

Help Us Protect Children Born Alive After a Failed Abortion.

Our Visit

We are grateful for the opportunity to visit your office today. We represent people from various pro-life organizations across the country, and are in Washington DC today to participate in a lobbying effort organized by Priests for Life, one of the largest pro-life groups.

Our organizations communicate with constituents within your district, and we are communicating with them about the *Born-Alive Abortion Survivors Protection Act (H.R. 962)*.

The purpose of our visit is to encourage you to *support this legislation* and in particular to ***sign on to the "Discharge Petition"*** that has been introduced in order to bring the bill to a vote of the House.

What would the bill do?

H.R. 962 amends the United States criminal code to ensure that any child who survives an attempted abortion receives access to the same level of care that any other "wanted" premature baby of the same age would receive. It takes the common-sense step of not placing survivors at the mercy of the practitioners who sought to abort them.

The bill does not in any way limit the circumstances under which an abortion may be performed. It does not legislate regarding children in the womb, but only about children who have already been born.

H.R. 962 includes the following operative provisions in the case of a child born alive:

- Any health care practitioner present must exercise the same degree of professional care to preserve the life of the child as he or she would render to any other child born alive at the same gestational age.
- The child must be immediately transported and admitted to a hospital.

If a baby born alive is left to die, the practitioner can be imprisoned for up to five years, or a fine, or both. Anyone found guilty of intentionally killing (or attempting to kill) a child born alive shall be punished under federal law for murder. The bill requires that known violations of these provisions be reported by both practitioners and employees of a hospital, physicians office, or abortion clinic. A failure to report subjects the practitioner or employee to the bill's criminal penalties.

H.R. 962 allows a woman upon whom an abortion was performed to file a civil law suit if her live baby was not provided the care required in this bill. H.R. 962 also prevents the mother of the child born alive from being prosecuted under this law.

Legislation similar to H.R. 962 passed the House on a bipartisan basis in the 114th and 115th Congresses.

Aren't children born alive already protected by law?

Not sufficiently.

In 2002, the "Born Alive Infant Protection Act" became law, but this law simply acknowledges that all newborns, regardless of the circumstances of their birth, are to be recognized as persons from the moment of their birth if they show any sign of life. ***It is, in other words, a "definitional" law,*** but does not provide specific duties for an abortion doctor to follow or penalties if they are not followed.

The Born Alive Abortion Survivors Protection Act, in other words, ***augments and specifies*** the current protections.

On the state level, moreover, there are laws protecting babies who survive abortions, ***but not everywhere.*** Twenty-nine states have such laws; but some of the states with the most permissive abortion laws, particularly for abortions late in pregnancy, where the chances of born-alive infants increase, do not have such protections.

A federal law is necessary to ensure that all infants who survive abortions are protected, not just those born in certain states.

But does this actually happen?

It is a matter of public record that babies sometimes survive abortion.

The question then becomes whether ***the fact that they were scheduled to be aborted*** means that they ***lose their protection*** even if they are born.

The phenomenon of live births after abortions is documented by government agencies on the federal and state levels as well as internationally, and is also corroborated by individual case testimonies, some of which have received considerable publicity.

Between the years 2003-2014, the CDC analyzed death certificates from those states that report this information and found that at least 143 babies were born alive and subsequently died (the cause was not provided) after an attempted abortion.

Various state reports, like from Florida, Minnesota, Arizona, report dozens of such documented cases over the last few years.

Canada reports 491 babies born alive during abortion between 2000 and 2009, and the UK reported, in one year, some 66 cases.

The case of Nurse Jill Stanek, who, at Christ Hospital in Oak Lawn, IL, was asked to hold (not treat) one of these babies who was dying, gained publicity 20 years ago and led to the Born Alive Infants Protection Act. Other nurses have reported similar cases, and some of those who have survived abortion, like

Melissa Ohden (who founded a network of abortion survivors currently consisting of about 282 people) are speaking out (see TheAbortionSurvivors.com).

Should this be a partisan issue?

A February 2019 poll by McLaughlin and Associates shows 77% of the public supporting legislation to protect children born alive after a failed abortion. Some 70% of Democrats, moreover, support it. A YouGov/Americans United for Life poll at that same time shows 82% of Americans (including 77% of prochoice people) opposed to removing care for viable children after birth.

While the partisan divide on abortion has been clear over the years, it is not clear that there should be such a divide when it comes to protecting children outside the womb.

Please let us assist you.

Priests for Life and many other organizations in the pro-life movement are happy to work across political lines to assist those who represent us in Congress to make sound decisions regarding these matters of life and death.

Please contact us if you would like more information on any of these points, or any assistance regarding this legislation. Call us at 321-500-1000.