



SUSAN B. ANTHONY  
**PRO-LIFE**  
AMERICA

January 10, 2023

Dear Representative,

On behalf of our more than one million members from all 50 states, Susan B. Anthony Pro-Life America strongly supports and will score in favor of H.R. 26, the Born-Alive Abortion Survivors Protection Act.

The Born-Alive Abortion Survivors Protection Act reinforces the Born-Alive Infants Protection Act of 2002 by establishing affirmative federal protections for babies who are born alive after an attempted abortion. This bill would enhance the 2002 law, which clarified that “every infant member of the species homo sapiens who is born alive at any stage of development” is a “person” for all federal law purposes. H.R. 26 clarifies that if a baby is born alive as a result of an attempted abortion, the child must be administered the same reasonable care as would be given to any other baby born at the same gestational age and requires that he or she is transported immediately to a hospital. Failure to provide this standard of equal and reasonable care can lead to criminal prosecution of the abortionist, while the mother on whom an abortion is performed or attempted cannot be prosecuted. In addition, the mother is afforded the right to sue an abortionist who fails to comply with the law.

Despite significant gaps in national and state abortion reporting, there are documented cases<sup>1</sup> of babies who survive attempted abortions. Due to abortion advocacy groups’ opposition to accurate and detailed reporting, there is not comprehensive data on how often babies are born alive after botched abortions. Of the eight states that have reported data on babies who survive abortions, just four of those states accounted for 111 babies born alive after failed abortions in the last five years. Taking into account the states that do not report on this issue, the actual number of babies born alive after abortions is almost certainly significantly higher.

Polling conducted by McLaughlin & Associates on behalf of SBA Pro-life America found that 77% of Americans support this legislation,<sup>2</sup> including 70% of Democrats and 75% of Independents. All Americans should be able to agree that at a minimum, babies born alive deserve protection and appropriate medical care.

Just last year the bodies of five aborted babies were discovered in Washington, D.C. Each appeared to be victims of violations of the Born-Alive Infants Protection Act and the Partial-Birth Abortion Ban. Despite outcries and Congressional pressure, the D.C. medical examiner’s office refused to conduct autopsies<sup>3</sup> on these little bodies to determine whether federal laws were broken by late-term abortionist Cesare Santangelo, at the Washington Surgi-Clinic. Neonatologist Dr. Robin Pierucci, an associate scholar with Charlotte Lozier Institute; Ob-Gyn Dr. Ingrid Skop, the Director of Medical Affairs at Charlotte Lozier Institute; and retired Ob-Gyn and former abortionist Dr. Kathi Aultman, reviewed the available evidence and concluded it was more than likely these unborn children were killed via partial-birth abortion or left to die after being delivered prematurely through botched abortions.<sup>4</sup>

It is also impossible to forget that Kermit Gosnell “snipped” the spines of abortion survivors in Pennsylvania.<sup>5</sup> In Illinois, Nurse Jill Stanek<sup>6</sup> found a tiny abortion survivor abandoned without care in a

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<sup>1</sup> <https://www.sba-list.org/born-alive-abortion-survivors-documented-cases>

<sup>2</sup> <https://www.sba-list.org/polling#born-alive>

<sup>3</sup> <https://sbaprolife.org/home/sba-list-urges-investigation-of-potential-illegal-partial-birth-abortions-infanticide-at-d-c-facilit>

<sup>4</sup> [https://www.youtube.com/watch?v=S2pccwibRo4&ab\\_channel=CharlotteLozierInstitute](https://www.youtube.com/watch?v=S2pccwibRo4&ab_channel=CharlotteLozierInstitute)

<sup>5</sup> <https://www.sba-list.org/suzy-b-blog/kermit-gosnell-trial-abortion-house-horrors>

<sup>6</sup> U.S. Senate, Committee on the Judiciary. February 11, 2020.

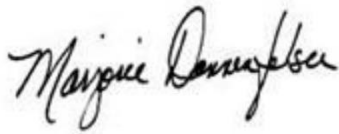
[https://www.youtube.com/watch?v=40FQ\\_o6mcFo&ab\\_channel=SenatePro-LifeInformation](https://www.youtube.com/watch?v=40FQ_o6mcFo&ab_channel=SenatePro-LifeInformation)

soiled hospital utility room. This little baby was 21 weeks and 4 days and had Down Syndrome. Jill held him for 45 minutes until he died. Abortion survivors Melissa Ohden<sup>7</sup> and Gianna Jessen<sup>8</sup> are among those who miraculously survived attempted abortions. As adults, Melissa and Gianna have testified before Congress in defense of countless unborn and other abortion survivors.

Over the past few years, we have seen growing hostility in certain states, including Virginia, New York, and Illinois. Former Virginia Governor Ralph Northam is infamous for his statement that in the case of abortion survivors, a discussion would happen as to whether or not to provide life-sustaining care. It is incumbent upon the Federal Government to protect these vulnerable born-alive infants and to stand united against infanticide.

Susan B. Anthony Pro-life America is proud to endorse H.R. 26 and will score in favor of votes to pass the Born-Alive Abortion Survivors Protection Act.

Sincerely,

A handwritten signature in black ink that reads "Marjorie Dannenfelser". The signature is written in a cursive, flowing style.

Marjorie Dannenfelser  
President  
Susan B. Anthony Pro-Life America

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<sup>7</sup> U.S. House, Judiciary Committee, Subcommittee on the Constitution, Civil Rights, and Civil Liberties. June 4, 2019. [https://www.youtube.com/watch?v=UdAtHIGZfZc&ab\\_channel=SusanB.AnthonyList](https://www.youtube.com/watch?v=UdAtHIGZfZc&ab_channel=SusanB.AnthonyList)

<sup>8</sup> U.S. House, Judiciary Committee, Subcommittee on the Constitution and Civil Justice. September 23, 2016. [https://www.youtube.com/watch?v=uLzwbNVpGjY&ab\\_channel=prolifeinformation](https://www.youtube.com/watch?v=uLzwbNVpGjY&ab_channel=prolifeinformation)