & Refugee Studies
Center for Reproductive Rights
CHCC, Inc
Choose Well
Colectiva Legal del Pueblo
Community Health Partnership
El CENTRO de Igualdad y Derechos
Farmworker Justice
Grassroots Leadership
Hispanic Federation
Immigrant Law Center of Minnesota
Immigrant Legal Resource Center
Institute for Science and Human Values

Labor Council For Latin American Advancement (LCLAA)
Latin America Working Group
Latino Advocacy
LATINOJUSTICE PRLDEF
Mijente
NARAL Pro-Choice America
National Abortion Federation
National Center for Lesbian Rights
National Center for Transgender Equality
National Coalition of Anti-Violence Programs
National Council of Jewish Women
National Family Planning & Reproductive Health Association
National Health Law Program
National Hispanic Media Coalition (NHMC)
National Hispanic Medical Association
National Immigration Law Center
National Immigration Project of the NLG
National Latina Institute for Reproductive Health
National Network of Abortion Funds
National Organization for Women
National Partnership for Women and Families
National Women's Health Network
National Women's Law Center
NW Resistance
Pangea Legal Services
Physicians for Reproductive Health
Planned Parenthood Federation of America
Population Connection Action Fund
R.A.I.C.E.S.
Reformed Church of Highland Park
Refugee and Immigrant Center for Education and Legal Services (RAICES)
Religious Coalition for Reproductive Choice
Riverside Sojourners
Services, Immigrant Rights, and Education Network (SIREN)
Sexuality Information and Education Council of the U.S. (SIECUS)
South Carolina Coalition for Healthy Families
Southeast Asia Resource Action Center (SEARAC)
Surge Reproductive Justice
Taos Refugee and Immigrant Network
The Center for HIV Law and Policy
The New York City Anti-Violence Project
TRAIN Taos Refugee and Immigrant Network
Unitarian Universalist Association
Unitarian Universalist Federation
United States Hispanic Leadership Institute
United We Dream

Violence Intervention Program
Voto Latino
We Belong Together
Wilco Justice Alliance (Williamson County, TX)
Witness to Mass Incarceration
Women's Refugee Commission
Young Women United