

**Congress of the United States
Washington, DC 20515**

March 13, 2002

Ms. Sandy Johnson
Washington Bureau Chief
Associated Press
201 K Street, NW, Room 600
Washington, DC 20006-1082

Dear Ms. Johnson:

As supporters of H.R. 2175, the Born Alive Infant Protection Act, we were surprised to see that the Associated Press story on the passage of the bill last night called a completely born baby a "fetus" in the title and throughout the story. We were even more surprised to hear that after this error had been brought to the attention of an editor the Associated Press stood by the story and took the position that the term "fetus" was used correctly in the article.

Since using the term fetus to describe a born child seems so clearly inaccurate medically and scientifically, please provide us with an explanation as to why you believe this is the correct term to use in the context of the article.

Last night, the U.S. House of Representatives passed the Born-Alive Infants Protection Act (H.R. 2175) on a voice vote. This is a simple, three-paragraph bill that would codify, for federal law purposes, the traditional definition of "born alive." Specifically, under the bill, the terms "person," "human being," "child," and "individual," whenever they appear in federal laws or regulations, will be construed to include "every infant member of the species homo sapiens who is born alive." The term "born alive" is then defined as "complete expulsion or extraction from his or her mother," followed by a heartbeat, respiration, or movement of voluntary muscles. This is the legal definition already incorporated in the laws of most states.

At 7:39 p.m., one hour after H.R. 2175 had been passed by the House, the Associated Press bureau in Washington sent out a dispatch that began, "The House voted Tuesday to define a fetus that is fully outside a woman's body as having been 'born alive,' which would give the fetus full legal protection." The term "fetus" was in the title and was employed repeatedly throughout the rest of the dispatch.

John Cusey, who works for us as staff director of the House Pro-Life Caucus, is one of the people who called to point out to the AP editor on duty that "fetus" is not an appropriate or accurate term to apply to a human infant who is entirely born and alive. If an infant is born alive prematurely, then the proper term would be "premature infant" or "premature baby," not "fetus."

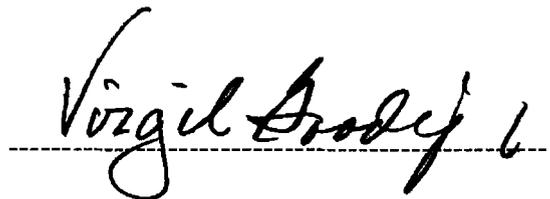
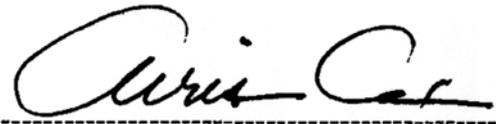
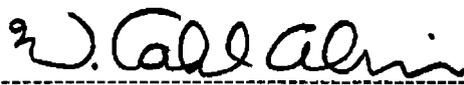
The *American Heritage College Dictionary, Third Edition*, defines the human fetus this way: "In human beings, the unborn young from the end of the eighth week after conception to the moment of birth, as distinguished from the earlier embryo." Even the definition in the dictionary clearly says the the term fetus does not apply to a child who has been born.

Regrettably, the AP did not correct its error and instead informed Mr. Cusey later yesterday evening that the editors had decided that the term "fetus", as opposed to baby or infant, was used correctly in this article.

To be completely clear, H.R. 2175 makes no reference whatever to the unborn child or "fetus," or to abortion, except the following rule of construction: "Nothing in this section shall be construed to affirm, deny, expand, or contract any legal status or legal right applicable to any member of the species homo sapiens at any point prior to being 'born alive' as defined in this section." In other words, the bill changes nothing with respect to the legal status of unborn or partially born humans. The bill, which we have included with this letter, is concerned exclusively with the legal status of fully born human babies.

We respectfully request that you revisit the misuse of the term "fetus" in the Associated Press story and provide us with an explanation as to why the Associated Press believes that term is appropriate or issue a retraction.

Sincerely,



Art Felt

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