



512 10th Street, NW Washington, DC 20004-1401
(202) 626-8800 FAX: (202) 737-9189 Website: www.nrlc.org

(202) 626-8820

July 31, 2012

Dear Member of Congress:

The Council of the District of Columbia, employing authority delegated by Congress, repealed the entire D.C. abortion law. **Thus, in the nation's capital, abortion is currently legal for any reason through all nine months of pregnancy, as [confirmed recently by the Associated Press](#).**

Under the Constitution, members of Congress and the president are accountable for the governance of the nation's capital. Article I, Section 8 provides that "Congress shall . . . exercise exclusive legislation in all cases whatsoever, over such District . . ."

Today, the House of Representatives will vote, under suspension of the rules, on H.R. 3803, the *District of Columbia Pain-Capable Unborn Child Protection Act*.

The National Right to Life Committee (NRLC), the national federation of state right-to-life organizations, will include the roll call on H.R. 3803 in our scorecard of key right-to-life roll calls of the 112th Congress. **A vote against H.R. 3803 will be accurately described as a vote to endorse and preserve the current policy of allowing legal abortion for any reason, until the moment of birth, in our nation's capital.**

In H.R. 3803, Congress adopts findings that by 20 weeks after fertilization (if not earlier), the unborn child has the capacity to experience great pain. (This is equivalent to 22 weeks in the alternate "LMP" or "weeks of pregnancy" dating system used by ob-gyns and abortion providers.) The bill prohibits abortion after that point, except when an acute physical condition endangers the life of the mother. Nine states have already enacted abortion limitations based on the pain suffered by unborn children; no court orders have blocked enforcement of any of those laws.

Just yesterday, in fact, a federal judge in Arizona [upheld as constitutional](#) a new state law that generally prohibits abortion after 18 weeks fetal age (20 weeks of pregnancy) – two weeks earlier than H.R. 3803. U.S. District Judge James A. Teilborg, a Clinton appointee, found that "by 20 weeks, sensory receptors develop all over the child's body" and "when provoked by painful stimuli, such as a needle, the child reacts, as measured by increases in the child's stress hormones, heart rate, and blood pressure." Judge Teilborg also noted, "Given the nature of [D&Es](#) and induction abortions . . . this Court concludes that the State has shown a legitimate interest in limiting abortions past 20 weeks gestational age."

NATIONAL RIGHT TO LIFE SCORE LETTER ON HR 3803, 2

H.R. 3803 is supported by strong majorities of the American people. According to a nationwide live [telephone poll](#) of 1,000 adults (MOE +/-3.1%), conducted July 12-15, 2012 by The Polling Company, Inc./WomanTrend, by more than a 2-to-1 margin (58-27%), American adults would be more likely to vote for lawmakers who support this legislation. Women were more likely by 62-27%, and men more likely by 53-27%. In response to a separate poll question, respondents also favored, by a 3-to-1 margin (63-21%), a policy of not permitting abortion anywhere “after the point where substantial medical evidence says that the unborn child can feel pain,” unless it is “necessary to save a mother’s life.” Women said “should not be permitted” by a margin of 70-18%. Men said “should not be permitted” by a margin of 55-25%.

One abortion “clinic,” situated not far from the National Mall and the White House, openly advertises abortion on demand up to the beginning of the seventh month of pregnancy -- payable by a credit card. This facility mentions the method used for its late abortions -- “dilatation and evacuation,” also known as “dilation and evacuation” or “D&E.” In a D&E, the [abortionist](#) grasps the arms and legs of the well-developed unborn baby and literally tears them off, one by one, by brute manual force, using a long stainless steel clamp. The baby is alive, of course, at the beginning of this process. The baby certainly experiences excruciating pain during the dismemberment. A medical illustration of this common, brutal abortion method is posted here:

www.nrlc.org/abortion/pba/DEabortiongraphic.html

The NRLC website provides links to abundant documentation on the scientific authorities that support the bill’s findings that unborn children, by 20 weeks fetal age if not before, have the capacity to experience great pain: www.nrlc.org/abortion/Fetal_Pain/index.html

NRLC urges you to cast the vote that will stand the test of time: Reject the current District policy of legal abortion for any reason until the moment of birth, and act to protect pain-capable unborn children, by voting to pass H.R. 3803.

Respectfully,



Douglas Johnson
Legislative Director
federallegislation@nrlc.org
<http://www.nrlc.org>



Susan T. Muskett, J.D.
Senior Legislative Counsel