

THE WHITE HOUSE
WASHINGTON

Date 5/12

To: Glyn Daires

From: The Staff Secretary

I inadvertently let this sit
on my desk for a couple of weeks.

I think it deserves a reply.

Can you have one drafted?

Thanks,

Phil Caplan

Phil -

Peter Umhofer in
CCA sent this to me
but it seems a
little more sensitive
than my standard
stuff. NSC?

-maureen
Jewis

April 17, 1997

President Bill Clinton
The White House
Washington, D.C.

Dear President Clinton:

Alexandr Nikitin, who was awarded a \$75,000 Goldman Environmental Prize, was prevented by the government of Russia from being with us this week to accept his prize.

While we understand the sensitivity of the Russian government to issues concerning their Northern Fleet, as Mr. Nitkin's fellow Goldman Prize winners, we ask that you request President Yeltsin to grant Mr. Nikitin his freedom. We believe that Mr. Nikitin can play a key role in international dialogue concerning the safe decommissioning of nuclear reactors of idled submarines.

We pledge to the Russian government our best efforts to secure international financial aid and technical expertise to assist Russia in the safe disposal of these nuclear materials.

Sincerely,

Juan Pablo Orrego
Goldman Prize Winner
Chile

Nick Carter
Goldman Prize Winner
Zambia

Terri Swearingen
Goldman Prize Winner
USA

Loir Botor Dingit
Goldman Prize Winner
Indonesia

Fuiono Senio
Goldman Prize Winner
Western Samoa

Paul Alan Cox
Goldman Prize Winner
USA

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY

TO: MAUREEN LEWIS

FROM: Peter Umhofer

DATE: 4/17/97

FAX: 5-4198

Number of pages including cover: 2

COMMENTS: PER MY VOICE MAIL



PHONE (202) 456-6224 FAX: (202) 456-2710
OLD EXECUTIVE OFFICE BUILDING, ROOM 360
WASHINGTON, D.C. 20501

THE WHITE HOUSE
WASHINGTON

DATE: 5/12/97

NOTE FOR: COS, STEPHANIE STREETT, ANN LEWIS,
BRUCE REED, CRAIG SMITH, MIKE COHEN,
JENNIFER PALMIERI

The President has reviewed the attached, and it is forwarded to you
for your:

Information ☐

Action ☒

"SHOULD GET MASS. ON BOARD BEFORE WELD LEAVES"

Thank you.

Staff Secretary
(x6-2702)

cc:

THE WHITE HOUSE
WASHINGTONTHE PRESIDENT HAS SEEN
5/10/97

May 8, 1997

'97 MAY 8 PM 2:29

MEMORANDUM FOR THE PRESIDENT

FROM: Stephanie Streett, Ann Lewis, Bruce Reed, Craig Smith, Mike Cohen,
Jennifer PalmieriSUBJECT: Education Town Hall

CC: Sylvia Mathews and John Podesta

This memo is to update you on planning for the Education Town Hall meeting on May 22 and seek your approval of our proposed plan.

Location

We are recommending that the Education Town Hall be held in West Virginia. West Virginia is one of the states ready to endorse national testing standards. It is also a leading state in using and implementing technology in schools. We are proposing that the event be held in a relatively small town (with population of 50,000 to 60,000) and are working with Sen. Rockefeller's office to identify an appropriate site.

In addition to the policy reasons noted above, we are recommending that the event be held in nearby West Virginia as you have an early evening family activity in Washington on May 22. It should also be noted that we considered and rejected traveling to the other states ready to endorse standards -- Kentucky and Massachusetts -- for scheduling and/or education policy conflicts.

Format

The proposed format of the Town Hall would include opening remarks by you announcing West Virginia, Kentucky and Massachusetts' endorsement of standards, followed by an interactive session between you and groups of students, teachers, parents, and interested observers (this last group would include local education officials, elected officials and education policy leaders). We also plan to broadcast the Town Hall to all public schools in West Virginia and put the event on satellite so it can be pulled down by sites across the nation. DPC is also exploring other possible policy announcements for the event.

Should
get done
at 10:00
for 11:00
leave

Policy Issues Related to West Virginia

As stated earlier, the West Virginia State Board of Education has endorsed your national testing initiative and has worked to develop state academic standards over the past several years. However West Virginia's approach to standards and assessments is not a model we would necessarily promote to other states. While most states have first defined academic standards and then selected of developed tests that reflect the standards, West Virginia first selected a standardized test (the Stanford 9, which is a challenging test) and then defined its standards to reflect what is on the test. Despite our concerns about this approach, we do not believe that it is inappropriate for you to hold an education town meeting in the state.

Recommendation

That the Education Town Hall meeting be held in West Virginia.

Agree / Disagree Discuss

FLOTUS (Re)
FLOTUS 2/1/97
we

'97 MAY 12 PM 8:09

chron

THE WHITE HOUSE
WASHINGTON

May 12, 1997

MEMORANDUM FOR MRS. CLINTON

FROM: ELENA KAGAN *ek*
SUBJECT: DASCHLE AMENDMENT

Sylvia asked me to send you the amendment that Senator Daschle plans to offer tomorrow during the debate on the Partial Birth Abortion Act. Attached is the most recent draft. I am sorry I could not find a cleaner copy. Please let me know if you have any questions.

Abortion - partial birth -
legislative

05/08/97 18:49

8

003

DRAFT -- NOT FOR DISTRIBUTION

Findings

- (1) As the Supreme Court recognized in Roe v. Wade, the government has an "important and legitimate interest in preserving and protecting the health of the pregnant woman . . . and has still another important and legitimate interest in protecting the potentiality of human life. These interests are separate and distinct. Each grows in substantiality as the woman approaches term and, at a point during pregnancy, each becomes compelling";
- (2) In delineating at what point the government's interest in fetal life becomes "compelling," Roe v. Wade held that "a State may not prohibit any woman from making the ultimate decision to terminate her pregnancy before viability," a conclusion reaffirmed in Planned Parenthood of Southeastern Pennsylvania v. Casey;
- (3) Planned Parenthood v. Casey also reiterated Roe's holding that the government's interest in potential life becomes compelling with fetal viability, stating that "subsequent to viability, the State in promoting its interest in the potentiality of human life may, if it chooses, regulate, and even proscribe, abortion except where it is necessary, in appropriate medical judgment, for the preservation of the life or health of the mother";
- (4) According to the Supreme Court, viability "is the time at which there is a realistic possibility of maintaining and nourishing a life outside the womb, so that the independent existence of the second life can in reason and all fairness be the object of state protection that now overrides the rights of the woman";
- (5) The Supreme Court has thus indicated that it is constitutional for Congress to ban abortions occurring after viability so long as the ban does not apply when a woman's life or health faces a serious threat;
- (6) Even when it is necessary to terminate a pregnancy to save the life or health of the mother, every medically appropriate measure should be taken to protect a viable fetus as long as the mother's health is not put at greater risk;
- (7) It is well established that women may suffer serious health conditions during pregnancy, such as breast cancer, preeclampsia, uterine rupture or non-Hodgkin's lymphoma, among others, that may require the pregnancy to be terminated;
- (8) While such situations are rare, not only would it be unconstitutional but it would be unconscionable for Congress to ban abortions in such cases, forcing women to endure severe damage to their health and, in some cases, risk early death;
- (9) In cases where the mother's health is not at such high risk, however, it is appropriate for Congress to assert its "compelling interest" in fetal life by prohibiting abortions after fetal viability;
- (10) While many States have banned abortions of viable fetuses, in some States it continues to be legal for a healthy woman to abort a viable fetus;
- (11) As a result, women seeking abortions may travel between the States to take advantage of differing State laws;
- (12) To prevent abortions of viable fetuses not necessitated by severe medical complications, Congress must act to make such abortions illegal in all States;

(more)

05/08/97 18:48

000

DRAFT -- NOT FOR DISTRIBUTION

(13) Congress finds that abortion of a viable fetus should be prohibited throughout the United States, unless a woman's life or health is threatened and that, even when it is necessary to terminate the pregnancy, every measure should be taken, consistent with the goals of protecting the mother's life and health, to preserve the life and health of the fetus.

Prohibition of Post-Viability Abortions

(a) In General. It shall be unlawful to abort a viable fetus unless the physician certifies that continuation of the pregnancy would threaten the mother's life or risk grievous injury to her physical health.

"Grievous injury" shall be defined as:

- (a) a severely debilitating disease or impairment specifically caused by the pregnancy; or
- (b) an inability to provide necessary treatment for a life-threatening condition.

(b) "Grievous injury" does not include any condition that is not medically diagnosable or any condition for which termination of pregnancy is not medically indicated.

Penalties

(a) Action by Attorney General: the Attorney General may commence a civil action under this Act in any appropriate United States District Court.

(b) Relief.

(1) First offense: In any action under subparagraph (.), the court shall order the suspension or revocation of respondent's medical license, certificate, or permit, or shall assess a civil penalty against the respondent in an amount not exceeding \$100,000, or both.

(2) Second offense: If the respondent has been convicted on a prior occasion for a violation of this Act, the court shall order the revocation of respondent's medical license, certificate, or permit, or shall assess a civil penalty against the respondent in an amount not exceeding \$250,000, or both.

(c) Certification Requirements. At the time of the commencement of an action under this section, the Attorney General shall certify to the court that at least 30 calendar days previously --

(1) he or she has notified in writing to the Governor or chief executive officer and attorney general or chief legal officer of the appropriate State or political subdivision of the alleged violation of this section; and

(2) he or she believes that such an action by the United States is in the public interest and necessary to secure substantial justice.

No woman who has had an abortion after fetal viability may be prosecuted under this section for a conspiracy to violate this section or for an offense under section 2, 3, 4, or 1512 of this title.

(more)

Penalties

(a) Action by Attorney General. The Attorney General, the Deputy Attorney General, the Associate Attorney General, or any Assistant Attorney General or United States Attorney specifically designated by the Attorney General may commence a civil action under this Act in any appropriate United States District Court.

(b) Relief.

(1) First offense: In any action under subparagraph (), the court shall notify the State medical licensing authority in order to effect the suspension or revocation of respondent's medical license, or shall assess a civil penalty against the respondent in an amount not exceeding \$100,000, or both.

(2) Second offense: If the respondent has been convicted on a prior occasion for a violation of this Act, the court shall notify the State medical licensing authority in order to effect the revocation of respondent's medical license, or shall assess a civil penalty against the respondent in an amount not exceeding \$250,000, or both.

(3) Hearing on penalties: The State medical licensing authority shall be given notification of and an opportunity to be heard at a hearing to determine penalties under this Title.

(c) Certification Requirements. At the time of the commencement of an action under this section, the Attorney General, the Deputy Attorney General, the Associate Attorney General, or any Assistant Attorney General or United States Attorney specifically designated by the Attorney General shall certify to the court that at least 30 calendar days previously --

(1) he or she has notified in writing to the Governor or chief executive officer and attorney general or chief legal officer of the appropriate State or political subdivision of the alleged violation of this section, as well as the State medical licensing board or other appropriate State agency, and

(2) he or she believes that such an action by the United States is in the public interest and necessary to secure substantial justice.

No woman who has had an abortion after fetal viability may be prosecuted under this section for a conspiracy to violate this section or for an offense under section 2, 3, 4, or 1512 of this title.

Regulations

In the certification to be submitted under subsection (), the physician shall certify that, in his or her best medical judgment, an abortion was medically necessary pursuant to subsection (), and describe the medical indications supporting his or her judgment.

The Department of Health and Human Services shall establish regulations for certification by the physician under subsection (), unless the State has its own certification procedure for abortions after fetal viability.

In addition, Department of Health and Human Services shall establish regulations to ensure the confidentiality of all information submitted pursuant to certification by the physician, as required by subsection ().

Each State shall ensure that the State medical licensing authority develops regulations to effect the revocation or suspension of respondent's medical license under subsection (), or the State shall be subject to loss of funding under title XVIII.

Rule of Construction

Nothing in this chapter shall be construed to prohibit State or local governments from regulating, restricting, or prohibiting post-viability abortions to the extent permitted by the Constitution of the United States.