Congress of the United States

Washington, DC 20515

October 6, 2022

Shalanda Young Director Office of Management and Budget 725 17th St. NW Washington, DC 20503

Dear Director Young:

As you work to craft the President's Budget Request for Fiscal Year 2024, we request that you include sufficient funding for LGBTQI+ programs in line with the President's *Memorandum on Advancing the Human Rights of Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex Persons Around the World* (hereafter "Memorandum"). Unfortunately, for successive years, funding included in annual budget submissions have fallen short and instead relied on congressional support to increase funding for these critical programs within the State and Foreign Operations accounts.

As the Memorandum states, it is "the policy of the United States to pursue an end to violence and discrimination on the basis of sexual orientation, gender identity or expression, or sex characteristics, and to lead by the power of our example in the cause of advancing the human rights of LGBTQI+ persons around the world." The Memorandum recognizes the need to increase our efforts to combat criminalization and discrimination and improve our engagement to promote respect for the human rights of LGBTQI+ persons.

Integral to these efforts is sufficient funding of local LGBTQI+-led civil society organizations around the world. However, budget requests for global LGBTQI+ human rights and development programs at the State Department and United States Agency for International Development (USAID) have largely remained flat. Of even greater concern is that budget requests have, at times, requested less funding than that previously enacted by Congress. Insufficient funding risks undercutting the Administration's stated priorities and the needs of global LGBTQI+ movements facing democratic backsliding, a proliferation of anti-LGBTQI+ laws and policies, and continued stigma and discrimination.

Both the State Department's Global Equality Fund (GEF) and USAID's Inclusive Development Hub's Protection of LGBTQI+ Persons face significant resource constraints amidst overwhelming demands for funding. The GEF can only fund an estimated 15 percent of the requests it receives from embassies around the world. Additionally, U.S. Special Envoy to Advance the Human Rights of LGBTQI+ Jessica Stern has pointed to funding gaps for LGBTQI+-led organizations in Congressional briefings.¹ Similarly, USAID Administrator Samantha Power noted in a July 2021 House Foreign Affairs Committee hearing that USAID's LGBTQI+ programs were only able to fund roughly 16 percent of the proposals it received from Missions. This sentiment was reflected in the *Interagency Report on the Implementation of the Presidential Memorandum*, which noted that the "LGBTQI+ budget is one of the smallest in the agency. Its size is far less than demand from Missions."²

¹ House Foreign Affairs Committee. Briefing with Jessica Stern, U.S. Special Envoy to Advance the Human Rights of LGBTQI+ Persons. March 16, 2022. https://foreignaffairs.house.gov/2022/3/briefing-with-jessica-stern-u-s-special-envoy-to-advance-the-human-rights-of-lgbtqipersons

² Interagency Report on the Implementation of the Presidential Memorandum on Advancing the Human Rights of LGBTQI+ Persons Around the World (2022). <a href="https://www.state.gov/wp-content/uploads/2022/04/Interagency-Report-on-the-Implementation-of-the-Presidential-Memorandum-on-Advancing-the-Human-Rights-of-Lesbian-Gay-Bisexual-Transgender-Queer-and-Intersex-Persons-Around-the-World-Wo

These funding gaps stymie the U.S.'s ability to attain the goals of the Memorandum, despite documentation demonstrating how these funding streams are instrumental in advancing LGBTQI+ rights. For example, the Southern Africa Litigation Centre (SALC) and Lesbians, Gays and Bisexuals of Botswana (LEGABIBO) successfully led two litigation efforts to overturn anti-LGBTQI+ laws and policies, including the ability to legally register as an LGBTQI+ organization and, most recently, to decriminalize same-sex relationships in Botswana. The GEF was able to assist these efforts, providing SALC and LEGABIBO with the support to win these landmark cases.³ Likewise, USAID's programs have funded LGBTQI+ inclusive development efforts, such as the creation of toolkits to enhance security protections for organizations working with key populations - including gay men and other men who have sex with men and transgender people - on HIV programming.⁴ Each of these programs, and the countless others funded through the GEF and USAID's LGBTQI+ programs, enable the United States to live up to the values included within the Memorandum.

It is our sincere hope that the President's Fiscal Year 2024 Budget Request will adequately and accurately reflect the Biden Administration's priority to advance LGBTQI+ rights around the world. To this end, we urge you to include \$40 million for the State Department's Global Equality Fund and \$30 million for USAID's Inclusive Development Hub's Protection of LGBTQI+ Persons in the FY24 budget. This level of funding will ensure that we are adequately supporting the U.S.'s efforts to protect and advance LGBTQI+ rights around the world. Additionally, a strong level of funding in the budget will assist our efforts to secure additional resources for these lifesaving programs as a part of the annual appropriations process by emphasizing that global LGBTQI+ programming has the full support of the White House and the agencies themselves.

We stand committed to the global movement for LGBTQI+ equality and hope that the forthcoming FY24 PBR will be in alignment with these values. We thank you for your consideration of our request.

Sincerely,

Tammy Baldwin United States Senator

al N. Cullie

David N. Cicilline Member of Congress

Edward J. Markey United States Senator

Danny K. **D**avis Member of Congress

^{2022.}pdf. p. 128.

³ Global Equality Fund 2020-2021 Report: Promoting and Protecting the Human Rights of LGBTQI+ People Around the World (2022). P. 15

⁴ Five Ways USAID Promotes LGBTQI+ Inclusion Around the World. USAID. August 2021. https://medium.com/usaid-2030/5-ways-usaid-promotes-lgbtqi-inclusion-around-the-world-dd665506c7ab

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Dianne Feinstein United States Senator

Catherine Cortez Masto United States Senator

Cc: The Honorable Antony Blinken Secretary of State

> The Honorable Samantha Power Administrator, U.S. Agency for International Development