

**NLWJC - Kagan**

**DPC - Box 069 - Folder-002**

**Abortion - Partial Birth Law Letter**

January 22, 1997

**NOTE TO: TODD STERN  
ANN LEWIS  
MELANNE VERVEER**

**FROM: KITTY HIGGINS** 

Attached is Cardinal Law's letter to the President. HHS has asked to be consulted in a response.

cc: Elena Kagan ✓  
John Hart

**Secretariat for Pro-Life Activities**

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January 16, 1997

The Honorable William J. Clinton  
The White House  
Washington, D.C. 20500

Dear Mr. President:

As you begin your second term, I wish to assure you of my prayers. Good counsel and wisdom will be needed to resolve the difficult issues facing our nation.

One such issue is partial-birth abortion. It is my understanding that Congress is likely to consider this matter again. It is my sincere hope that the forthcoming discussion will avoid the worst aspects of last year's debate. I pray that time will not be wasted debating claims that have been proven to be false.

It is reported that Senator Daschle, with your approval, is crafting a bill to ban third-trimester abortions with exceptions for "life or health." Such a bill would prevent neither partial-birth abortions, nor late-term abortions in general. The vast majority of partial-birth abortions are performed in the second trimester of pregnancy, a fact confirmed by independent investigations and by the doctor whose paper initiated this debate.

In regard to third-trimester abortions, an exception for "health" (or "serious adverse health" or any similar formulation) eviscerates the ban. The Supreme Court has interpreted "health" so broadly in the abortion context that it includes abortions for almost any social or emotional reason. Those who perform partial-birth abortions have admitted publicly that they have done so for reasons of the woman's "youth" or "depression" or even the child "cleft palate."

Furthermore, the evidence that partial-birth abortion is *never* necessary to preserve a woman's health or fertility is overwhelming. I urge you to consult with the Physicians' Ad-Hoc Coalition for Truth (PHACT), a group of nearly 400 physicians who have spoken out on this.

Mr. President, I believe it would be beneficial if you and I, perhaps with a doctor from PHACT, were to discuss this matter. I would welcome such an opportunity.

Sincerely yours in Christ,

Bernard Cardinal Law  
Chairman