



ONE HUNDRED FOURTEENTH CONGRESS
REPRESENTATIVE CHRISTOPHER H. SMITH, CHAIRMAN
SENATOR MARCO RUBIO, COCHAIRMAN

December 3, 2015

Dear Secretary Kerry,

We serve as chair and cochair respectively of the Congressional-Executive Commission on China (CECC), which today is convening a hearing focused on China's recently announced intention to adopt a "two-child" policy after more than three decades of the state-imposed "one-child" policy, which has condemned millions of Chinese girls to abortion, infanticide, abandonment or human trafficking.

Local family planning officials across China have resorted to coercive measures to carry out the one-child policy, including forced abortion, forced sterilization, forced insertion of birth control devices, heavy fines (termed "social compensation fees"), confiscation of property, and loss of employment. The population control apparatus central to the implementation of this brutal policy will likely remain a fixture even with the transition to a "two-child" policy.

Ultimately, this modest change fails to address the underlying injustice which disproportionately impacts women and girls. China still embraces a population control policy which requires families to obtain birth permits for any child, and forbids most couples from having more than two children. In China, local authorities are known to use the *hukou* system to punish parents who do not comply with the family planning requirements. People who lack *hukou* in China face considerable difficulty accessing social benefits like health insurance, public education and state welfare.

On June 12 President Obama signed the "Girls Count Act." We were the chief sponsors of this legislation in the House and Senate motivated by the fact that every year globally 51 million children under the age of five are not registered at birth, and this disproportionately affects girls. Proof of birth determines a child's citizenship, nationality, place of birth, parentage and age, which are critical to ensuring children remain a part of society and do not fall victim to a myriad of dangers that include marginalization and exploitation.

This legislation, which enjoyed broad support from a diverse array of civil society organizations, directs current U.S. foreign assistance programming to support the rights of women and girls in developing countries by working to establish birth registries in their countries. There is a massive problem regarding children for whom no official records exist because they were not registered at birth, which as we've noted is true in China among other nations. The legislation also prioritizes a variety of rule of law programs intended to raise the legal and financial status of

girls in order to help address the cultural and financial rationale for sex-selective abortions. This component has particular relevance to China.

In light of the enormity of the problem we are writing to request an update on implementation of this bipartisan legislation which has now been the law of the land for nearly half a year. Specifically we are interested in any changes in the disbursement and targeting of U.S. foreign assistance based on the priorities set forth in this legislation. We are also interested in whether a senior U.S. government official either at the State Department or the U.S. Agency for International Development has been tasked with overseeing and managing implementation of the law.

Thank you for your attention to this important issue.

Sincerely,

Handwritten signature in blue ink that reads "Oliver Smith".

Handwritten signature in blue ink, appearing to be "M. R." followed by a long horizontal stroke.