

THE WHITE HOUSE
WASHINGTON

January 29, 1993

MEMORANDUM FOR THE PRESIDENT

FROM: CHRISTINE A. VARNEY *CV*

SUBJECT: AID Family Planning Grants/Mexico City Policy

The attached memorandum from James H. Michel, Acting Administrator, Agency for International Development, advises you that AID has taken action to fully comply with your memorandum regarding the Family Planning Grants Mexico City Policy.

Attachment

bcc: Bernard Nussbaum
Carol Rasco
Dee Dee Myers
Mrs. Clinton

ADM 6 (WTH)

Agency for International Development
Washington, D.C. 20523

Office of
the Administrator

January 27, 1993

MEMORANDUM FOR THE PRESIDENT

FROM: James H. Michel, Acting Administrator ^{JAM}

SUBJECT: AID Family Planning Grants/Mexico City Policy

In accordance with your memorandum of January 22, 1993, the Agency for International Development has:

- directed grant officers immediately to delete from all grants and cooperative agreements with nongovernmental organizations those conditions that implemented the Mexico City Policy; and
- directed all overseas A.I.D. missions immediately to advise nongovernmental organizations that had previously been denied or had refused to accept assistance because of the Mexico City Policy that these restrictions are no longer in effect.

The foregoing actions will bring the programs and activities of A.I.D. fully into compliance with your directive.

In addition, A.I.D. staff are consulting with the staff of the National Security Council with regard to the application of existing legislation to the United Nations Population Fund (UNFPA).

Agency for International Development
Washington, D.C. 20523

January 27, 1993

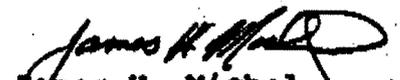
Office of
the Administrator

MEMORANDUM FOR: AA/PA, Richard A. Ames

SUBJECT: Standard Clause for Implementing the Mexico City Policy
in Agreements with Nongovernmental Organizations

In order to carry out the directive contained in the attached memorandum from the President, please direct grant officers immediately to amend, by letter, each grant or cooperative agreement with a U.S. or foreign nongovernmental organization (NGO) which contains the conditions that implement the Mexico City Policy. This amendment should delete, from the standard provision regarding Voluntary Population Planning, paragraph (d) entitled Ineligibility of Foreign Nongovernmental Organizations That Perform or Actively Promote Abortion As A Method of Family Planning.

I would appreciate your informing me when this action has been completed. In addition, as directed by the President, the aforementioned paragraph (d) is not to be included in any new grants or cooperative agreements with U.S. or foreign NGOs.


James H. Michel
Acting Administrator

Attachment:

APPR: JHM *JHM*
DRAFT: ST ()
CLEAR: EM ()
CLEAR: DGG ()
CLEAR: AVD ()
CLEAR: JM ()
CLEAR: LS ()

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AID/GC/CP:STISA:CAD
01/27/93 (202) 647-8416
AID/A/AID:JMICHEL

AID/RD/POP:EMAGUIRE
AID/A/AA/RD:AVANDUSEN
AID/POL:LSAIERS
AID/AA/FA:RAMES

AID/D/AA/RD:DGGILLESPIE
AID/GC:JMULLEN
AID/A/AA/LEG:MO'SULLIVAN (INFO)
AID/ES:JMWOLFE

IMMEDIATE AWIDE

AIDAC

E.O. 12356: N/A

TAGS:

SUBJECT: A.I.D. FAMILY PLANNING GRANTS/MEXICO CITY POLICY
TO MISSION DIRECTORS/AIDREPS FROM THE ACTING ADMINISTRATOR

1. ON JANUARY 22, 1993, PRESIDENT CLINTON SIGNED AND SENT
THE FOLLOWING MEMORANDUM TO ME:

(QUOTE) THE FOREIGN ASSISTANCE ACT OF 1961 PROHIBITS
NONGOVERNMENTAL ORGANIZATIONS ("NGO'S) THAT RECEIVE
FEDERAL FUNDS FROM USING THOSE FUNDS "TO PAY FOR THE
PERFORMANCE OF ABORTIONS AS A METHOD OF FAMILY PLANNING,
OR TO MOTIVATE OR COERCE ANY PERSON TO PRACTICE
ABORTIONS." (22 U.S.C. 215B(F) (1)). THE AUGUST 1984
ANNOUNCEMENT BY PRESIDENT REAGAN OF WHAT HAS BECOME KNOWN
AS THE "MEXICO CITY POLICY" DIRECTED THE AGENCY FOR
INTERNATIONAL DEVELOPMENT (A.I.D.) TO EXPAND THIS
LIMITATION AND WITHHOLD A.I.D. FUNDS FROM NGO'S THAT
ENGAGE IN A WIDE RANGE OF ACTIVITIES, INCLUDING PROVIDING
ADVICE, COUNSELING, OR INFORMATION REGARDING ABORTION, OR
LOBBYING A FOREIGN GOVERNMENT TO LEGALIZE OR MAKE ABORTION
AVAILABLE. THESE CONDITIONS HAVE BEEN IMPOSED EVEN WHERE
AN NGO USES NON-A.I.D. FUNDS FOR ABORTION-RELATED
ACTIVITIES.

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THESE EXCESSIVELY BROAD ANTI-ABORTION CONDITIONS ARE UNWARRANTED. I AM INFORMED THAT THE CONDITIONS ARE NOT MANDATED BY THE FOREIGN ASSISTANCE ACT OR ANY OTHER LAW. MOREOVER, THEY HAVE UNDERMINED EFFORTS TO PROMOTE SAFE AND EFFICACIOUS FAMILY PLANNING PROGRAMS IN FOREIGN NATIONS. ACCORDINGLY, I HEREBY DIRECT THAT A.I.D. REMOVE THE CONDITIONS NOT EXPLICITLY MANDATED BY THE FOREIGN ASSISTANCE ACT OR ANY OTHER LAW FROM ALL CURRENT A.I.D. GRANTS TO NGO'S AND EXCLUDE THEM FROM FUTURE GRANTS.

WILLIAM J. CLINTON (UNQUOTE)

2. I HAVE GIVEN THE FOLLOWING INSTRUCTION TO AA/FA:

QUOTE: IN ORDER TO CARRY OUT THE DIRECTIVE CONTAINED IN THE ATTACHED MEMORANDUM FROM THE PRESIDENT, PLEASE DIRECT GRANT OFFICERS IMMEDIATELY TO AMEND, BY LETTER, EACH GRANT OR COOPERATIVE AGREEMENT WITH A U.S. OR FOREIGN NONGOVERNMENTAL ORGANIZATION (NGO) WHICH CONTAINS THE CONDITIONS THAT IMPLEMENT THE MEXICO CITY POLICY. THIS AMENDMENT SHOULD DELETE, FROM THE STANDARD PROVISION REGARDING VOLUNTARY POPULATION PLANNING, PARAGRAPH (D) QUOTE ENTITLED INELIGIBILITY OF FOREIGN NONGOVERNMENTAL ORGANIZATIONS THAT PERFORM OR ACTIVELY PROMOTE ABORTION AS A METHOD OF FAMILY PLANNING. UNQUOTE

I WOULD APPRECIATE YOUR INFORMING ME WHEN THIS ACTION HAS BEEN COMPLETED. IN ADDITION, AS DIRECTED BY THE PRESIDENT, THE AFOREMENTIONED PARAGRAPH (D) IS NOT TO BE INCLUDED IN ANY NEW GRANTS OR COOPERATIVE AGREEMENTS WITH U.S. OR FOREIGN NGOS. UNQUOTE

3. ADDRESSEES ARE INSTRUCTED TO TAKE THE SAME ACTIONS THAT ARE DESCRIBED IN PARAGRAPH 2 ABOVE, INCLUDING A REPORT WHEN THOSE ACTIONS HAVE BEEN COMPLETED. IN ADDITION, PLEASE INFORM IMMEDIATELY THOSE NGOS WHICH HAVE NOT BEEN CONSIDERED FOR POPULATION ASSISTANCE OR WHICH HAVE NOT ACCEPTED GRANTS FROM A.I.D. IN THE PAST BECAUSE OF THESE CONDITIONS IMMEDIATELY THAT THESE RESTRICTIONS ARE NO LONGER IN EFFECT.

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APPR: JM *JM*
DRAFT: ST *ST*
CLEAR: EM *EM*
CLEAR: DGG *DGG*
CLEAR: AVD *AVD*
CLEAR: JM *JM*
CLEAR: LS *LS*

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CLEARANCES (CONT'D)

AID/OPS/MRP: JJORDAN YY

AID/DAA/FA: JFOWERS *JF*

AID/ES: JMWOLFE *JM*

THE WHITE HOUSE
WASHINGTON

January 22, 1993

MEMORANDUM FOR THE ACTING ADMINISTRATOR OF THE AGENCY
FOR INTERNATIONAL DEVELOPMENT

SUBJECT: AID Family Planning Grants/Mexico City Policy

The Foreign Assistance Act of 1961 prohibits nongovernmental organizations ("NGO's") that receive Federal funds from using those funds "to pay for the performance of abortions as a method of family planning, or to motivate or coerce any person to practice abortions." (22 U.S.C. 2151b(f)(1)). The August 1984 announcement by President Reagan of what has become known as the "Mexico City Policy" directed the Agency for International Development ("AID") to expand this limitation and withhold AID funds from NGO's that engage in a wide range of activities, including providing advice, counseling, or information regarding abortion, or lobbying a foreign government to legalize or make abortion available. These conditions have been imposed even where an NGO uses non-AID funds for abortion-related activities.

These excessively broad anti-abortion conditions are unwarranted. I am informed that the conditions are not mandated by the Foreign Assistance Act or any other law. Moreover, they have undermined efforts to promote safe and efficacious family planning programs in foreign nations. Accordingly, I hereby direct that AID remove the conditions not explicitly mandated by the Foreign Assistance Act or any other law from all current AID grants to NGO's and exclude them from future grants.

William J. Clinton