



NARAL

Reproductive Freedom & Choice

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NARAL Statement:
ROE V. WADE FACES RENEWED ASSAULT IN HOUSE
Anti-Choice Lawmakers Hold Hearing On
So-Called "Born-Alive Infants Protection Act"

WASHINGTON, DC — The basic of tenets of *Roe v. Wade* were the subject of yet another anti-choice assault today, as the House Judiciary Subcommittee on the Constitution held a hearing on H.R. 4292, the so-called "Born-Alive Infants Protection Act." The Act would effectively grant legal personhood to a pre-viable fetus — in direct conflict with *Roe* — and would inappropriately inject prosecutors and lawmakers into the medical decision-making process. The bill was introduced by well-known abortion opponent Rep. Charles Canady (R-FL) and has been endorsed by the National Right to Life Committee.

Roe v. Wade clearly states that women have the right to choose prior to fetal viability. After viability, *Roe* allows states to prohibit or restrict abortion as long as exceptions are made to protect the life and health of the woman. In proposing this bill, anti-choice lawmakers are seeking to ascribe rights to fetuses "at any stage of development," thereby directly contradicting one of *Roe's* basic tenets.

This bill also attempts to inject Congress into what should be personal and private decisions about medical treatment in difficult and painful situations where a fetus has no chance for survival. It could also interfere with the sound practice of medicine by spurring physicians to take extraordinary steps in situations where their efforts may be futile and when their medical judgment may indicate otherwise.

This is not the first time we have seen Rep. Canady and his anti-choice colleagues attempt to chip away at the foundation of *Roe v. Wade* in just this manner. Last year, this same subcommittee held a hearing on the so-called "Unborn Victims of Violence Act," which also sought to ascribe certain rights to a fetus at any stage of pregnancy. Rep. Canady is also one of the chief architects of the federal ban on safe abortion procedures used prior to fetal viability, which directly undermines the fundamental principles of *Roe*. With all these bills, anti-choice lawmakers purposefully set America on a path they believe will ultimately lead to the overturn of *Roe v. Wade*. In keeping with this goal, the subcommittee has put the "Born-Alive Infants Protection Act" on the fast track and has scheduled a markup for Friday, July 21, 2000.

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