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WE003

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MEMORANDUM FROM THE PRESIDENT

To: The Secretary of Health and Human Services

Re: The Title X "Gag Rule"

Title X of the Public Health Services Act provides federal funding for family planning clinics to provide services for low-income patients. The Act specifies that Title X funds may not be used for the performance of abortions, but places no restrictions on the ability of clinics that receive Title X funds to provide abortion counseling and referrals or to perform abortions using non-Title X funds. During the first 18 years of the program, medical professionals at Title X clinics provided complete, uncensored information, including nondirective abortion counseling. In February 1988, the Department of Health and Human Services adopted regulations, which have become known as the "Gag Rule," prohibiting Title X recipients from providing their patients with information, counseling or referrals concerning abortion. Subsequent attempts by the Bush Administration to modify the Gag Rule and ensuing litigation have created confusion and uncertainty about the current legal status of the regulations.

The Gag Rule endangers women's lives and health by preventing them from receiving complete and accurate medical information, and interferes with the doctor-patient relationship by prohibiting information that medical professionals are otherwise ethically and legally required to provide to their patients. Furthermore, the Gag Rule contravenes the clear intent of a majority of the members of both the U.S. Senate and House of Representatives, which twice passed legislation to block the Gag Rule's enforcement but failed to override presidential vetoes.

For these reasons, you have informed me that you will suspend the Gag Rule pending the promulgation of new regulations in accordance with the "notice and comment" procedures of the Administrative Procedure Act. I hereby direct you to take that action as soon as possible. I further direct that, within 30 days, you publish in the Federal Register new proposed regulations for public comment.

You are hereby authorized and directed to publish this memorandum in the Federal Register.

Bill Clinton
The White House
January 22, 1993

*Edits
from
Dellinger*

MEMORANDUM FROM THE PRESIDENT

✓ To: The ^{Acting} Administrator of the Agency for International Development
Re: 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)(i). ~~Since~~ The August 1984 announcement by President Reagan of what has become known as the "Mexico City Policy," ^{directed} the Agency for International Development ("AID") ~~has expanded~~ this limitation and withheld 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. ~~AID imposes~~ 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 ~~seriously~~ 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 from all current AID grants to NGO's, and exclude them from future grants. ✓

Bill Clinton
The White House
January 22, 1993

MEMORANDUM FROM THE PRESIDENT

To: The Secretary of Defense

Re: Privately Funded Abortions at Military Hospitals

Section 1093 of Title 10 of the United States Code prohibits the use of Department of Defense ("DOD") funds to perform abortions except where the life of a woman would be endangered if the fetus were carried to term. By memoranda of December 21, 1987 and June 21, 1988, DOD has gone beyond what I am informed are the requirements of the statute and has banned all abortions at U.S. military facilities, even where the procedure is privately funded. This ban is unwarranted. Accordingly, I hereby direct that you reverse the ban immediately, and permit abortion services to be provided, if paid for entirely with non-DOD funds, and in accordance with other relevant DOD policies and procedures.

You are hereby authorized and directed to publish this memorandum in the Federal Register.

Bill Clinton
The White House
January 22, 1993

MEMORANDUM FROM THE PRESIDENT

To: The Secretary of Health and Human Services

Re: Federal Funding of Fetal Tissue Transplantation Research

On March 22, 1988, the Assistant Secretary for Health of Health and Human Services ("HHS") imposed a temporary moratorium on federal funding of research involving transplantation of fetal tissue from induced abortions. Contrary to the recommendations of a National Institute of Health Advisory panel, on November 2, 1989, the Secretary of HHS extended the moratorium indefinitely. This moratorium has significantly hampered the development of possible treatments for individuals afflicted with serious diseases and disorders, such as Parkinson's disease, Alzheimer's disease, diabetes, and leukemia. Accordingly, I hereby direct that you immediately lift the moratorium.

You are hereby authorized and directed to publish this memorandum in the Federal Register.

Bill Clinton
The White House
January 22, 1993

MEMORANDUM FROM THE PRESIDENT

To: The Secretary of Health and Human Services

Re: Importation of RU-486

In Import Alert 66-47, the Food and Drug Administration ("FDA") excluded the drug Mifepristone -- commonly known as RU-486 -- from the list of drugs that individuals can import into the United States for their "personal use," although the drugs have not yet been approved for distribution by the FDA. (See FDA Regulatory Procedures Manual, Chapter 9-71.) Import Alert 66-47 effectively bans the importation into this nation of a drug that is used in other nations as a nonsurgical means of abortion, and that is being tested as a possible treatment for cancer and other serious diseases.

I am informed that in excluding RU-486 from the personal use importation exemption, the FDA appears to have based its decision on factors other than an assessment of the possible health and safety risks of the drug. Accordingly, I hereby direct that you promptly instruct the FDA to determine whether there is sufficient evidence to warrant exclusion of RU-486 from the list of drugs that qualify for the personal use importation exemption. Furthermore, if the FDA concludes that RU-486 meets the criteria for the personal use importation exemption, I direct that you immediately take steps to rescind Import Alert 66-47.

In addition, I direct that you promptly assess initiatives by which the Department of Health and Human Services can promote the testing, licensing, and manufacturing in the United States of RU-486 or other antiprogestins.

You are hereby authorized and directed to publish this memorandum in the Federal Register.

Bill Clinton
The White House
January 22, 1993

THE WHITE HOUSE
WASHINGTON

DRAFT

MEMORANDUM FROM THE PRESIDENT

To: The Secretary of Health and Human Services

Re: Federal Funding of Fetal Tissue Transplantation Research

spell out
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William J. Clinton
The White House
January 22, 1993

THE WHITE HOUSE

WASHINGTON

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William J. Clinton
The White House
January 22, 1993

Do and Hold

Maureen Read

per Ron G.

MJB

THE WHITE HOUSE

WASHINGTON

FOR
MEMORANDUM FROM THE PRESIDENT

(all pages)
To: The Secretary of Health and Human Services

Subject Re: Federal Funding of Fetal Tissue Transplantation Research

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You are hereby authorized and directed to publish this memorandum in the Federal Register.

William J. Clinton
The White House
January 22, 1993

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Ch. H. ...
Encl. 2
-S. ...

THE WHITE HOUSE
WASHINGTON

DRAFT

FOR
MEMORANDUM FROM THE PRESIDENT

To: ~~The~~ Secretary of Health and Human Services *(all caps)*

spell out ✓ Subject: ~~Re:~~ Federal Funding of Fetal Tissue Transplantation Research

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underscore
You are hereby authorized and directed to publish this memorandum in the Federal Register.

William J. Clinton
The White House
January 22, 1993

1/22/93
Clark's edit
Emery &
Gardner

1/22/93-11 a.m.
Edits
from
Dellinger
picked up from
Staff Sec. at 113
on 1/22/93
SA

MEMORANDUM FROM THE PRESIDENT

✓ To: The ^{Acting} Administrator of the Agency for International Development
Re: AID Family Planning Grants/Mexico City Policy

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Bill Clinton
The White House
January 22, 1993

THE WHITE HOUSE
WASHINGTON

January 22, 1993

1-22-93
1:40 p.
Edits from Cheryl.
Cashin
WmMcG.

MEMORANDUM FOR THE SECRETARY OF HEALTH AND HUMAN SERVICES

SUBJECT: Importation of RU-486

In Import Alert 66-47, the Food and Drug Administration ("FDA") excluded the drug Mifepristone -- commonly known as RU-486 -- from the list of drugs that individuals can import into the United States for their "personal use," although the drugs have not yet been approved for distribution by the FDA. (See FDA Regulatory Procedures Manual, Chapter 9-71.) Import Alert 66-47 effectively bans the importation into this Nation of a drug that is used in other nations as a nonsurgical means of abortion, and ~~that is being tested as a possible treatment for cancer and other serious diseases.~~

I am informed that in excluding RU-486 from the personal use importation exemption, the FDA appears to have based its decision on factors other than an assessment of the possible health and safety risks of the drug. Accordingly, I hereby direct that you promptly instruct the FDA to determine whether there is sufficient evidence to warrant exclusion of RU-486 from the list of drugs that qualify for the personal use importation exemption. Furthermore, if the FDA concludes that RU-486 meets the criteria for the personal use importation exemption, I direct that you immediately take steps to rescind Import Alert 66-47.

In addition, I direct that you promptly assess initiatives by which the Department of Health and Human Services can promote the testing, licensing, and manufacturing in the United States of RU-486 or other antiprogestins.

You are hereby authorized and directed to publish this memorandum in the Federal Register.

THE WHITE HOUSE
WASHINGTON

DEPT

MEMORANDUM FROM THE PRESIDENT

To: The Secretary of Health and Human Services

Re: Importation of RU-486

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V
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V
You are hereby authorized and directed to publish this memorandum in the Federal Register.

William J. Clinton
The White House
January 22, 1993

THE WHITE HOUSE
WASHINGTON

MEMORANDUM FROM THE PRESIDENT

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William J. Clinton
The White House
January 22, 1993

THE WHITE HOUSE

WASHINGTON

70K
MEMORANDUM FROM THE PRESIDENT

(all copies)
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William J. Clinton
The White House
January 22, 1993 *LS*

LS
Enclosure to
Publication 1/22/93

1/27/93

Clark's editing

Conway
Ginsler

THE WHITE HOUSE
WASHINGTON

DRAFT

FOR
MEMORANDUM FROM THE PRESIDENT

(all caps)
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Subject: Re: Importation of RU-486

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You are hereby authorized and directed to publish this memorandum in the Federal Register.

William J. Clinton
The White House
January 22, 1993

✓
Unsubstantiated
Publication

1/27/93

Clark's edit.

*Emery &
Gusler*

THE WHITE HOUSE

WASHINGTON

DRAFT

MEMORANDUM FROM THE PRESIDENT

To: The Secretary of Defense

Re: Privately Funded Abortions at Military Hospitals

✓ Section 1093 of Title 10 of the United States Code prohibits the use of Department of Defense ("DOD") funds to perform abortions except where the life of a woman would be endangered if the fetus were carried to term. ✓ By memoranda of December 21, 1987, and June 21, 1988, DOD has gone beyond what I am informed are the requirements of the statute and has banned all abortions at U.S. military facilities, even where the procedure is privately funded. ✓ This ban is unwarranted. ✓ Accordingly, I hereby direct that you reverse the ban immediately and permit abortion services to be provided, if paid for entirely with non-DOD funds, and in accordance with other relevant DOD policies and procedures.

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William J. Clinton
The White House
January 22, 1993

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WASHINGTON

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William J. Clinton
The White House
January 22, 1993

Do and Hold

Maureen - Read

per Ron G.

THE WHITE HOUSE

WASHINGTON

FOR
MEMORANDUM FROM THE PRESIDENT

(To: The Secretary of Defense *(all cases)*)

Subject: Re: Privately Funded Abortions at Military Hospitals

Section 1093 of Title 10 of the United States Code prohibits the use of Department of Defense ("DOD") funds to perform abortions except where the life of a woman would be endangered if the fetus were carried to term. By memoranda of December 21, 1987 and June 21, 1988, DOD has gone beyond what I am informed are the requirements of the statute and has banned all abortions at U.S. military facilities, even where the procedure is privately funded. This ban is unwarranted. Accordingly, I hereby direct that you reverse the ban immediately, and permit abortion services to be provided, if paid for entirely with non-DOD funds, and in accordance with other relevant DOD policies and procedures.

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William J. Clinton
The White House
January 22, 1993

*1/24/93
Clerk's edit
Cmoy
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DRAFT

~~To: The~~ Secretary of Defense

~~Re:~~ Privately Funded Abortions at Military Hospitals

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You are hereby authorized and directed to publish this memorandum in the Federal Register.

~~William J. Clinton~~
~~The White House~~
~~January 22, 1993~~

1/22/83
Clark's edit
Cmery ~
Gusko

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 from all current AID grants to NGO's and exclude them from future grants.

✓
1/22/93, 2:15 p.m.
per John Podesta.

or any other law

1/22/93-11:30 a.m.

Edits
from
Delleniger
Picked up from
Staff Sec. at 11:30
on 1/22/93.
SA

MEMORANDUM FROM THE PRESIDENT

✓ To: ^{Acting} The Administrator of the Agency for International Development

Re: AID Family Planning Grants/Mexico City Policy

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Bill Clinton
The White House
January 22, 1993

THE WHITE HOUSE

WASHINGTON

January 22, 1993

MEMORANDUM FOR THE ADMINISTRATOR OF THE AGENCY
FOR INTERNATIONAL DEVELOPMENT

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THE WHITE HOUSE
WASHINGTON

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MEMORANDUM FROM THE PRESIDENT

To: The Administrator of the Agency for International Development

Re: AID Family Planning Grants/Mexico City Policy

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William J. Clinton
The White House
January 22, 1993

THE WHITE HOUSE

WASHINGTON

MEMORANDUM FROM THE PRESIDENT

To: The Administrator of the Agency for International Development

Re: AID Family Planning Grants/Mexico City Policy

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William J. Clinton
The White House
January 22, 1993

THE WHITE HOUSE

WASHINGTON

EXR
MEMORANDUM FROM THE PRESIDENT

To: *(All Cops)* The Administrator of the Agency for International Development

Subject
Re: AID Family Planning Grants/Mexico City Policy *(1)*

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)). Since the August 1984 announcement by President Reagan of what has become known as the "Mexico City Policy," the Agency for International Development ("AID") has expanded this limitation and withheld 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. AID imposes these conditions even where an NGO uses non-AID funds for abortion-related activities.

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William J. Clinton
The White House
January 22, 1993

(Clinton's initials)
Brady
Green

THE WHITE HOUSE
WASHINGTON

DRAFT

FOR
MEMORANDUM FROM THE PRESIDENT

To: ~~The~~ Administrator of the Agency for International Development *(all caps)*
Subject Re: AID Family Planning Grants/Mexico City Policy *should be (1)*

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) *(X)*). Since the August 1984 announcement by President Reagan of what has become known as the "Mexico City Policy," the Agency for International Development ("AID") has expanded this limitation and withheld 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. AID imposes these conditions 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. Moreover, they have seriously 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 from all current AID grants to NGO's, and exclude them from future grants.

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William J. Clinton
The White House
January 22, 1993

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FOR
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THE WHITE HOUSE

WASHINGTON

✓ MEMORANDUM ~~FROM THE PRESIDENT~~ (all copies)

To: The Secretary of Health and Human Services

Subject

Re: The Title X "Gag Rule"

✓ Title X of the Public Health Services Act provides federal funding for family planning clinics to provide services for low-income patients. The Act specifies that Title X funds may not be used for the performance of abortions, but places no restrictions on the ability of clinics that receive Title X funds to provide abortion counseling and referrals or to perform abortions using non-Title X funds. During the first 18 years of the program, medical professionals at Title X clinics provided complete, uncensored information, including nondirective abortion counseling. In February 1988, the Department of Health and Human Services adopted regulations, which have become known as the "Gag Rule," prohibiting Title X recipients from providing their patients with information, counseling, or referrals concerning abortion. Subsequent attempts by the Bush Administration to modify the Gag Rule and ensuing litigation have created confusion and uncertainty about the current legal status of the regulations.

✓ The Gag Rule endangers women's lives and health by preventing them from receiving complete and accurate medical information, and interferes with the doctor-patient relationship by prohibiting information that medical professionals are otherwise ethically and legally required to provide to their patients. Furthermore, the Gag Rule contravenes the clear intent of a majority of the members of both the U.S. Senate and House of Representatives, which twice passed legislation to block the Gag Rule's enforcement but failed to override presidential vetoes. OK

OK For these reasons, you have informed me that you will suspend the Gag Rule pending the promulgation of new regulations in accordance with the "notice and comment" procedures of the Administrative Procedure Act. I hereby direct you to take that action as soon as possible. I further direct that, within 30 days, you publish in the Federal Register new proposed regulations for public comment.

You are hereby authorized and directed to publish this memorandum in the Federal Register.

William J. Clinton
The White House
January 22, 1993

THE WHITE HOUSE

WASHINGTON

MEMORANDUM FROM THE PRESIDENT

To: The Secretary of Health and Human Services

Re: The Title X "Gag Rule"

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The White House
January 22, 1993

THE WHITE HOUSE

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William J. Clinton
The White House
January 22, 1993

1/22/93
Charles Roddy
C. Roddy
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THE WHITE HOUSE

WASHINGTON

FOR
MEMORANDUM FROM THE PRESIDENT

*all cpts
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To: ~~The~~ Secretary of Health and Human Services

Re: The Title X "Gag Rule"

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William J. Clinton
The White House
January 22, 1993

1/22/93

Clerk's edits.
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Gusko

MEMORANDUM

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TO: John Podesta

FROM: Carol Rasco *CR*

DATE: January 25, 1992

RE: Request for Copy of Exec. Order on 'Gag Rule'

We have received a request from an outside party (Debra Horan of the National Family Planning and Reproductive Health Association) which we would like to fulfill.

They have requested a copy of the signed Executive Order which the President signed last Friday (January 22). This order repeals the 'Gag Rule' restricting the information that medical professionals could give to pregnant women.

As we understand the procedure, your office will direct the Executive Clerk to send a copy to us which we will then send to the requestor.

Let me or Rosalyn Kelly know if there is anything else we need to do or change.

Thank You.

To Ron Geisler

OK

JDP

sent to C. Rasco by Red Tag 1/28/93 11:30AM

ET

THE WHITE HOUSE

WASHINGTON

January 22, 1993

MEMORANDUM FOR THE SECRETARY OF HEALTH AND HUMAN SERVICES

SUBJECT: The Title X "Gag Rule"

Title X of the Public Health Services Act provides Federal funding for family planning clinics to provide services for low-income patients. The Act specifies that Title X funds may not be used for the performance of abortions, but places no restrictions on the ability of clinics that receive Title X funds to provide abortion counseling and referrals or to perform abortions using non-Title X funds. During the first 18 years of the program, medical professionals at Title X clinics provided complete, uncensored information, including nondirective abortion counseling. In February 1988, the Department of Health and Human Services adopted regulations, which have become known as the "Gag Rule," prohibiting Title X recipients from providing their patients with information, counseling, or referrals concerning abortion. Subsequent attempts by the Bush Administration to modify the Gag Rule and ensuing litigation have created confusion and uncertainty about the current legal status of the regulations.

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William J. Clinton