



**A JUDICIAL WATCH
SPECIAL REPORT**

2006

NEW CLINTON WHITE HOUSE RECORDS RAISE DISTURBING QUESTIONS ABOUT HILLARY CLINTON AND ABORTION

"... what's past is prologue ..."

~Shakespeare (*The Tempest*, Act II, Scene I)

"Look for Judicial Watch, the conservative legal watchdog group, to be first in line now that many Clinton documents can be subjected to the Freedom of Information Act."

US News & World Report, "Hillary's Turn to Shake off the Dogs," February 20, 2006.

BACKGROUND – JUDICIAL WATCH INVESTIGATES BILL CLINTON'S PRESIDENTIAL RECORDS

On January 20, 2006, more than 80 million pages of documents and 20 million e-mails from the Clinton administration were made available to the public for the first time at the Clinton Presidential Library in Little Rock, Arkansas. Judicial Watch immediately dispatched its investigations team to begin sorting through available documents. In subsequent months, Judicial Watch made two additional trips to the Clinton Presidential Library, uncovering documents that highlight the inner-workings of the Clinton administration on a range of issues. Judicial Watch has also filed eight separate open records requests with the Clinton Library to obtain other documents not readily available.

Today, the Clintons are more relevant than ever. Not only does Bill Clinton continue to exert his influence on the

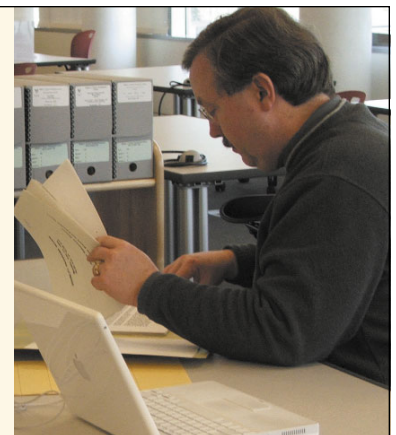
world stage, but Senator Hillary Clinton is the odds-on favorite to win the Democratic nomination for president in 2008.

Especially when the issue involves protecting innocent life, the subject of this report, the American people deserve to know the full truth about the Clintons' radical, and often corrupt, agenda. And Judicial Watch is committed to providing it. As part of Judicial Watch's Open Records Project, we have examined important government documents about the core public policy issue of abortion. This special report examines three new documents pertaining to the Clintons pro-abortion policies, with special emphasis on Hillary Clinton's central role in crafting and promoting these policies. The documents provide evidence that Hillary Clinton was a key player in Clinton White House policy-making, that anti-Catholic slurs were distributed among senior White House staff, and that the abortion issue was cynically managed for political purposes by the Clinton White House.



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Photos, left to right: Bill and Hillary Clinton; Chris Farrell, JW Director of Investigations and Research examining documents at the Clinton Presidential Library.



INTRODUCTION – THE CLINTONS' RADICAL PRO-ABORTION AGENDA

Hillary Rodham Clinton talks about abortion in the same disingenuous manner as her husband, claiming that the "procedure" for killing an unborn child should be "rare, safe and legal." The Clintons, however, have aggressively promoted the policies disfavoring any restriction of abortion throughout their entire professional lives – in and out of government.

Judicial Watch's use of the open records laws to conduct research work at the Clinton Presidential Library in Little Rock serves to better document Bill and Hillary Clinton's radical pro-abortion agenda.

On April 26 2006, Judicial Watch published "The Clinton RU-486 Files," a special report detailing the Clintons' politically charged drive to push a dangerous abortion drug on American women. The report analyzes Clinton administration Domestic Policy Council records and memoranda from the Food and Drug Administration (FDA), as well as the Department of Health and Human Services (HHS).

These records demonstrate – in no uncertain terms – how beholden the Clintons are to the abortion lobby. But there is also the matter of the money trail.

In her 2000 Senate bid, Hillary Clinton was the top recipient (over \$100,000) of the abortion industry's direct campaign donations.¹ This figure does not even begin to account for the millions of dollars in donations from "women's advocacy" groups and other front operations of the so-called "pro-choice movement."

Today, with the elections of 2006 behind us, Hillary Clinton has a substantial financial head-start in her campaign to take the presidential oath of office in January 2009.

She has reportedly locked-up Democratic big money donors for 2008. Former Democratic National Committee Chairman Terry McAuliffe has already told business associates, Democratic donors and activists that he will chair Hillary Clinton's presidential campaign next year.² Her campaign would have the capability to raise \$100 million before the first official contest, the Iowa caucuses in January 2008.

If and when Hillary Clinton is elected president, the American people will not have to guess what her policies will be when it comes to protecting innocent human life. Judicial Watch's research of the Clinton Archives has turned-up additional, never-before-seen records detailing Team Clinton's strong support – both politically and ideologically – for attacking the pro-life movement and aggressively expanding the abortion ethic, especially with public funding.

The strong exercise of government authority on behalf of the abortion movement – through policy-making, budgetary processes and legislative strategy – are captured in three newly-released Clinton administration documents.

All referenced Clinton Library documents are included at the end of this report.

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Photo: Bill and Hillary Clinton. AP Photo.



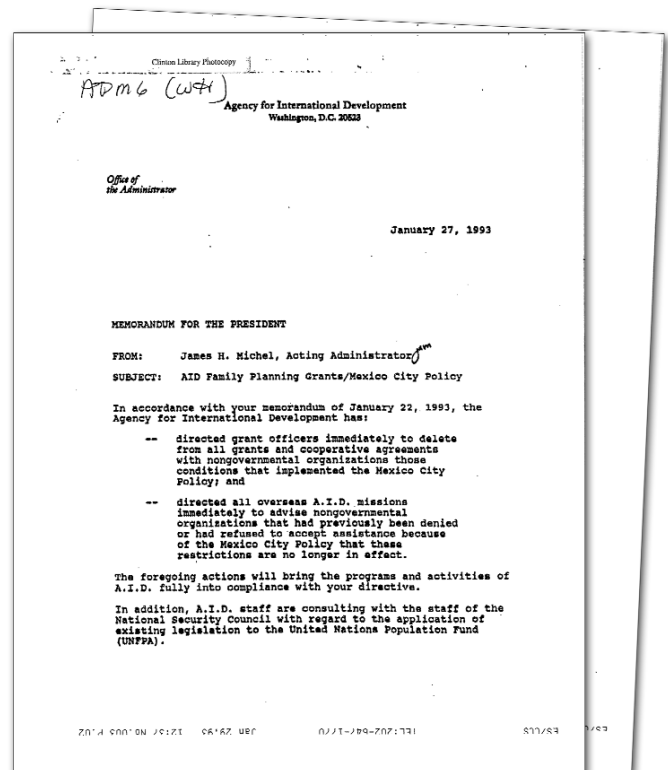
THE MICHEL MEMO – BILL CLINTON URGES FEDERAL AGENCY TO PROMOTE ABORTIONS OVERSEAS

Judicial Watch's "Clinton RU-486 Files" report documented that Bill Clinton's first official act as president was to order the FDA and Health and Human Services to coordinate and promote the marketing of RU-486 in America. On January 22, 1993, the very same day Bill Clinton launched his campaign to force RU-486 on American women, he also directed the US Agency for International Development (USAID) to begin funding and promoting abortions overseas as part of America's foreign policy.

This new Clinton mandate completely reversed the "Mexico City Policy" instituted by President Ronald Reagan in 1984. (Under President Reagan's policy, non-governmental organizations that received federal funds could neither perform nor actively promote abortion as a method of birth control in other nations.)

According to documents obtained by Judicial Watch from the Clinton Presidential Library, within five days of Bill Clinton's abortion order, James H. Michel, the Acting Administrator of USAID, wrote a memo to President Bill Clinton trumpeting how USAID was bringing "the programs and activities of AID fully into compliance with your directive." Not satisfied with US efforts to promote and finance foreign abortions, Mr. Michel further explained how USAID staff was coordinating with members of the Clinton National Security Council to advance the pro-abortion agenda with the United Nations Population Fund.

Who was consulted and briefed on these major shifts in abortion policy, impacting women and children across America and around the world? On the cover memorandum titled "SUBJECT: AID Family Planning Grants/Mexico City Policy," from White House staffer Christine A. Varney to President Bill Clinton, there is a typed notation reading "bcc" ("blind carbon copy") listing four prominent administration officials as recipients: White House Counsel Bernard Nussbaum, Domestic Policy Director Carol Rasco, Press Secretary Dee Dee Myers – and, "Mrs. Clinton."



The Michel Memo. (See Appendix 1.)

THE GALSTON MEMO – "WHAT DOES HILLARY THINK" ABOUT ABORTION?

While the Michel Memo implies Hillary's involvement in developing abortion policy, another document provides clear evidence of her leading role – a May 1993 decision memorandum written by Domestic Policy Council staffer Bill Galston to President Bill Clinton (hereafter the "Galston Memo"). Importantly, the policy council's abortion "working group" featured the participation of the "First Lady's Office," as well as other government offices and agencies.

The memo discussed various federal funding issues with respect to the Clinton administration's goal of promoting abortion. There is specific discussion of the Hyde Amendment, which barred the use of federal Medicaid funds for abortion, except when the life of the woman would be endangered by carrying the pregnancy to term, as well as the so-called "Freedom of Choice Act." Clinton staffers were so concerned about the "highly sensitive" nature of the abortion memo that they treated it as a classified document and restricted circulation of the memo to only President Clinton, Vice President Gore and White House Chief of Staff Mack McLarty.

The Galston Memo acknowledges that: "In recent weeks, pressures to clarify our substantive positions and strategic intentions concerning abortion-related questions have been steadily intensifying." Galston does not identify precisely who, or what organizations, were intensifying pressure – but, clearly, pro-abortion activists received the attention of the Clinton White House.

Galston made two "principled justifications" for placating pro-abortion supporters of the Clinton White House, while making "every reasonable effort to lower their public profile for the remainder of this year." Galston first emphasized the administration's need to focus on the economy and to avoid becoming distracted by a heated public controversy.

His next justification is stunning: "Second, it is essential

to regain our balance on cultural matters. . . . we should not go out of our way to emphasize issues that reinforce the impression that we are somehow outside the cultural mainstream." Galston specifically cited radical, early moves of the Clinton administration: ". . . gays in the military, political correctness on campus, quotas, and reproductive services contained within a health care proposal."

A two-page long discussion of the Hyde Amendment, weighing legislative tactics, public opinion and broad political strategy – including the recommendations of the abortion working group – ends with President Bill Clinton's handwritten question, "What does Hillary think?" next to the "decision" section of the memo.

There was no doubt about who was in charge of abortion policy in the Clinton White House.

hotly contested arena. The disadvantage is that it could offend nearly everyone. In particular, it would be putting you in the position of being the one that is arguably responsible for the "necessity" built into the

An additional advantage is that it preserves your freedom of time. Another advantage is that it might well be seen, not as a rescue, but rather as rescuing the administration of the Hyde amendment. A disadvantage could be seen, and represented as a principled leadership.

The Department has two options, with two conditions. First, we must consult with the Congress unless we are actually doing so. To implement option two, we would have to enter substantive discussions on this matter with key congressional leaders--promptly.

Second, you would need a public articulation of your position that could be used to support the recommendation.

Hyde Amendment: The Clinton administration is aware of the need to consider that both protects the principle of federalism and respects the deep and legitimate differences that exist among the states as well as among individual citizens. Discussions to achieve this result are now underway."

Decision on Hyde Strategy

What does Hillary think?

What does Hillary think?

THE CRIST LETTER – ABORTIONS ARE "COST EFFECTIVE"

The Clinton administration (including Hillary's abortion working group) was clearly preoccupied with Representative Henry Hyde and his amendment restricting public funding of abortion. Their preoccupation is exemplified by their decisions to keep certain correspondence as archived material. Those decisions to archive certain records demonstrate what they thought particularly important and which persons communicated the most important ideas.

Former Clinton Senior Advisor George Stephanopoulos, who now hosts ABC's "This Week" program, was part of the Clintons' inner circle and characterized his relationship with Hillary in his book, *All too Human*: "Hillary knew she could count on me to get things done, and let me know how much she appreciated it . . ."³

On April 1, 1993, Stephanopoulos received a letter from Takey Crist, MD, the director of the Crist Clinic for Women in Jacksonville, NC. The letter, obtained by Judicial Watch from the Clinton Presidential Library, was later circulated to the Domestic Policy Council for abortion policy consideration.⁴ The Crist letter encloses a paper trumpeting the "cost effectiveness" and "benefits" of "elective therapeutic abortions." The paper, which was "cc'd" to other White House senior staff, goes on to slur Representative Hyde and the Catholic Church for their principled and consistent defense of all innocent human life. Dr. Crist writes:

"Critics who say that paying for federally financed abortions would put taxpayers into the 'grisly business' of abortion are using the same scare tactics that were used back in 1976 and 1977 by Henry Hyde who has been financed and paid off by the Catholic church for years."

Of all the unsolicited constituent correspondence to the Clinton White House on the subject of abortion, these are the comments circulated, considered and archived by Hillary's abortion working group as the most politically and historically relevant. Why didn't George Stephanopoulos throw the letter away? Why did he decide to forward this anti-Catholic diatribe to other senior Clinton officials? Perhaps because it reflected the thoughts and "values" of the Clinton administration.

Clinton Library Photocopy

CLINIC FOR WOMEN

Surgical Ambulatory Care Center

200 Memorial Dr. Jacksonville, NC 28548
 Fax (919) 353-0126 (919) 353-2115 NC State 1-800-682-8440 Telex 801244 Answer Back GBCJN Jack

Accredited by Accreditation Association for Ambulatory Health Care, Inc.

April 1, 1993

Mr. George Stephanopoulos
 White House Communications Director
 The White House
 1600 Pennsylvania Avenue
 Washington, DC 20500

George:

Recently, in the last couple of days in the media, there has been some controversy about the President supporting government funding of Medicaid abortions.

I have prepared a paper that I would like for you to keep and review. So many taxpayers cite the argument they don't want their tax dollars paying for abortion. This is a study and evaluation we did here in North Carolina back in 1976-77 on how much it would cost if we had not done the therapeutic abortions for these patients. There is a big difference between 1.8 million dollars and 73 million dollars. Just thought I would give you this information in case you ever needed it.

Enjoyed seeing you on March 25. Stay in touch.

I remain
 Respectfully yours,
 Takey Crist, M.D., F.A.C.O.G., F.A.C.S.
 Director
 Crist Clinic for Women
 TC:jg

Paul F. Williams, MD, FACOG
 M. R. Barnes, MD, FACP

Takey Crist, MD, FACOG, FACS

H. William O'Neil, MD, FACOG
 Teresa L. Alvarado, MD, FACOG

Key-file "Roshier"
 Bill Galatin-gji

To: Carol R.
 Nancy Minch
 Fr. George P.
 FYI

Totals	4,144	3,399	745	(Average XIX & XX) \$442.32	\$1,832,977.12
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Based on North Carolina Reported Abortions 1976 - Public Health Statistics Branch,
 North Carolina Division of Health Services

Although the reason for the difference in the average Title XX cost and the average Title XIX cost cannot be documented, it is thought to be directly related to the fact that county departments of social services authorized Title XX abortion procedures individually and made efforts to refer clients to certified abortion clinics or out patient hospital clinics when at all possible rather than to private physicians who would be forced to admit them to a hospital to perform the procedure. In many cases it was necessary for the client to travel across county lines to an abortion clinic, but travel costs were much less than hospital costs. Medicaid recipients (Title XIX) were free to purchase all allowable medical services with Medicaid labels and were not required to have further authorization from the county DHS to seek abortion services. Medicaid recipients were more than likely sent to their family physician who admitted them to a local hospital in order to perform the abortion. Hospital admission usually doubles the cost of abortion services and probably accounts for the significantly higher Title XIX average abortion cost.



Documents: Letter written by Takey Crist MD, Director of the Crist Clinic for Women in Jacksonville, NC sent to Former Clinton Senior Advisor George Stephanopoulos. (See Appendix 3.) **Photo:** George Stephanopoulos.

CONCLUSION – WITH THE CLINTONS, PAST IS PROLOGUE



New York Senator Hillary Clinton.

Until additional records are produced from the Clinton Presidential Library (in response to pending Judicial Watch records requests), we are left to speculate about the details of discussions that ensued within the Clinton White House over the administration's efforts to promote and provide taxpayer-financing of abortion.

The documents obtained by Judicial Watch from the Clinton Presidential Library thus far, however, provide the public with an "insider" view of the inner-workings of the Clinton administration. One is able to discern the motives, strategies and raw politics behind the formulation of the Clintons' public policy in the past, while providing a glimpse of what may be in store for the American public beginning in January 2009.

Judicial Watch is organized under Section 501(c)(3) of the IRS code as a nonprofit, educational foundation and does not support nor oppose candidates for public office.

ENDNOTES

¹ Center for Responsive Politics, found at: <http://opensecrets.org/industries/recips.asp?Ind=Q15&Cycle=2000&recipdetail=A&Mem=N&sortorder=U>

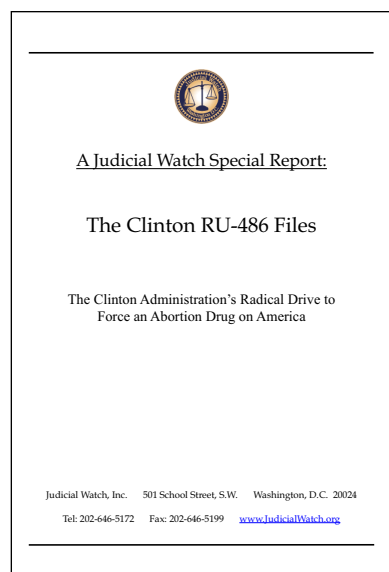
² Alexander Bolton, "McAuliffe to Join Clinton," The Hill, September 20, 2006, found at: <http://www.hillnews.com/thehill/export/TheHill/News/Frontpage/092006/mcauliffe.html>

³ George Stephanopoulos, "All too Human," (Little, Brown & Co.: New York), 1999, p. 50.

⁴ As of 9/26/06, the Crist Clinic for Women published abortion fees on the Internet: "6-12 weeks \$350; 13-17 weeks \$450; 18-20 weeks \$1350 (Requires hospital stay from approximately 2 to 3 days)," with a payment advisory stating: "Abortion payments must be paid in Cash/VISA/MC or Discover. WE TAKE NO CHECKS FOR THIS PROCEDURE!" (emphasis in original), found at: <http://www.drakecrist.com/6.html>.

WANT TO LEARN MORE ABOUT THE CLINTONS' RADICAL PRO-ABORTION AGENDA?

Judicial Watch's special report: *The Clinton RU-486 Files* contains recently uncovered documents that shed new light on the Clinton administration's aggressive drive to push the abortion pill RU-486 to market in the U.S. Visit the publications section of Judicial Watch's Internet site at www.judicialwatch.org to read the report.





Judicial Watch®

Because no one is above the law!®



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ABOUT JUDICIAL WATCH

Judicial Watch, Inc., a conservative, non-partisan educational foundation, promotes transparency, accountability and integrity in government, politics and the law. Judicial Watch fulfills its educational mission through litigation, investigations, and public outreach.

Investigation:

Open government is honest government. This is the principle that drives Judicial Watch's fight against government secrecy. Using open records laws, such as the federal Freedom of Information Act (FOIA) and state Sunshine laws, Judicial Watch forces the release of government documents into the public domain.

Litigation:

Litigation and the civil discovery process not only uncovers information for the education of the American people on anti-corruption issues, but they can also provide a basis for civil authorities to criminally prosecute corrupt officials. Judicial Watch has filed more than 150 lawsuits against corrupt public officials, achieving numerous victories on behalf of the American people. This is what separates Judicial Watch from other watchdog organizations. Judicial Watch takes action by using the court system to fulfill its public interest mission.

Public Outreach:

Judicial Watch's investigation, legal and judicial activities provide the basis for strong educational outreach to the American people. Judicial Watch's public education programs include speeches, opinion editorials (op-eds), publications, educational conferences, media outreach, and radio and news television appearances. Through its publication *The Verdict*, special reports, and its Internet site www.judicialwatch.org, Judicial Watch educates the public on abuses and misconduct by political and judicial officials.

"I think it is fair to say that Judicial Watch has been singularly successful in bringing scandals to light, educating the public, and using the legitimate tools of the judicial system to obtain justice on behalf of the American people."

— Former Congressman Bob Barr (R-GA)

JW'S RECENT VICTORIES FOR JUSTICE

- 1 HOLDING HILLARY CLINTON ACCOUNTABLE** The Federal Election Commission acted on a Judicial Watch complaint and fined Hillary Clinton's fundraising operation \$35,000 for failing to accurately report more than \$700,000 in campaign contributions to her Senate campaign.
- 2 FIGHTING THE POLITICAL ESTABLISHMENT TO GET TO THE TRUTH ABOUT AMNESTY FOR ILLEGAL ALIENS** Judicial Watch uncovered a previously undisclosed "Border Patrol Survey" that proved President Bush's "guest worker program" (amnesty for illegal aliens) lured greater numbers of illegal immigrants to cross the border, along with details of the government's desperate attempts to cover up the politically unfavorable findings.
- 3 HOLDING JESSE JACKSON ACCOUNTABLE** JW forced Jesse Jackson, his son Jonathan, and the Rainbow-Push Coalition to stand trial in a court of law for their alleged roles in a violent assault on conservative activist Rev. Jesse Lee Peterson at an Rainbow-PUSH Coalition event. Rather than face a retrial of assault charges against his son, Jackson (and his co-defendants) elected to settle the matter.
- 4 EXPOSING BILL CLINTON'S KNOWLEDGE OF THE THREAT POSED TO AMERICA BY OSAMA BIN LADEN** Judicial Watch, through the Freedom of Information Act (FOIA), forced the release of government records which show conclusively that the U.S. Department of State warned President Bill Clinton of the severe terrorist threat posed by bin Laden in 1996.
- 5 PROVIDING THE AMERICAN PEOPLE WITH NEVER-BEFORE-SEEN VIDEOS OF THE 9/11 TERRORIST ATTACK ON THE PENTAGON** Judicial Watch sued the Department of Defense on behalf of the people's "right to know" and obtained security videos of the 9/11 attack on the Pentagon. The videos were broadcast on every major news network in the United States, while more than 550 publications around the world reported the story. More than one million people viewed the videos on Judicial Watch's Internet site, www.judicialwatch.org.
- 6 EXPOSING THE CLINTON ADMINISTRATION'S CONTEMPT FOR THE SANCTITY OF LIFE** Judicial Watch uncovered documents from the Clinton Presidential Library proving conclusively that the Clinton administration rushed the abortion pill RU-486, which has killed at least six American women, through the FDA approval process in order to appease its funders and supporters in the abortion lobby.
- 7 FORCING THE WHITE HOUSE TO REVEAL ITS DEALINGS WITH CONVICTED FELON JACK ABRAMOFF** Judicial Watch filed a lawsuit against the U.S. Secret Service and forced the release of documents that show admitted felon and former casino lobbyist Jack Abramoff's contacts with the White House.
- 8 FIGHTING FOR THE AMERICAN PEOPLE'S "RIGHT TO KNOW"** Judicial Watch fought all the way to, and before, the U.S. Supreme Court to argue its case for open and transparent government in the matter of the secret records of the White House "Energy Task Force."
- 9 VINDICATED BY THE FEDERAL COURT** Federal Judge Royce Lamberth ordered the Commerce Department to pay Judicial Watch just under \$900,000 as partial compensation for attorney's fees and costs related to Judicial Watch's 10-year battle over the Clinton "Chinagate" scandal, because Judicial Watch had "substantially prevailed" in its case.

Appendix 1:
The Michel Memo

Clinton Library Photocopy

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^{JHM}
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

Office of
the Administrator


January 27, 1993

MEMORANDUM FOR: AA/FA, 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: JH ()

CLEAR: LS ()

UNCLASSIFIED

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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UNCLASSIFIED

2

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.

YY

UNCLASSIFIED

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

UNCLASSIFIED

3

CLEARANCES (CONT'D)

AID/OPS/MRP:JJORDAN YY
 AID/DAA/FA:JFOWERS
 AID/ES:JMWOLFE *JMWOLFE*

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

Appendix 2:
The Galston Memo

THE PRESIDENT HAS BEEN 5/21

THE WHITE HOUSE
WASHINGTON

May 20, 1993

MR. PRESIDENT:

The attached is a decision memo on abortion related issues written by Bill Galston on behalf of a Domestic Policy Council working group that includes representatives from the First Lady's Office, the Vice President's Office, Domestic Policy, Communications, Legislative, Political, Counsel's Office, Public Liaison, Cabinet Affairs, HHS and OMB.

The memo discusses various federal funding issues that are coming up -- including the Hyde Amendment and other appropriations issues -- as well as the Freedom of Choice Act.

Because the working group already includes representatives from the relevant departments and because this memo is highly sensitive, I have, for the time being, limited its circulation to Mack and the Vice President.

Carol Rasco wanted you to see this memo tonight so that she could discuss it with you tomorrow morning.

TDS
Todd Stern

cc: Vice President
Mack McLarty

C O P Y
from ORM

THE WHITE HOUSE
WASHINGTON

33 MAY 20 P8:52

May 20, 1993

MEMORANDUM FOR THE PRESIDENT

FROM: BILL GALSTON

SUBJ: ABORTION-RELATED ISSUES

Action-forcing Events

During the next few months, you will face a long list of decisions concerning abortion and abortion-related issues. Many of these decisions relate to federal funding, an issue that arises in at least half a dozen appropriations bills (see Tab A). Chairman Natcher has requested guidance from the White House concerning these bills by early next week. Other key decisions involve the Freedom of Choice Act, the content of the health care basic benefits package, and the Supreme Court nomination.

Many of the appropriations issues are likely to be narrowed, or eliminated altogether, when health care reform is enacted. Nonetheless, they must be addressed as freestanding issues this year in the context of the annual appropriations process.

In recent weeks, pressures to clarify our substantive positions and strategic intentions concerning abortion-related questions have been steadily intensifying. In response, the Domestic Policy Council has brought together an informal working group representing numerous departments within the White House as well as HHS and OMB. The members of this group include Ricki Seidman (Communications), Melanne Verveer (Office of the First Lady), Charlotte Hayes (Office of the Vice President), Doris Matsui (Public Liaison), Christine Varney (Cabinet Affairs), Susan Brophy (Legislative Affairs), Joan Baggett (Political Affairs), Carol Rasco (Domestic Policy Council), Steve Neuwirth (Counsel's Office), Jerry Klepner (HHS), Harriet Rabb (HHS), and Nancy-Ann Min (OMB). This memorandum--the first of a series--contains background information on key issues as well as recommendations and options for your consideration.

Political Context

Within your administration, there is a broad consensus that while we should deal with choice issues in a principled and consistent manner, we must make every reasonable effort to lower their public profile for the remainder of this year. There are two principal justifications for this view.

First, it is essential, so far as possible, to keep focused on the economic plan until it has made it through the Congress. The last thing we need is an ongoing heated controversy that divides our energies and diverts the public's attention while reinforcing their view that we're not spending enough time on the economy.

Second, it is essential to regain our balance on cultural matters. During your campaign, you reassured the American people that you identified with mainstream/heartland values, but the first four months of the administration have sown some doubts on that score. There may be worse to come. We face the possibility of a summer in which the political dialogue is largely framed by issues such as gays in the military, political correctness on campus, quotas, and reproductive services contained within a health care proposal. For this reason, while the administration should remain true to its principles, we should not go out of our way to emphasize issues that reinforce the impression that we are somehow outside the cultural mainstream.

In this connection, it is worth noting that the people now distinguish fairly sharply between choice, which they support within broad limits, and public funding, which they are much less likely to support. Even when our position on public funding is carefully framed, we are sure to encounter substantial difficulties in forging sustainable majorities in the Congress and in the court of public opinion.

An Easy Case: Federal Employee Health Benefit (FEHB) Plans

Under current law, FEHB plans (affecting federal employees and dependents) may not cover abortions unless the life of the mother is in danger. The DPC working group recommends that this restriction be eliminated. The result would be that FEHB plans would be allowed but not required to cover a wider range of abortion services. In most circumstances, federal employees would be able to choose among several plans with varying levels of coverage.

Decision on FEHB Recommendation

✓

Accept

Reject

Discuss

A Harder Case: The Hyde Amendment

A. Substantive Issues

Your campaign made a determined effort to subsume federal funding issues under the rubric of national health care reform. You recognized, however, that they would persist as free-standing issues until the enactment of that reform. You now face the question of how to deal with the Hyde amendment.

During the campaign you opposed laws that prohibit federal funding for abortion. At the same time, you favored substantial leeway for the states to chart their own course. That is why your proposed budget simultaneously deletes the Hyde amendment and declares that "the Administration will work with the Congress to facilitate an approach that is compatible with both Federal and State law."

The difficulty is that these two bodies of law are frequently incompatible. For example, Medicaid requires states to provide all "medically necessary" services to eligible beneficiaries. Simply removing the Hyde amendment from federal legislation would almost certainly compel many states to fund abortions that they now exclude through either statutory or (as in the case of Arkansas) constitutional provisions. There is no way of fully harmonizing federal and state law as now written. The question, rather, is how they can be adjusted to reach mutual consistency.

Your DPC working group recommends that all states be required to fund Medicaid abortions in cases of rape, incest, and when the mother's life is endangered. Beyond these cases, each state should be left free to make its own determination.

The rationale is as follows: Even the Hyde amendment permitted abortions to relieve threats to mothers' lives, while rape and incest represent conditions for publicly funded abortion that enjoy substantial public support. A move to restore the original Hyde amendment would probably succeed in Congress if the alternative is simple deletion; substitute language that includes rape and incest would offer a better chance of defeating Hyde. Our proposal would establish that language as a federal baseline while not tying the hands of the states (now numbering 15) that want to go farther.

Decision on Hyde Language

✓
Accept

Reject

Discuss

*Any time
to discuss
Hyde*

B. Strategic Issues

There are two options for reaching this language as a legislative result. The first is to take the lead--to announce our legislative objective promptly and forthrightly, starting with Chairman Natcher, and to deploy our resources on the Hill to reach that objective during the next two months. The second is simply to restate our commitment to deleting Hyde and to working with the Congress to craft more satisfactory language. Under the second option, we would in effect be asking the Congress to make the opening bid, and we would be prepared to intervene later with our language as an alternative to reinstating Hyde.

rec'd
1/20/79

The advantage of the first option is that it allows you to demonstrate leadership by acting clearly and decisively in a hotly contested arena. The disadvantage is that it could offend nearly everyone, at least initially. In particular, it would dismay many of your pro-choice supporters by putting you in the position of sponsoring abortion coverage that is arguably narrower than the criterion of "medical necessity" built into the Medicaid statute.

An advantage of the second option is that it preserves your freedom of action to forge consensus over time. Another advantage is when you offer your substantive recommendation during the course of the Hyde debate, it might well be seen, not as selling out our pro-choice supporters, but rather as rescuing them from a straightforward reinstatement of the Hyde amendment. A disadvantage of this option is that it could be seen, and represented, as evasive and lacking in principled leadership.

The DPC working group recommends option two, with two conditions. First, we cannot say that we are working with the Congress unless we are actually doing so. To implement option two, we would have to enter substantive discussions on this matter with key congressional leaders--promptly.

Second, you would need a public articulation of your position that takes account of the undeniable difficulties and that you could sustain until the actual legislative resolution. We recommend the following as a response to questions:

"As I made clear in my budget proposal, I don't think the Hyde amendment should be reinstated. I've also stated that my administration is committed to working with the Congress to find an approach that respects both federal and state law. I'm well aware of the fact that these bodies of law aren't fully consistent, but I'm confident that we can work out a solution that both protects the principle of choice and respects the deep and legitimate differences that exist among the states as well as among individual citizens. Discussions to achieve this result are now underway."

Decision on Hyde Strategy

What Ben Harding
Thinks

Option 1

Option 2

Discuss

Other Appropriations Issues

The remaining appropriation bills differ from Medicaid in that they do not raise federal-state issues. (Some, such as DC appropriations, now restrict the use of local as well as federal funds.) Otherwise, the substantive and strategic issues are very similar.

Our recommendation concerning these bills is that we declare our willingness to work with the Congress and that we adopt as our practical objective (1) the relaxation of restrictions on federal funding to include rape and incest as well as the life of the mother, and (2) where appropriate, local choice in determining the use of local funds.

Two forthcoming bills raise special issues. We have just been informed that the Department of Defense is prepared to include a repeal of the Hyde amendment in its Authorization Bill. We will work with them to ensure, so far as possible, that the language respects the particular circumstances and sensibilities of the military.

Funding for abortion in foreign aid programs also raises a distinctive issue. As you know, the People's Republic of China has come under persistent criticism for alleged use of involuntary sterilization and forced abortion as part of a population control strategy. Your budget proposal deletes language that forbids U.S. funding for overseas programs that provide abortions as an element of voluntary family planning. But the remaining language is unequivocal in its rejection of coercive measures. Public testimony by AID officials and others should be crystal-clear on this point. And if, as some have suggested, the U.N Population Fund is sufficiently disturbed by Chinese practices to consider withdrawing from that country altogether, we should be supportive of their decision to do so.

Freedom of Choice Act

As you know, the Freedom of Choice Act represents a major effort to codify the holding of Roe as interpreted prior to the Webster and Casey decisions. The Senate version of the bill has already been marked up by the full Labor and Human Resources Committee. It allows states to require parental involvement with minors' decisions and to decline to pay for the performance of abortions. It also includes a so-called "conscience clause" preventing states from imposing an obligation to perform abortions on individual doctors and institutions (such as Catholic hospitals) with principled objections to this practice. The House version of the bill, which was marked up and passed out this Wednesday, incorporates the conscience and parental involvement clauses but not the provision allowing states to decline to pay for the performance of abortions.

While these points are opposed by some advocacy groups, they are consistent with Roe and are supported by mainstream advocacy groups such as NARAL. (For additional details, see Tab B.)

During the campaign, you pledged to sign a Freedom of Choice Act along the lines of the bills reported out of the Senate and House committees. While there is a significant difference between the two versions, at this point the principal issue before us is one of timing and legislative strategy, not substance. Advocacy

groups who are longstanding supporters take the position that they refrained from bringing the bill to the floor last fall in deference to the campaign's request for delay. Now, they say, we owe it to them to intervene with the House and Senate leadership to move the bill quickly; the leadership is looking for a signal from the White House and is unlikely to move forward without one.

The counterargument runs as follows:

(1) We are already being criticized for an overly crowded agenda, and we don't need another big, controversial item that further diverts attention from the economic plan.


(2) You have already acted aggressively to further the pro-choice agenda, and you face a large number of abortion-related appropriations votes in the next few months. If you encourage a postponable abortion debate to surface during this period, it will rivet public attention on this issue and reinforce your emerging cultural disconnect with ethnic and other swing voters.

*Mid Aug
Type
Don't* (3) We should focus our attention this summer on the unavoidable battle over the inclusion of reproductive services in the basic health benefits package.

(4) The principal reason why FOCA didn't come to the floor last year was that its backers didn't have the votes, and it's still not clear that they do. Speaker Foley has said that he will not bring the bill to the floor unless he is confident that it can pass without killer amendments. The number of close votes in the Judiciary Committee this Wednesday suggests that this is not yet the case and that more work needs to be done.

On balance, we believe that the arguments for delay are stronger than the arguments for moving forward at this time, and we so recommend. You should be aware, however, that many of your pro-choice supporters are likely to regard a decision not to proceed at this time as a deep disappointment--if not an outright betrayal. Should you choose to delay the bill significantly, they may go public with very vocal objections.

Decision on FOCA Strategy


Delay

Go Forward

Discuss

ABORTION-RELATED GENERAL PROVISIONS

<u>Appropriation Bill</u>	<u>Current Status</u>	<u>Affected Population</u>
Labor-HHS General Provisions Sec. 103	Federal funding allowed only when the life of the mother is endangered if the fetus is carried to term.	Medicaid, Indian Health Service, and PHS grantee clients
D.C. Appropriation Bill	Funding allowed only when the life of the mother is endangered if the fetus is carried to term. (Includes local tax funds).	D.C. residents who would otherwise receive non-Medicaid funding for abortions
State-Commerce-Justice General Provisions Sec. 103, 104, 105	Federal funding allowed only when the life of the mother is endangered if the fetus is carried to term. Also provides that "no funds shall be used to require any person to perform or facilitate an abortion; " but permits funds for escorting to abortion services outside the Bureau of Prisons.	INS detainees, sentenced and pre-sentenced prisoners, transitionally housed asylees, special witnesses and families protected by DOJ, and inmates
Treasury-Post Office appropriation bill, Sec. 513, 514 of Title 5	FEHB plans may not cover abortions unless the mother is endangered if the fetus is carried to term.	Federal employees and dependents
DOD-United States Code, Sec. 1093 of Title 10,	Federal funding allowed only when the life of the mother is endangered if the fetus is carried to term.	Military personnel and dependents
Foreign Aid--H.R. 5368 Foreign Operations, PL 102-391, Sec 524 and 534 (Kemp-Kasten Amendment)	No funds shall be used for : 1) abortions, 2) to lobby for abortion, or 3) Involuntary sterilization as a method of family planning or as incentive to undergo sterilization.	Peace Corps workers and countries receiving U.S. foreign assistance

WASHINGTON UPDATE

Policy and Politics in Brief

THOSE WINDS OF CHANGE ARE TRICKY

BY ELIZA NEWLIN CARNEY

Just as abortion-rights groups should be relishing the fact that there is at last a President who supports their agenda, they're threatened with the loss of one of their most prized goals: a law ensuring women's right to abortion.

The so-called Freedom of Choice Act, which essentially would codify the Supreme Court's 1973 *Roe v. Wade* ruling that legalized abortion, may never reach the floor this year, House Speaker Thomas S. Foley, D-Wash., said at an April 22 press conference. Foley cited lack of support for a rule that would limit amendments likely to weaken the bill.

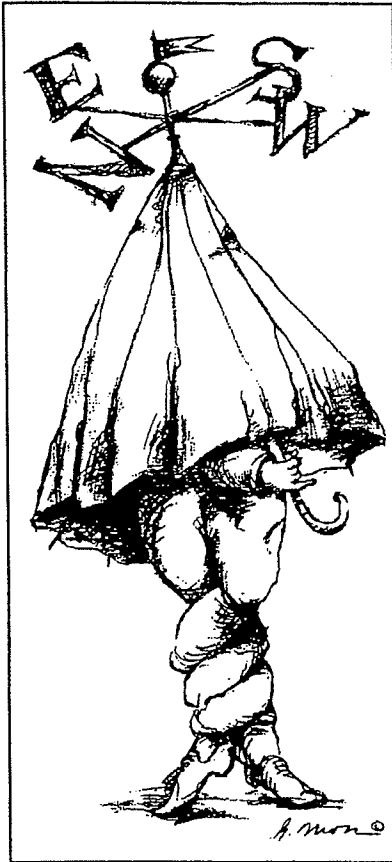
ABORTION

The uncertain fate of the bill—which is scheduled to be taken up by the House Judiciary Committee later this month—points up deep divisions in Congress over how far the government should go in restricting abortion rights. It also signals a bitter struggle ahead over pending questions such as whether Congress should allow federal spending on abortions and whether abortion services should be included in a national health care plan.

"This is a very difficult issue still," said Rep. Don Edwards, D-Calif., chairman of the Judiciary Subcommittee on Civil and Constitutional Rights and the Freedom of Choice Act's primary sponsor in the House. "The general public is in favor of choice for women, but to some extent they are ambivalent about certain limitations that the states want to put on it."

In theory, the 103rd Congress is a golden opportunity for abortion-rights advocates who've been frustrated for 12 years by an anti-abortion White House. On his second day in office, President Clinton signed five executive orders rolling back a slew of federal abortion restrictions, including the "gag rule" banning abortion counseling in government-financed clinics.

Clinton's also promised to work with Congress to repeal a law that bars medi-



caid-financed abortions for poor women; appoint a *Roe v. Wade* supporter to the Supreme Court; and include abortion financing in his national health care program. Congress and the Administration have also proposed measures to improve clinic access and safety, spurred in part by the March murder of David Gunn, a physician who performed abortions at a Pensacola (Fla.) clinic.

But instead of gaining momentum, abortion-rights advocates find themselves suddenly on the defensive, losing money, membership and support on Capitol Hill. In part, their struggle reflects the pitfalls of being on the winning side. "With the victor goes the spoils," Kathryn Colbert, vice president of the Center for Reproductive Law and Policy in New York City, said wryly.

In part, groups like the National Abortion Rights Action League (NARAL) and the Planned Parenthood Federation of America Inc. are hurt by public sentiment that the abortion battle is over.

"The greatest threat to choice is complacency," said Kate Michelman, president of NARAL, where donations from direct-mail fund raising are down a third from this time last year.

The abortion debate has also shifted ground from simple questions of legality to such thorny areas as whether taxpayers should foot the bill for abortions or whether parents must be notified before their underage daughters can obtain an abortion. Polls show that many voters who support abortion rights in general also favor some restrictions. A July CBS News-*New York Times* poll found that 56 per cent of respondents supported state laws limiting abortion's availability, and 52 per cent opposed using tax dollars to finance poor women's abortions.

On the Freedom of Choice Act, abortion-rights groups have been undermined by internal bickering. NARAL and Planned Parenthood lead a coalition that strongly backs both the House and Senate versions of the bill; the National Organization for Women (NOW), allied with several other women's and public-interest groups, opposes Senate provisions that would allow states to pass laws that require parental involvement and bar the use of state funds for abortions.

"Our position has always been that we wanted a bill that would not encourage the states to treat young women and poor women differently," said Ginny Montes, national secretary of NOW, which is joined by the American Civil Liberties Union and the Fund for the Feminist Majority in opposing the Senate bill.

But the legislation's supporters say it won't pass if language that allow states to restrict abortions is ruled out entirely. Edwards said he plans to introduce a measure clarifying that states may continue to require parental involvement, when the House Judiciary Committee marks up the bill. "All of our polls and whip checks indicate that the *Roe* provision on parental involvement must be in the bill, or we lose literally scores of votes," Edwards said.

And while abortion-rights advocates are fighting among themselves, the anti-abortion lobby is more organized than ever, presenting a unified front and flooding both chambers with mail. A well-organized postcard campaign by the Committee for a Human Life Amendment, a Washington lobby group backed by

U P D A T E

Catholic dioceses nationwide, contributed to a serious Capitol Hill mail backlog. House post office director Michael Shinay said. The campaign generated about 1.5 million postcards on the Freedom of Choice Act, he estimated.

"All the pro-life forces are united on at least three priorities: defeating the Freedom of Choice Act, preserving the Hyde Amendment [a proviso named for its sponsor, Rep. Henry J. Hyde, R-Ill., that bans medicaid financing for poor women's abortions] and preventing Clinton from imposing abortion coverage through the national health plan," said Douglas Johnson, legislative director of the National Right to Life Committee. "We're guardedly optimistic that the President may fail on all three of those fronts."

Freedom of Choice Act backers counter that Clinton's support, along with that of a new generation of women in Congress, bodes well for the measure. Many of the freshman women made abortion rights a central campaign theme, Rep. Nita M. Lowey, D-N.Y., said.

"The increase in women Members automatically brings a new perspective and urgency to the issue," said Lowey, who heads the Pro-Choice Task Force of the Congressional Women's Caucus.

But some Members of Congress admitted that sharp disagreements over strategy persist. Some bill backers want a closed rule that would allow no amendments once the bill reaches the floor. (The purpose would be to prevent anti-abortion lawmakers from weakening the bill beyond recognition.) Others say that lim-

ited amendments should be allowed. With no agreement, the legislation may die quietly.

Abortion-rights advocates admit that the bill faces an uphill fight and are pushing for quick action by House and Senate leaders. Some fear that debate over the legislation and over the Hyde amendment will be heated, possibly weakening the Administration's resolve to include controversial abortion provisions in its health care package.

"In my view, we have a challenge ahead of us," said the Center for Reproductive Law and Policy's Colbert. "We need to convince legislators that these restrictions are very pernicious and that they ought not to be enacted at the state level. The problem is that, that's not a 30-second soundbite." ■



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Appendix 3:
The Crist Letter

April 1, 1993

① Key-file "Abortion"
② *Bill Galston-fyi

Mr. George Stephanopoulos
White House Communications Director
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

George:

Recently, in the last couple of days in the media, there has been some controversy about the President supporting government funding of Medicaid abortions.

I have prepared a paper that I would like for you to keep and review. So many taxpayers cite the argument they don't want their tax dollars paying for abortion. This is a study and evaluation we did here in North Carolina back in 1976-77 on how much it would cost if we had not done the therapeutic abortions for these patients. There is a big difference between 1.8 million dollars and 73 million dollars. Just thought I would give you this information in case you ever needed it.

Enjoyed seeing you on March 25. Stay in touch.

I remain

Respectfully yours,

TAKEY CRIST, M.D., F.A.C.O.G., F.A.C.S.
Director
Crist Clinic for Women

TC:jg

To: Carol R
Nancy Minh
Fr: George P.
FYI

Paul F. Williams, MD, FACOG
M. R. Barnes, MD, FAFP

Takey Crist, MD, FACOG, FACS

H. William O'Neil, MD, FACOG
Teresa L. Alvarado, MD, FACOG

THE COST EFFECTIVENESS OF
ELECTIVE THERAPEUTIC ABORTION
COST SAVINGS AS DEMONSTRATED IN
NORTH CAROLINA DURING FY 76-77

TAKEY CRIST
200 Memorial Drive
Jacksonville, NC 28546

It has been argued by the anti-abortionists that taxpayers should not pay for elective therapeutic abortion, that it is too expensive, and it is a waste of taxpayers funds.

Taxpayers also pay for wars of which they may be opposed, taxpayers also paid for Jeremiah Denton's Chastity Bill which was probably one of the most unscientific studies ever funded by the government.

Critics who say that paying for federally financed abortions would put the taxpayers into the "grisly business" of abortion are using the same scare tactics that were used back in 1976 and 1977 by Henry Hyde who has been financed and paid off by the Catholic church for years.

There is no evidence that abortions would increase late in pregnancy.

Elective abortions performed during FY 76-77 were funded through Title XIX and Title XX in the state of North Carolina. The number of abortions performed and paid for by Title XIX money was 1,536, the number of abortions performed by Title XX was 2,608 for a total of 4,144 therapeutic abortions. The majority of the abortions (82 percent) were done in the first trimester. This totalled 3,399, second trimester abortions totalled 745, the average cost of Title XIX and Title XX therapeutic abortions was \$442.32 for a total cost of \$1,832,977.12. A summary of that information is enclosed.

What would have been the cost to the taxpayers if these women had not been allowed to terminate a pregnancy? Assuming that all the pregnancies were carried to term, the cost of normal labor and delivery in FY 76-77 would have been \$5,062,500.

However, that is not the end of the financial story. These patients would also be entitled to income maintenance payment, medical services (Medicaid), and food stamps for a total of \$818.28, and the projected first year cost would be \$3,682,260, but one must remember these payments continue until the child reaches the age of eighteen. The total cost would be \$66,280,680.

It should also be pointed out that the above figures do not take into account the cost of prenatal care, labor and delivery, nor do they include agency administrative cost to support income maintenance and Social Service programs, the cost of medical care required as a result of illegal or self-induced abortions, or the cost of human suffering in the form of increased family stress and the neglect and abuse of unwanted children.

The cost of normal labor and delivery is included in illustrative figure and the average monthly payment per AFDC recipients is also included.

The total cost for the therapeutic abortions paid for through Title XIX and Title XX money for FY 76-77 in North Carolina was \$1,832,977.12. The total cost if these therapeutic abortions would not have been allowed would have exceeded \$73,000,000.

With this factual financial data, I am sure that there are a lot of taxpayers that would rather have their tax dollars pay for a therapeutic abortion rather than pay for the support of unwanted children.

TAKEY CRIST
200 Memorial Drive
Jacksonville, NC 28546

TABLE 2

ELECTIVE ABORTIONS PERFORMED DURING FY 76-77
FUNDED THROUGH TITLES XIX AND XX

LAKEY CRIST
200 Memorial Drive
Jacksonville NC 28546

	Number of Abortions Performed	Estimated Number First Trimester Abortions*	Estimated Number Second Trimester Abortions*	Average Cost Per Abortion	Total Cost
Title XIX	1,536	1,260	276	\$645.24**	\$ 991,088.64
Title XX	2,608	2,139	469	\$322.81**	\$ 841,888.48
Totals	4,144	3,399	745	(Average XIX & XX) \$442.32	\$1,832,977.12

Based on North Carolina Reported Abortions 1976 - Public Health Statistics Branch,
North Carolina Division of Health Services

Although the reason for the difference in the average Title XX cost and the average Title XIX cost cannot be documented, it is thought to be directly related to the fact that county departments of social services authorized Title XX abortion procedures individually and made efforts to refer clients to certified abortion clinics or out patient hospital clinics when at all possible rather than to private physicians who would be forced to admit them to a hospital to perform the procedure. In many cases it was necessary for the client to travel across county lines to an abortion clinic, but travel costs were much less than hospital costs. Medicaid recipients (Title XIX) were free to purchase all allowable medical services with Medicaid labels and were not required to have further authorization from the county DSS to seek abortion services. Medicaid recipients more than likely went to their family physician who admitted them to a local hospital in order to perform the abortion. Hospital admission usually doubles the cost of abortion services and probably accounts for the significantly higher Title XIX average abortion cost.

LE 8

PREGNANCY CARRIED TO TERM
COST OF NORMAL LABOR AND DELIVERY*

Average Hospital Costs Per Day

Ancillary Charges	\$ 100.00
Room and Board	+ 60.00
Total	\$ 160.00

Average Days of Hospitalization (5) $\times \underline{5}$

Average Hospitalization Total Cost \$ 800.00

Average Physician Charge $\underline{+325.00}$

Average Labor and Delivery Total Cost \$1,125.00

(Projected Labor and Delivery Cost For 4,500 Cases \$5,062,500)

*North Carolina Medicaid Statistics - May 1977

TAKEY CRIST
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Jacksonville, NC 28546

TABLE 9

AVERAGE MONTHLY PAYMENT PER AFDC RECIPIENT*

Average Income Maintenance Payment	\$ 15.36
Average Medical Services (Medicaid)	26.59
Average Food Stamps	<u>26.24</u>
Monthly Total	\$ 68.19
	<u>x 12</u>
Annual Total	\$818.28**

(Projected First Year Cost For 4,500 Infants \$3,682,260)

*North Carolina Department of Human Resources Statistical Journal
Division of Social Services January - March 1977

**These figures do not take into account the cost of prenatal care, labor and delivery (average \$1,125.00), nor do they include agency administrative costs to support income maintenance and social services programs, the cost of medical care required as a result of illegal or self-induced abortions or the cost of human suffering in the form of increased family stress and the neglect or abuse of unwanted children.

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