



United States Department of State

Washington, DC 20520

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FEBRUARY 1, 2025

## **Info Memo for the PEPFAR Implementing Agencies and PEPFAR Country Coordinators**

FROM: GHSD – Jeff Graham, Senior Bureau Official

SUBJECT: Implementation of Limited Waiver to Pause of U.S. Foreign Assistance for Life-Saving HIV Service Provision

The U.S. President’s Emergency Plan for AIDS Relief (PEPFAR) has been granted a limited waiver to implement urgent life-saving HIV treatment services in alignment with the Secretary of State’s January 28 memo “Emergency Humanitarian Waiver to Foreign Assistance Pause” and subsequent January 30 confirmation to GHSD from the Director of Foreign Assistance (F). Per the terms of this limited waiver, only the following activities may be resumed during the 90-day pause or until superseded by new guidance:

1. Life-saving HIV care and treatment services, inclusive of HIV testing and counseling, prevention and treatment of opportunistic infections including TB, laboratory services, and procurement and supply chain for commodities/medicines.
2. Prevention of mother-to-child transmission services, inclusive of commodities/test kits, medicines and PrEP for pregnant and breastfeeding women.
3. Reasonable implementing agency and implementing partner administrative costs strictly necessary to deliver and provide oversight of this assistance, including related country-based data activities and portions of PEPFAR’s central data platform used for clinical monitoring and program management.

PEPFAR implementing agencies should continue to pause foreign assistance, as stipulated in 25 STATE 6828, for all other activities not covered by the

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Secretary's waiver until completion of the foreign assistance review or further guidance. This waiver does not apply to activities that involve abortions, family planning, conferences, administrative costs other than those covered above, gender or DEI ideology programs, transgender surgeries, or other non-life saving assistance. Any other activities not specifically mentioned in this guidance may not be resumed without express approval.

Upon receipt of this guidance, all PEPFAR agencies may resume activities covered by the limited waiver. The following implementation actions may only be undertaken as necessary to carry out this guidance:

- Disbursements and incremental obligations on existing awards.
- New obligations only in cases where pre-planned award transitions previously existed for the activities listed above or where awards that have been paused cannot be restarted.

Limited Waiver Accountability Plan:

- The GHSD Senior Bureau Official will review and certify to the State Department's Comptroller and Global Financial Services (CGFS) that any resumption of work, obligation, or disbursement of any PEPFAR funds held at the State Department is consistent with the activities listed above.
- For resumption of work, obligation, or disbursement at the PEPFAR Implementing Agencies, GHSD/PEPFAR is directing PEPFAR Implementing Agency Lead Deputy Principals to execute a similar certification process that aligns with their agency policies and comprehensively report that information to GHSD every 30 days, with the first report due on February 28, 2025.

GHSD/PEPFAR will stand up an interagency team to provide ongoing guidance. In the interim, please send any questions to your agency DPs.

Thank you for your immediate attention to implementing this guidance in strict accordance with the terms of the limited waiver. We will update you further if we receive additional guidance from Department of State leadership.

Attachment:

Tab 1: Additional details on approved activities under the waiver

**Tab 1: Additional details on approved activities under the limited waiver**

For purposes of this limited waiver, life-saving humanitarian assistance applies only to:

- Delivery of life-saving HIV care and treatment services through **support for health workers** (doctors, nurses, and other clinical and community health workers, etc.) delivering or monitoring HIV care and treatment to ensure continuity of service provision. These workers deliver care at hospitals, primary healthcare clinics, faith-based clinics, and community settings.
  - Provision of HIV **testing** for adults and children in community and facility settings.
  - Provision of HIV **drugs** and support to prevent treatment interruptions for adults and children in community and facility settings.
  - Provision of care for **advanced HIV disease**, including CD4 testing (immune function test), prevention and treatment of opportunistic infections, and HIV treatment adherence support.
  - Provision of **HIV viral load testing**, which allows patient monitoring to ensure that HIV drug treatments are effective.
  - Provision of **tuberculosis preventive therapy** (TPT) and Tuberculosis Treatment, as TB is the largest killer of people living with HIV.
- Support for **transportation, storage, distribution, and management of HIV care and treatment commodity supply chain** to ensure timely provision of medications and tests to patients
- **Procurement of HIV medicines and other commodities** required for provision of HIV care and treatment services to prevent stockouts in national HIV programs (e.g., HIV drugs, HIV test kits, early infant HIV tests, viral load tests and lab equipment for clinical monitoring, TB prevention and treatment drugs, opportunistic infection medicines for advanced HIV disease).
- **Prevention of Mother-to-Child Transmission of HIV**, which consists of testing and re-testing pregnant and breastfeeding women, providing HIV prevention services for [pregnant] women who are HIV negative including Pre-exposure Prophylaxis (PrEP) and HIV treatment drugs for [pregnant] women who are positive, HIV testing for partners, early infant diagnosis tests, and comprehensive care for infants.
- Support for **transportation, storage, distribution and management of HIV commodity supply chain** to ensure timely provision of medications for PMTCT.
- Focused data and systems maintenance activities in support of the above areas.
- Reasonable administrative costs as necessary to deliver such assistance and provide oversight and compliance.

This limited waiver does not apply to activities that involve abortions, family planning, conferences, administrative costs other than those covered by above, gender or DEI ideology programs, transgender surgeries, or other non-life saving assistance.