



USAID is working to integrate these FAQs into the more comprehensive FAQ document, issued in September 2018, in the coming weeks.

Additions to the Answers to Frequently Asked Questions (FAQs) Related to the Revised Standard Provision for Grants and Cooperative Agreements to Implement the Protecting Life in Global Health Assistance (PLGHA) Policy

1. Are any changes being made to the “financial support” requirement under the PLGHA standard provision in grants and cooperative agreements?

The PLGHA standard provision requires that foreign non-governmental organizations (NGOs) that receive U.S. global health assistance will not “perform or actively promote abortion as a method of family planning in foreign countries *or provide financial support to any other foreign non-governmental organization that conducts such activities*” (italics added). The review of the PLGHA policy issued by the State Department on February 7, 2018 (Six-Month Review), noted that recipients of U.S. global health assistance did not share a common understanding of the “financial support” requirement and proposed a clarification to this term of the standard provision in grants and cooperative agreements.

Secretary Pompeo had the opportunity to review the actions identified in the Six-Month Review carefully, and also the benefit of additional experience in implementing the policy. The Secretary is confident that the language regarding financial support in the standard provision strikes the right balance between ensuring that the U.S. government is able to work with capable organizations while preventing U.S. taxpayer dollars from funding organizations that perform, or actively promote, abortion as a method of family planning abroad. As a result, the language regarding financial support in the standard provision in grants and cooperative agreements that receive U.S. global health assistance will remain unchanged.

2. What does the “financial support” language in the PLGHA standard provision mean for foreign NGOs that receive U.S. global health assistance?

Consistent with Secretary Pompeo’s announcement and the language of the standard provision, foreign NGOs that receive U.S. global health assistance should take steps to ensure that they are not providing financial support, *with any source of funds and for any*

purpose, to another foreign NGO that performs, or actively promotes, abortion as a method of family planning.

This requirement applies to financial support that a foreign NGO implementing partner provides under new financial arrangements. It also applies to a foreign NGOs' existing financial arrangements, unless the partner is legally obligated to provide additional funding under the arrangement.

U.S. departments and agencies will continue to work closely with recipients to ensure they understand what compliance with the policy entails.

We expect our partners to comply with this new guidance, and will actively monitor their compliance. Foreign NGOs may take a variety of steps to ensure compliance with the “financial support” requirement. This due diligence could include, for example, meeting with funding recipients and reviewing publicly available information about their activities. Recipients are responsible for determining the steps needed to ensure compliance with the standard provision.

3. What changes are being made to the termination provision under the PLGHA standard provision?

Consistent with the Six-Month Review, U.S. government departments and agencies have modified the termination language in the PLGHA standard provision for grants and cooperative agreements. Under the new language, violations of the standard provision will result in termination unless the U.S. government department or agency that issued the award determines that other corrective action is warranted.

4. When might the U.S. government determine that other corrective action might be warranted?

Immediate termination remains the presumptive action in the event of a violation of the PLGHA requirements, including for egregious or recurrent violations of the policy.



Nevertheless, other corrective action might be appropriate in some cases – for example, when there has been an inadvertent or unintended violation by a foreign NGO that, in good faith, has attempted to abide by the policy’s terms. The clear expectation is that, in such cases, the foreign NGO will work closely and transparently with the U.S. government to attempt to address the situation.

5. What changes are being made to the PLGHA standard provision relating to its applicability to in-kind training and technical assistance activities?

Consistent with the Six-Month Review, U.S. government departments and agencies have modified the language in the PLGHA standard provision in grants and cooperative agreements related to in-kind training and technical assistance. The revised standard provision clarifies that the PLGHA requirements do not apply to recipients/beneficiaries of in-kind training and technical assistance if they are foreign NGOs that are **not** recipients of an award or sub-award of U.S. global-health assistance funds.

Under the new language, foreign NGOs that receive only in-kind training and technical assistance will not be required to agree to the terms of the PLGHA policy. However, the policy will continue to apply to foreign NGOs that receive an award or sub-award (grant or cooperative agreement) of global health assistance funds, or goods financed with such funds.

6. Does the Protecting Life in Global Health Assistance policy apply to foreign NGO sub-recipients under prime agreements with U.S. state or local governmental entities, including state universities?

Yes. Foreign NGOs that are sub-recipients of U.S. global health assistance under grants and cooperative agreements with U.S. state or local governmental entities, including state universities, are subject to the PLGHA policy. Therefore, U.S. government departments and agencies will include the PLGHA standard provision in grants and cooperative agreements to U.S. state or local governmental entities, including state universities, in the



same manner as with U.S. NGOs that receive global health assistance under such awards. This means U.S.-based public and private universities may not issue a sub-award to a foreign NGO unless that foreign NGO agrees to abide by the terms of the PLGHA policy.