

NLWJC - Kagan

DPC - Box 001 - Folder 013

Abortion - General

THE CLINTON ADMINISTRATION: STANDING UP FOR A WOMAN'S RIGHT TO CHOOSE

The new steps the Clinton Administration took today build on the Administration's longstanding commitment to provide American women with safe, high quality family planning services and assure access to choice. This Administration has worked hard to protect a woman's right to choose and to promote safe reproductive health services for women.

- **Creating of the National Task Force on Violence Against Health Care Providers.** Last November, the Justice Department's launched a National Task Force on Violence Against Health Care Providers to coordinate the investigation of violence against women's health care clinics nationwide. The Task Force works closely with local authorities and U.S. Attorneys investigating acts of violence against clinics by: coordinating national investigative efforts; creating an investigative clearinghouse for information related to clinic violence; and providing training to federal, state and local law enforcement personnel.
- **Provided Contraceptive Coverage to More than a Million Women.** The FY99 Omnibus Appropriations Act contains an important policy breakthrough on reproductive choice. The final bill requires the 300 Federal Employees Health Benefits Plans (FEHBP) to cover contraceptive drugs and devices, providing coverage to approximately 1.2 million women of childbearing age. Until now, only 19% of federal health plans covered prescription contraceptives and 10% of the plans offered no contraceptive coverage at all. The Republican Leadership tried to remove this measure, but President Clinton and pro-choice members remained firm.
- **Providing family planning services to low income women.** The Administration has granted Medicaid waivers to expand access to family planning services in 11 states in order to reduce the number of women with mistimed or unwanted pregnancies. These waivers extend family planning services to low-income women of childbearing age who would not otherwise be eligible for Medicaid family planning services, including low-income women who are eligible for Medicaid while pregnant but who lose their eligibility at the end of pregnancy, and low-income women who would become eligible for Medicaid if pregnant, even if they've never been pregnant or Medicaid eligible.
- **Stopped the Coburn Amendment Prohibiting the FDA from Approving RU-486.** On January 22, 1993, President Clinton reversed the ban on the importation of Mifepristone or RU-486; RU-486 is currently under review by the Food and Drug Administration (FDA). Unfortunately, the FDA's scientific drug approval process became under assault in the 105th Congress. President Clinton threatened to veto a provision that would have prevented the FDA from using government funds to test, develop or approve drugs that may induce medical abortion, including RU-486. Because of the President's veto threat, Republicans backed down and decided not to attach this provision to any funding bill.

- **Defeated Parental Consent Restrictions on Contraceptives for Minors.** The House voted to require minors to obtain parental consent prior to receiving any Title X family planning services (this has also been referred to as the Istook amendment). The President's veto threat helped to keep it out of the final bill.
- **Stopped the So-Called "Child Custody Protection" Act.** Senior Clinton Administration Advisers recommended a veto of this bill which would have made it illegal to transport a minor across State lines for the purpose of avoiding parental consent or notification laws. The Clinton Administration, as detailed in the Statement of Administration Policy, was very concerned that the bill did not protect close family members --including grandmothers, aunts and siblings --from criminal and civil liability. Family members could face criminal charges for aiding a relative in distress. The bill also did not protect persons that only provide information, counseling, referral or medical services to the minor from liability. Under a veto threat, the Senate failed to invoke cloture (or end debate) on the Child Custody Protection Act.
- **Upheld the Late Term Abortion Veto.** This year, the House of Representatives voted to override President Clinton's veto of a bill banning certain late-term abortions, known by proponents of the ban as "partial birth abortions." While the House voted to override the President's action, the Senate sustained the veto by a vote of 36-64 --just three votes short of the required two-thirds majority needed to override the veto. President Clinton vetoed the measure in October 1997 because it did not contain an exception that protected the health or life of the woman.
- **Continued to Fight Restrictions on International Family Planning.** The FY99 Omnibus Appropriations Act does not contain the so-called "Mexico City" policy, a provision that denies U.S. funds to international family planning organizations that use their own resources to perform abortions or lobby on abortion policy. The Mexico City restrictions were also included in the Foreign Affairs Reform and Restructuring Act. President Clinton vetoed this legislation because it contained these unacceptable restrictions.

Abortion - general

President Clinton And Vice President Gore: Standing Up For a Woman's Right to Choose

"I'm committed to keeping abortions safe, legal, and accessible -and to making it more rare...I will continue to do everything I can to make sure that every child in America is a wanted child, raised in a loving, strong family."

President Bill Clinton, January 22, 1998

Throughout his Presidency, President Clinton and Vice President Gore have worked hard to protect a woman's right to choose and to promote safe reproductive health services for women.

Provided Contraceptive Coverage to More than a Million Women. The FY99 Omnibus Appropriations Act contains an important policy breakthrough on reproductive choice. The final bill requires the 300 Federal Employees Health Benefits Plans (FEHBP) to cover contraceptive drugs and devices, providing coverage to approximately 1.2 million women of childbearing age. Until now, only 19% of federal health plans covered prescription contraceptives and 10% of the plans offered no contraceptive coverage at all. The Republican Leadership tried to remove this measure, but President Clinton and pro-choice members remained firm.

Increased Funding for Family Planning. In the FY99 Omnibus Appropriations Act, the President won an increase of \$12 million over FY98 levels for family planning services or Title X Family Planning grants. The House-version would have denied any additional funds.

Stopped the Coburn Amendment Which Would Have Prohibited the FDA from Approving RU-486. On January 22, 1993, President Clinton reversed the ban on the importation of Mifepristone or RU-486; RU-486 is currently under review by the Food and Drug Administration (FDA). Unfortunately, the FDA's scientific drug approval process became under assault in the 105th Congress. President Clinton threatened to veto a provision that would have prevented the FDA from using government funds to test, develop or approve drugs that may induce medical abortion, including RU-486. Because of the President's veto threat, Republicans backed down and decided not to attach this provision to any funding bill.

Defeated Parental Consent Restrictions on Contraceptives for Minors. The House voted to require minors to obtain parental consent prior to receiving any Title X family planning services (this has also been referred to as the Istook amendment). The President's veto threat helped to keep it out of the final bill.

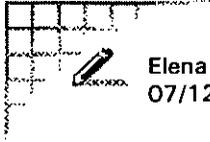
Stopped the So-Called "Child Custody Protection" Act. Senior Clinton Administration Advisers recommended a veto of this bill which would have made it illegal to transport a minor across State lines for the purpose of avoiding parental consent or notification

laws. The Clinton Administration, as detailed in the Statement of Administration Policy, was very concerned that the bill did not protect close family members --including grandmothers, aunts and siblings --from criminal and civil liability. Family members could face criminal charges for aiding a relative in distress. The bill also did not protect persons that only provide information, counseling, referral or medical services to the minor from liability. Under a veto threat, the Senate failed to invoke cloture (or end debate) on the Child Custody Protection Act.

Upheld the Late Term Abortion Veto. This year, the House of Representatives voted to override President Clinton's veto of a bill banning certain late-term abortions, known by proponents of the ban as "partial birth abortions." While the House voted to override the President's action, the Senate sustained the veto by a vote of 36-64 --just three votes short of the required two-thirds majority needed to override the veto. President Clinton vetoed the measure in October 1997 because it did not contain an exception that protected the health or life of the woman.

Continued to Fight Restrictions on International Family Planning. The FY99 Omnibus Appropriations Act does not contain the so-called "Mexico City" policy, a provision that denies U.S. funds to international family planning organizations that use their own resources to perform abortions or lobby on abortion policy. The Mexico City restrictions were also included in the Foreign Affairs Reform and Restructuring Act. President Clinton vetoed this legislation because it contained these unacceptable restrictions.

Abortion - generally



Elena Kagan
07/12/98 04:15:01 PM

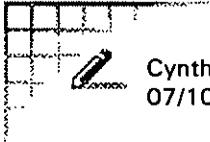
Record Type: Record

To: Melissa G. Green/OPD/EOP

cc:

Subject: upcoming reproductive choice activity

----- Forwarded by Elena Kagan/OPD/EOP on 07/12/98 04:19 PM -----



Cynthia Dailard
07/10/98 06:10:59 PM

Record Type: Record

To: Elena Kagan/OPD/EOP, Laura Emmett/WHO/EOP, Jennifer L. Klein/OPD/EOP

cc:

Subject: upcoming reproductive choice activity

The schedule below is from Planned Parenthood. I hear that Ag approps and possible RU-486 amendment in the Senate may occur Tuesday.

----- Forwarded by Cynthia Dailard/OPD/EOP on 07/10/98 06:13 PM -----



clare_coleman @ ppfa.org
07/10/98 07:11:04 PM

Record Type: Record

To: Cynthia Dailard/OPD/EOP

cc:

Subject: this week and next week

Here's the update:

Labor-HHS Appropriations -- HOUSE: Full Appropriations Committee mark-up is Tuesday, July 14. We expect Rep. Istook (R-OK) to offer an amendment on parental consent for Title X that is identical to the one

Istook offered in 1997. We also may see amendments related to abortion provision in the Medicare + Choice program, as well as a broadly-drafted "anti-discrimination" amendment related to abortion provision.

CCPA/Teen Endangerment Act -- HOUSE: CCPA is listed on the House floor schedule for Wednesday, July 15. The Democratic motion to recommit is expected to deal with prohibiting coercion of a minor's abortion decision. SENATE: The Senate Judiciary Committee mark-up is expected to resume Thursday, July 16, at which time pro-choice members will attempt to amend the bill.

Child Custody

Treasury/Postal Appropriations -- SENATE: Full Appropriations Committee mark-up is Tuesday, July 14. We expect that Senator Reid (D-NV) will attempt to attach contraceptive coverage to the Federal Employees Health Benefits (FEHB) program. HOUSE: The bill may be on the floor on Thursday, July 16 or Friday, July 17. It is unclear whether an attempt to strike the Lowey provision adding contraceptive coverage to FEHB will be made or if Rep. Coburn (R-OK) will try to weaken the Lowey provision. Rep. DeLauro (D-CT) will attempt to strike the abortion restriction in FEHB.

| what?

OTHER IMPORTANT ACTION

Foreign Operations Appropriations -- HOUSE: Subcommittee mark-up of the FY 99 bill is Wednesday, July 15. It is unclear how population programs will be funded.

Civil advocacy and the RICO statute -- HOUSE Crime Subcommittee hearing on the use of RICO in the court case NOW v. Scheidler on Friday, July 17.

Ag Appropriations - SENATE: Floor consideration of this bill may be scheduled this week. It is unclear if a restriction on the FDA's ability to approve mifepristone, similar to the provision in the House bill, will be offered.

Ru486

EPICC - Senate Labor and Human Resources hearing is scheduled for Tuesday, July 21.

Ban on Abortion Procedures - HOUSE: An attempt to override President Clinton's veto of the so-called "Partial-Birth" Abortion Ban has been scheduled for the House floor on Thursday, July 23. The unexpected scheduling of this override attempt was apparently in response to published reports of an incident in Arizona.

| what?

According to news reports, on June 30, 1998, a physician at A-Z Clinic in Phoenix, Arizona, began an abortion on a 17-year old woman carrying a fetus estimated to be at 23 weeks. As the procedure began, the doctor recognized that the fetus was significantly more mature than ultrasound appeared to indicate. A six-pound, two-ounce girl was delivered; the woman and baby were transferred to a local hospital. The baby had a fractured skull and facial lacerations. The identities of the woman and baby have remained confidential to date. For more information about the incident, see the media alert emailed to affiliates on July 9, 1998.

Following media reports on this incident, House sponsors of HR 1122, the so-called "Partial-Birth" Abortion Ban, announced that the House will attempt to override President Clinton's veto of HR 1122 on

Thursday, July 23. There are sufficient votes in the House to obtain the two-thirds vote necessary to override a presidential veto. Action in the Senate is not expected until after Labor Day.

We have talking points on the Arizona incident prepared, if you want them.

Abortion-general

The White House Office of Presidential Messages

Telephone 202-456-7487

Fax 202-456-2806



Facsimile Transmittal Sheet

No. of pages (including Cover): 2 Date: 1/21

Fax Number: 6-2878

To: Elena Kagan

Comments: The following is the text for the
Roe v. Wade message with edits
from Neera Tanden. Please let me
know if it looks ok. Thank you

From: Shannon Hinderliter 6-5526

Abortion - general

The White House Office of Presidential Messages

Telephone 202-456-7487

Fax 202-456-2806



Facsimile Transmittal Sheet

No. of pages (including Cover): 5 Date: 1/20

Fax Number: 6-2878

To: Elena Kagan

Comments: Would you please clean the text
of the following message for us. The language
is based on videotaped Remarks by the President
which I have attached. Thank You.

From: Shannon Hinderliter 6-5526

January 20, 1998

Warm greetings to all those gathered in Richmond for Pro-Choice Lobby Day.

This year marks the 25th anniversary of *Roe v. Wade*, the landmark Supreme Court decision that affirmed every woman's right to choose whether and when to have a child. In doing so, it affirmed two of our nation's most deeply held values: personal privacy and family responsibility.

Over the past 25 years, *Roe v. Wade* has had a major positive impact on the health and well-being of American women and their families. Safe, legal abortion has all but eliminated the dangerous conditions that claimed too many lives when the procedure was illegal. I am committed to keeping abortion safe, legal, and accessible -- and to making it more rare. Over the last five years, we have led the way on policies to prevent unintended pregnancy by making comprehensive family planning and sex education programs more widely available. We have increased support for Title X family planning services every year in our budget. And I'll do so again this year.

I fought to continue funding for international family planning, bringing much-needed health care to women all around the world. Here at home, by working together with health care professionals, community groups, schools, and family planning agencies, we've made real progress in reducing teen pregnancy. And I was proud to sign legislation to safeguard the rights *Roe* established by protecting women's clinics from violence. We have enforced that law to its full extent.

I will continue to do everything I can to make sure that every child in America is a wanted child, raised in a loving, strong family. Ultimately, that idea is what the anniversary of *Roe v. Wade* celebrates.

2

Hillary and I join all of you in commemorating this milestone and in pledging ourselves anew to protecting the right to choose. Best wishes for a memorable observance.

BC/SMH/MAH/pw (Corres. #3799756)
(1.prochoice.msg)

(Event: 1/28)

cc: Presidential Messages, 91 OEOB

SENT TO:

Ms. Judith S. Castleman
Legislative Liaison
Virginia Affiliate of the National
Abortion and Reproductive Rights
Action League
Post Office Box 489
Falls Church, Virginia 22040

DO NOT MAIL -- RETURN TO CARMEN FOWLER, 91 OEOB, FOR DISPATCH

So, on behalf of all Americans, I wish the Israeli people and the friends of Israel everywhere a joyous anniversary. Fifty years ago, my predecessor, Harry Truman, made the bold decision that the United States would recognize the new state of Israel, and America became the first nation to do so. President Truman was deeply proud of that decision. Today we know it was one of his wisest ones. It laid the cornerstone for a relationship between the United States and Israel that has grown stronger with every passing year.

I'm proud that our friendship is broader, deeper, and more firmly rooted than at any time in Israel's history, and I'm determined that it will remain so. Our commitment to Israel's security remains rock solid. The relationship is not just between governments; Israel has always been a particular source of pride to our nation's Jewish community. And today all parts of American society feel a close tie to the people of Israel. The extraordinary friendship between our nations and its strategic importance have guided my efforts to bring peace to the Middle East, which the people there so richly deserve.

My deepest wish for Israel is that it should enjoy in the next 50 years what it has been denied in its first 50 years -- an end to conflict, to wars, to terror; a real peace with all its Arab neighbors and full security for all its people.

On this remarkable occasion let me say to the people of Israel and all Israel's friends around the world, Mazel Tov. Congratulations. My heartfelt best wishes for the next 50 years.

* * * * *

THE WHITE HOUSE

Office of the Press Secretary

VIDEOTAPED REMARKS BY THE PRESIDENT
IN MESSAGE ON THE 25TH ANNIVERSARY OF ROE V. WADE

THE PRESIDENT: On January 22, we marked the 25th anniversary of Roe v. Wade, the landmark Supreme Court decision that affirmed every woman's right to choose whether and when to have a child, and in doing so, affirmed two of our nation's most deeply-held values, personal privacy and family responsibility.

Over the past 25 years, Roe v. Wade has had a major positive impact on the health and well-being of American women and their families. Safe, legal abortion has all but eliminated the dangerous, clandestine conditions that claim too many women's lives when the procedure was illegal.

I'm committed to keeping abortion safe, legal, and accessible -- and to making it more rare. Over the last five years we've led the way on policies to prevent unintended pregnancy by making comprehensive family planning and sex education programs more widely available. We've increased support for Title X family planning services every year in our budget. And I'll do so again this year.

I fought to continue funding for international family planning, bringing much needed health care to women all around the world. Here, at home, by working together with health care professionals, community groups, schools and family planning agencies, we've made real progress in reducing teen pregnancy. And I was proud to sign legislation to protect the rights Roe established by protecting women's clinics from violence. We have enforced that law to its full extent.

I will continue to do everything I can to make sure that every child in America is a wanted child, raised in a loving, strong family. Ultimately, that idea is the anniversary of Roe v. Wade celebrates.

Hillary and I join with all of you in commemorating his milestone and pledge ourselves anew to protecting the right to choose.

[Thank you and God bless you.]
.....

THE WHITE HOUSE

Office of the Press Secretary

VIDEOTAPED REMARKS BY THE PRESIDENT
TO THE 1998 U.S. OLYMPIC TEAM

THE PRESIDENT: Congratulations to all of you. You've earned a place on Team USA for the Winter Olympic Games in Nagano, and Americans everywhere are very, very proud of you. The example you're setting for our young people is invaluable. You're showing them that if you believe in hard work and discipline, if you have the will, the courage, the heart, you can live out your dreams.