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URGENT

F A X - November 20, 2009

To: U.S. Senator Herb Kohl, fax: 202-224-9787  
From: Dan Zeidler, Wauwatosa, Wisconsin, tel/fax: 414-771-2965

Dear Senator Kohl,

On September 2<sup>nd</sup>, 2009 at Marquette University Law School's "On the Issues with Mike Gousha" in response to my audience participation question on abortion and health care, you indicated you agreed with my concerns and would be willing to work directly with me to address these concerns. I attach the transcript of the relevant portion of the program's recording.

As you know, the health care question is now at an extremely critical stage in the Senate. It is crucial that this bill not be used to promote government involvement in abortion. Please see attached AP news story.

We must not allow this to be a partisan issue. Your leadership is needed. We need right thinking.

Since this is such a crucial issue, I ask you to honor your commitment to work directly with me on this. I would like to request a meeting with you as soon as possible in Wisconsin, hopefully in the following days, the time and place to be set by you.

Senator Reid is reportedly pushing for a vote in the Senate on Saturday evening to allow full debate to begin on this seriously flawed bill. We must not push through something so radical.

The Reid bill will result in government funding of abortion unless the House-passed Stupak-Pitts Amendment is part of the final bill. (Even Congressman David Obey voted for the amendment.) Please do everything you can, Senator Kohl, to ensure inclusion of the House-passed provision, and other related life-protective matters, including rights of conscience.

Since we spoke originally at Marquette Law School on September 2<sup>nd</sup>, I have continued to follow this issue and to communicate with a few key political and religious leaders in the state whose participation in a meeting between you and me would, I feel, be very important.

If you have no objection, I will call your Milwaukee office to make an appointment with you for such a meeting, hopefully next week (Thanksgiving holidays).

Thank you very much for your willingness to engage on this vital issue.

Sincerely,



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copy:

Bishop William P. Callahan, Apostolic Administrator, Archdiocese of Milwaukee  
Archbishop-elect Jerome E. Listecki, Archdiocese of Milwaukee  
Bishop Robert C. Morlino, Diocese of Madison  
Bishop David L. Ricken, Diocese of Green Bay  
Bishop Peter F. Christensen, Diocese of Superior  
Frank Smith, M.D., President of the Milwaukee Guild of the Catholic Medical Assoc.  
Roland Ransom II, State Deputy, Knights of Columbus

**ATTACHMENTS:**

Transcript of a part of the program, "On the Issues with Mike Gousha: U.S. Senator Herb Kohl" at Marquette University Law School, September 2, 2009

Associated Press, November 20, 2009, "White House at odds with bishops over abortion"

Transcript of a part of the program, "On the Issues with Mike Gousha: U.S. Senator Herb Kohl" at Marquette University Law School, September 2, 2009

A webcast of the program is available at: <http://media.law.marquette.edu/events/20090902-kohl.mp3>

The transcript is taken from both the webcast and the digital audio recording of the questioner, Dan Zeidler.

TRANSCRIPT:

Mike Gousha: This gentleman will have the final question.

Dan Zeidler: Hi, my name is Zeidler, Dan Zeidler. I'm a '69 graduate of Marquette University, so it looks like I'm one of the old guys here, and I am concerned about the issue of health rationing. I don't view it as some little item, but that's not my question.

My question has to do more with the other end of life. I have a question about health care reform and abortion.

It comes in part from an experience I had a number of years ago. I was at the county morgue. I had been asked to come in and help with the burial of some unclaimed bodies. In this case, these were bodies of aborted babies. I'll never forget the carnage that I saw that day.

I do not want health care to be used as a vehicle to expand abortion access. It is very clear, very clear, that many in the congress want to do that, many from your party.

Will you vote against any abortion mandates? Will you explicitly exclude them from any health care reform bill?

Senator Herb Kohl: I want to say, but it's complicated, but I want to say categorically yes. I agree with you. We should not be using health care reform to provide government access to abortion. I hear what you say. And I would hope that people from whatever party won't try and go down that road and put it into a bill in the dead of night and then, lo and behold, wake up the next morning and something that shouldn't have happened did happen. We should not do that, and

Dan Zeidler: Will you work with me on that? Can I contact you directly on this issue?

Senator Kohl: You can.

Dan Zeidler: Because we need you there at two in the morning when these clever, little solutions are going to come up that look good, but they're really faulty. So, thank you.

Senator Kohl: I hear you. I hear you. And, what's your name, sir?

Dan Zeidler: Zeidler, Dan Zeidler, like Frank and Carl Zeidler

Mike Gousha: A good Milwaukee name.

Senator Kohl: Oh, Zeidler. I'd be happy to work with you, sir.

Dan Zeidler: Thank you. Appreciate it.

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Associated Press

November 20, 2009

## White House at odds with bishops over abortion

By RICARDO ALONSO-ZALDIVAR (AP)

WASHINGTON — The White House is on a collision course with Catholic bishops in an intractable dispute over abortion that could blow up the fragile political coalition behind President Barack Obama's health care overhaul.

A top Obama administration official on Thursday praised the new Senate health care bill's attempt to find a compromise on abortion coverage — even as an official of the U.S. Conference of Catholic Bishops said Sen. Harry Reid's bill is the worst he's seen so far on the divisive issue.

The bishops were instrumental in getting tough anti-abortion language adopted by the House, forcing Speaker Nancy Pelosi, D-Calif., to accept restrictions that outraged liberals as the price for passing the Democratic health care bill. Reid, D-Nev., now faces a similar choice: Ultimately, he will need the votes of Democratic senators who oppose abortion to get his bill through the Senate.

So far, Reid has steered the Senate bill in a direction that abortion rights supporters can live with: allowing coverage for abortion in federally subsidized health care plans, provided that private funds are used to pay for the procedure. But abortion opponents say his compromise would gut current federal restrictions on abortion funding.

GOP senators and governors stepped up their opposition to the bill Thursday, assailing the measure as a collection of tax increases, Medicare cuts and heavy new burdens for states.

Despite criticism, there were growing indications Reid would prevail on an initial Senate showdown set for Saturday night. He needs a 60-vote majority to advance the bill toward full debate, expected to begin after Thanksgiving and last for weeks. It's during that debate that the battle over abortion will be joined in earnest. Reid will need to clear another 60-vote hurdle before senators cast their final vote on the bill.

At the White House on Thursday, health reform director Nancy Ann DeParle praised Reid's effort to find a compromise on abortion.

"It was carefully worked through by the leader, who cares a lot about making sure this maintains the status quo on abortion policy," DeParle told reporters. Obama has said he wants the bill to remain neutral on abortion, and DeParle said Reid struck just the right balance.

But Richard Doerflinger, associate director of the bishops' conference Secretariat of Pro-Life Activities, said Reid's "is actually the worst bill we've seen so far on the life issues."

He called it "completely unacceptable," adding that "to say this reflects current law is ridiculous."

The legislation is designed to answer Obama's call to expand coverage, end industry practices such as denying coverage to people with health problems and restrain the growth of health care spending.

Democrats put the price tag of the 2,074-page measure at \$979 billion, higher than the \$849 billion figure they had cited Wednesday as the cost of expanding coverage to 31 million who now lack insurance. Republicans calculated it at more like \$1.5 trillion over a decade and said even that was understated because Reid decided to delay implementation of some of the bill's main features until 2014.

On abortion, the bill would forbid including coverage for the procedure as a required medical benefit. However, it would allow a new government insurance plan to cover abortions and let private insurers that receive federal subsidies offer plans that include abortion coverage.

In all cases, the money to pay for abortions would have to come from premiums paid by beneficiaries themselves, kept strictly separate from federal subsidy dollars. Government funds could be used for abortions only in cases of rape, incest or to save the life of the mother — reflecting a current law known as the Hyde amendment.

The Hyde amendment restrictions apply to Medicaid, military health care and the federal employee health plan. Many states provide abortion coverage to low-income Medicaid beneficiaries, but they must do so separately with their own funds.

Abortion opponents say Reid's bill circumvents Hyde. For example, they say that any funds a government insurance plan would use to pay for abortion would be federal funds by definition — even if the money comes from premiums paid by beneficiaries.

"All the money the government has starts out being private money," said Douglas Johnson, legislative director for National Right to Life. "Once the government has them, they're federal funds."

The restrictive language passed by the House would forbid any health plan that receives federal subsidies from paying for abortions, except as allowed by the Hyde amendment. Women would have to purchase separate coverage for abortion services.

Abortion rights supporters say that fencing off government funds from private premiums would achieve the same goal, without forcing women to get special coverage for a legal medical procedure now routinely included in many private health insurance plans.

Associated Press Special Correspondent David Espo contributed to this report.

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