

PETER PHIPPS ON ABORTION

Highlights:

- Peter Phipps repeatedly defended policies that restrict access to reproductive care.
 - Phipps repeatedly defended a policy that allowed federally funded organizations to refuse access to reproductive healthcare.
 - Phipps received a Distinguished Service Award for his “untiring effort” in defending the so-called Partial-Birth Abortion Act of 2003.
 - Phipps was involved in efforts to subpoena private medical records from Planned Parenthood and its affiliates.

Phipps Repeatedly Defended Policies That Restrict Access To Reproductive Care

PHIPPS REPEATEDLY DEFENDED A POLICY THAT ALLOWED FEDERALLY FUNDED ORGANIZATIONS TO REFUSE ACCESS TO REPRODUCTIVE HEALTHCARE

Phipps Defended The Federal Funding Of The United States Conference of Catholic Bishops Despite The Organization’s Religious Restriction On Abortion Services Or Contraceptives. According to Casetext, “Peter J. Phipps, United States Department of Justice, Washington, DC, for Defendants. [...] On January 12, 2009, the American Civil Liberties Union of Massachusetts (ACLU) brought this lawsuit against officials of the U.S. Department of Health and Human Services (HHS), alleging that defendants are violating the Establishment Clause of the First Amendment by allowing the United States Conference of Catholic Bishops (USCCB) to impose a religion-based restriction on the disbursement of taxpayer-funded services. [...] The USCCB has enforced the ‘conscience exception’ by incorporating language in its subcontractor agreements prohibiting NGOs from using TVPA funds for ‘referral for abortion services or contraceptive materials.’” [Casetext, [3/22/10](#)]

Phipps Defended The Department of Health and Human Services’ Decision To Block A 17-Year-Old In A Texas Facility For Unaccompanied And Undocumented Immigrant Children From Obtaining An Abortion. According to the Spokesman Review, “A federal judge said Wednesday she doesn’t understand why federal officials don’t ‘step aside’ and allow a pregnant 17-year-old being held in a Texas facility for unaccompanied immigrant children to get an abortion. [...] The ACLU says the U.S. Department of Health and Human Services is refusing to let the girl be taken for the procedure. The girl may be up to 14 weeks’ pregnant, Rochelle Garza, a lawyer appointed to represent the girl’s legal interests, told the Associated Press on Tuesday. Texas law prohibits most abortions after 20 weeks.” [Spokesman Review, [10/11/17](#)]

The Judge In The Case Chided Phipps, Stating That The Situation Was Entirely Of The Government’s Making. According to the Spokesman Review, “Beeler told an attorney for the U.S. Department of Justice, Peter Phipps, that the urgent situation was entirely of the government’s making. Private groups that support abortion rights have raised money for the procedure, Garza said. The girl’s attorney has agreed to transport her, according to Beeler. ‘You’re not being asked to do anything,’ the judge told Phipps. ‘You’re not being asked to spend money. You’re really not being asked to transport. You’re just really being asked to stay out of the way.’ Phipps said the girl’s case was on a ‘shaky’ procedural foundation. He said the government might propose having the case heard in Texas or Washington, D.C.” [Spokesman Review, [10/11/17](#)]

PHIPPS RECEIVED A DISTINGUISHED SERVICE AWARD FOR HIS “UNTIRING EFFORT” IN DEFENDING THE SO-CALLED PARTIAL-BIRTH ABORTION ACT OF 2003

Phipps Received A Distinguished Service Award For “Untiring Effort” In Defending The So-Called Partial-Birth Abortion Act Of 2003. According to the State News Service, “A Distinguished Service Award was also given to various trial

teams that defended simultaneous challenges to the constitutionality of the Partial-Birth Abortion Ban Act of 2003. The trial teams handled and coordinated three bench trials under a compressed schedule of 120 days. The following individuals received the Attorney General's Distinguished Service Award for their untiring effort: from the Civil Division, Federal Programs Branch- Anthony J. Coppolino, Special Litigation Counsel; Terry M. Henry and W. Scott Simpson, Senior Trial Counsel; Kaija C. Wadsworth, Preeya M Noronha, Andrew I. Warden, Peter J. Phipps, and James A. Gilligan..." [States News Service via Nexis News, 8/31/05]

The So-Called Partial-Birth Abortion Act Of 2003 Banned Intact Dilation And Evacuation Abortions Without An Exception To Protect The Health Of The Woman. According to the New York Times, "The majority upheld the Partial-Birth Abortion Ban Act, whose very name can set off heated debate. The procedure addressed is known medically as 'intact dilation and evacuation' or 'D and X,' short for dilation and extraction. It involves partly removing an intact fetus, then destroying the skull to complete the abortion. Doctors and other abortion-rights advocates who challenged the law maintained that the procedure is often the safest to use late in the pregnancy, because it minimizes the chances of injury to the uterus. [...] Critics of the law had attacked it in part because it does not provide for a broad exception to protect the health of the woman. It does, however, provide for an exception to save a woman's life. Justice Ruth Bader Ginsburg called the majority decision 'alarming' and a retreat from the court's earlier holdings. 'It tolerates, indeed applauds, federal intervention to ban nationwide a procedure found necessary and proper in certain cases by the American College of Obstetricians and Gynecologists,' Justice Ginsburg wrote, in a dissent joined by Justices John Paul Stevens, David H. Souter and Stephen G. Breyer." [New York Times, [4/18/07](#)]

PHIPPS WAS INVOLVED IN EFFORTS TO SUBPOENA PRIVATE MEDICAL RECORDS FROM PLANNED PARENTHOOD AND ITS AFFILIATES

Phipps Was Involved In Efforts To Subpoena Private Medical Records From Planned Parenthood And Its Affiliates. According to the Tribune-Review, "Attorneys for Planned Parenthood of Western Pennsylvania received a letter Tuesday from Justice Department attorney Peter Phipps. He said federal prosecutors won't push for the local, medical records because U.S. District Judge Phyllis Hamilton ruled Friday in San Francisco that the government could not have those same records from Planned Parenthood Federation of America Inc., the national organization. The Justice Department would contact the organization 'if our position changes,' Phipps wrote." [Tribune-Review, [3/10/04](#)]