

Statement in support of S.323

Senator Daniel K. Akaka Papers

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Senator Daniel K. Akaka

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Statement in Support of S. 323

Mr. President, I rise today in strong support of S. 323, legislation which would allow federally funded family planning clinics to continue to provide pregnant women with full information and counseling about all legal and medical options, including abortion.

I share a deep concern with many of my Hawaii constituents over the recent Supreme Court ruling in Rust v. Sullivan, which upheld the gag rule barring Title X funded family planning clinics from providing abortion counseling and referrals. Over 12,000 women in Hawaii would bear the brunt of this court decision.

Not only does this ruling restrict free speech -- it also violates medical ethics and professional guidelines of major medical organizations, including the American Medical Association, the American College of Obstetricians and Gynecologists, and the American Academy of Pediatricians by preventing health care providers from fully carrying out their professional responsibilities. Even if a woman requests information about abortion or believes it is medically necessary, a health care professional is prevented from counseling her about the availability of that option.

Title X clinics serve primarily low-income women. The Supreme Court ruling sets up a two-class health care system: affluent women will have open to them a complete range of choices, while poor women will receive skewed information and options sharply narrowed by funding limitations. The restrictions would harm the poorest and most vulnerable communities.

As an original cosponsor of S. 323, which overturns Rust V. Sullivan, I am encouraged that nearly half of the Senate has signed on to the bill. It is also noteworthy that the Labor, Health and Human Services, and Education Appropriations bill just approved by the House and the version reported out of the Senate Appropriations Committee last week contain provisions reversing the gag rule.

Under S. 323, doctors and other health care providers in Title X funded clinics would provide non-directive counseling referral upon request to pregnant women on options for pregnancy management. These options may include prenatal care and delivery; infant care, foster care, or adoption; and pregnancy termination.

A Title X clinic or its employees may elect not to provide information, counseling or referral services on any one of the options because of religious or moral beliefs, as long as the patient is advised of that fact and is directed to another project providing such information and counseling.

Mr. President, we must not deny some women the crucial information they need to make a responsible choice about a very personal and complex decision. We must not put physicians, health care professionals and clinics in the untenable position of either having to deny services or risk running afoul of regulations if the gag rule remains in place.

I urge all my Senate colleagues to pass S. 323 without weakening amendments. I ask unanimous consent that a statement of the Hawaii Reproductive Rights Coalition, a group of more than 30 local community organizations, be printed in the Record.