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January 31, 2012

RE: The District of Columbia Pain-Capable
Unborn Child Protection Act (H.R. 3803)

Dear Member of Congress:

The National Right to Life Committee (NRLC), the nationwide federation of state right-to-life organizations, urges you to cosponsor the *District of Columbia Pain-Capable Unborn Child Protection Act* (H.R. 3803).

This vital legislation was introduced on January 23 by Congressman Trent Franks, and was referred to both the Committee on the Judiciary and the Committee on Oversight and Government Reform. The chairmen of both of those committees are original cosponsors of H.R. 3803, as are the chairmen of the two subcommittees of jurisdiction.

H.R. 3803 contains legislative findings and operative language very similar to bills already enacted in five states during 2010 and 2011: Nebraska, Kansas, Idaho, Oklahoma, and Alabama. None of these laws have faced any serious legal challenge to date.

Like those state laws, H.R. 3803 contains findings of fact regarding the medical evidence that unborn children experience pain at least by 20 weeks after fertilization (which is 22 weeks in the "LMP" system, or about the start of the sixth month), and prohibits abortion after that point, except when an acute physical condition endangers the life of the mother.

Some of the extensive evidence that unborn children have the capacity to experience pain, at least by 20 weeks, is available on the NRLC website at http://www.nrlc.org/abortion/Fetal_Pain/index.html

Additional state legislatures will be taking up similar legislation during the months ahead. However, there is one substantial jurisdiction over which the U.S. Constitution places legislative responsibility solely on the shoulders of the Congress: The District of Columbia. Article I, Section 8 of the Constitution dictates unequivocally that Congress shall "exercise exclusive legislation in all cases whatsoever, over such District . . ."

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Currently, in our nation's capital, unborn children may legally be killed at any point up to birth, for any reason. Abortions are advertised, and performed, in the sixth month and later. This means that unborn children who are capable of experiencing excruciating pain are killed every day – most often, by a method in which arms and legs are twisted off by brute manual force, as the abortionist guides his forceps using an ultrasound image. A medical illustration of this common method (“D&E”) is posted here:

<http://www.nrlc.org/abortion/pba/DEabortiongraphic.html>

Another advertised method, in the seventh month and later, involves thrusting a needle into the unborn child's heart, and injecting a lethal substance.

Under the Constitution, only the Congress – and, if he would, the President – have the responsibility for putting an end to these brutal practices. The National Right to Life Committee urges you to join the campaign to protect pain-capable unborn children in the nation's capital, by adding your name as a cosponsor of H.R. 3803, and by working for its expeditious enactment.

Respectfully,



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