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THE WHITE HOUSE

WASHINGTON

April 9, 1990

*Abortion - Memo*

MEMORANDUM FOR DAVID Q. BATES  
ROGER B. PORTER  
BRIAN K. WAIDMANN  
KENNETH P. YALE  
JUSTINE D'ANDREA  
JOHANNES KUTTNER

FROM: DANIEL R. HEIMBACH *DGH*

SUBJECT: Abortion -- the "Mexico City Policy"

Attached are excerpts taken from a legislative alert prepared by National Right to Life.

The alert discusses a new challenge, led by the Planned Parenthood Federation of America (PPFA), against the "Mexico City Policy." The Mexico City Policy provides that any private organization which performs or promotes abortion in foreign nations, or which campaigns to legalize abortion in foreign nations, may not receive U.S. "population assistance" funds.

You will recall that the President last year vetoed the foreign aid appropriations bill in order to block a similar attempt.

The alert reports that the House Foreign Affairs Committee has this year already adopted an amendment, offered by Rep. Kostmayer (D-Pa.), to the FY 1990-91 foreign aid authorization bill to nullify the Mexico City Policy. The bill may reach the House floor as soon as April 23.

The bill also contains language that would effectively overturn the Kemp/Kasten Amendment, under which the U.N. Fund for Population Affairs is ineligible to receive U.S. funds as long as it continues to provide support for China's coercive abortion program.

Attachment



Suite 500, 419 7th Street, N.W.  
Washington, D.C. 20004-2293 — (202) 626-8800

**LEGISLATIVE ALERT**

**To:** Board of Directors and State Offices, Federal Legislative Coordinators  
Selected Pro-life Contacts

**From:** Douglas Johnson, NRLC Legislative Director (202-626-8820)  
Susan A. Smith, NRLC Associate Leg. Director (202-626-8820)

**Date:** April 6, 1990

**Re:** Upcoming congressional battle on the "Mexico City Policy"  
and the China/UNFPA program

**SUMMARY:** A fresh pro-abortion challenge is now being mounted to perhaps the single most important pro-life policy adopted during the Reagan Administration-- the "Mexico City Policy," which cut off U.S. funds to private foreign organizations which promote abortion or campaign for the legalization of abortion overseas. Under the policy, the International Planned Parenthood Federation (IPPF) has received no U.S. funds since 1985. Moreover, in light of a recent federal court ruling, the Planned Parenthood Federation of America (PPFA) also faces a cutoff of all U.S. foreign aid funds (about \$18 million/year) as of Oct. 1, 1990. In response, PPFA has launched a last-ditch lobbying campaign for Congress to overturn the Mexico City Policy. The House of Representatives will vote on the issue soon-- probably during the week of April 23-- with Senate action to follow soon thereafter. Further votes on the issue may occur throughout the session.

In addition, another congressional fight is imminent on whether the U.S. should resume funding of the United Nations Population Fund (UNFPA), which has received no U.S. funds since 1985 due to its involvement in China's coercive population-control program. Last November, President Bush vetoed an entire foreign aid appropriations bill in order to block the Mikulski Amendment, which would have restored U.S. funding to the UNFPA. The House will again consider the UNFPA issue as early as the week of April 23, with further votes likely through September.

**BACKGROUND:** The "Mexico City Policy" is so called because it was announced by the U.S. delegation to an international population-control conference in Mexico City in 1984. This policy provides that any private organization which performs or promotes abortion in foreign nations, or which campaigns to legalize abortion in foreign nations, may not receive U.S. "population assistance" funds. Most "family planning" organizations in less-developed nations have complied with the policy in order to remain eligible for U.S. funds. Pro-abortion leaders complain that, as a consequence of the policy, there has been "a near halt in the liberalization of abortion laws in third world [less-developed] countries" (New York Times, Feb. 27, 1989).

The London-based International Planned Parenthood Federation (IPPF), a major promoter of abortion in less-developed countries, refused to comply with the Mexico City Policy and has received no U.S. funds since 1984. The Planned Parenthood Federation of America (PPFA), which has its own overseas division, also refused to comply, and in 1987 filed a legal challenge to the

policy. Under a court order, PPFA has continued to receive funds until this litigation is resolved, but the funds which PPFA passes on to other organizations overseas are governed by the Mexico City Policy. On March 7, 1990, the U.S. District Court of the Southern District of New York dismissed PPFA's lawsuit. PPFA is appealing that decision to the U.S. Court of Appeals for the Second Circuit, where a ruling is expected by September. If, as we anticipate, the Second Circuit also rejects PPFA's lawsuit, PPFA faces a cutoff of all U.S. foreign aid funds as of Oct. 1, 1990.

In response, PPFA has stepped-up its lobbying campaign to have Congress overturn the Mexico City Policy before October 1. On March 28, the House Foreign Affairs Committee voted 17-10 in favor of an amendment, offered by pro-abortion Rep. Peter Kostmayer (D-Pa.) to the FY 1990-91 foreign aid authorization bill (unnumbered), to nullify the Mexico City Policy. This bill will probably reach the House floor the week of April 23.

The House Foreign Affairs Committee also adopted another Kostmayer amendment which would authorize \$1 million in family planning funds for Romania and require that these funds be channeled through the IPPF and the UNFPA. This would in effect overturn the Kemp/Kasten Amendment, under which the UNFPA is ineligible for U.S. funds because of its support for China's coercive program.

Congressmen Chris Smith (R-NJ) and Henry Hyde (R-Il.) will offer amendments on the House floor to protect the Mexico City Policy and to eliminate any requirement that the UNFPA receive the funds designated for Romania.

THE WHITE HOUSE

WASHINGTON

March 16, 1989

MEMORANDUM FOR DAVID BATES  
KEN YALE

FROM: DAN HEIMBACH

SUBJECT: Koop testimony

As indicated in the Cabinet Report of March 12-18, testimony by the Surgeon General before the House Government Operations Subcommittee on Human Resources was expected to attract significant adverse media attention. Although it would be premature to make assurances about the quality of media coverage, I am pleased to report that Administration efforts have paid off to the extent that Koop was successfully persuaded to refrain from comments that would reflect adversely on the White House.

The Surgeon General was cooperative in withholding any comment implying blame for the public exposure given his letter to the President in which he declined to offer a formal report on the psychological effects of abortion on women. In this regard, he only sought to explain that the press had misrepresented his position--that he did not say there is "no" evidence of adverse psychological health effects, only that in his estimate there are no credible studies on which to arrive at a scientifically reliable conclusion.

In the questioning which followed his testimony, the Surgeon General parried several attempts to make him commit to positions contrary to, or critical of, the Administration. In my estimate he was successful in avoiding major controversy, and kept from saying anything that might cause embarrassment for President Bush.

The one weakness exposed under questioning by Chairman Weiss was a possible discrepancy between a claim made to the President that "all" 250 scientific articles on the subject had been reviewed and judged unsound, when in fact the only paper whose conclusions were accorded written analysis and criticism was a paper prepared by the National Right to Life organization. Chairman Weiss interpreted this as an unmerited dismissal of studies supporting the practice of abortion. Pro-life observers may just as easily interpret this as an extra effort to discredit evidence supporting their position and contrary to abortion.

Generally speaking, the hearing went well. What began as a potentially inflammatory situation was headed off. As a result, the hearing itself turned out to be fairly uneventful.