

Written Statement of the American Civil Liberties Union

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Submitted to the U.S. House of Representatives

On behalf of the American Civil Liberties Union (ACLU), a nonpartisan organization with more than a half million members, countless additional activists and supporters, and 53 affiliates nationwide, dedicated to protecting the principles of freedom and justice set forth in

to submit this statement for the record on the so-called Pain-Capable Unborn Child Protection Act, H.R. 1797, which would ban abortion care starting at 20 weeks

The ACLU has a long history of defending reproductive freedom. The ACLU participated in nearly every critical case concerning reproductive rights to reach the Supreme Court, and we routinely advocate in Congress and state legislatures for policies that promote access to reproductive health care. H.R. 1797 is part of a wave of even more extreme legislation

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In conflict with law, in disregard of medical science, and for reasons unrelated to viability, H.R. 1797 unilaterally -making ability before viability and Banning abortions starting at 20 weeks which is a pre-viability stage of pregnancy directly contradicts longstanding precedent holding that a woman when deciding whether to continue or terminate a pre-viability pregnancy.⁴

postviability abortion care
the more true here where the ban impermissibly applies previability.

¹¹ This is all

In addition to ignoring indeed, sacrificing 1797 fails to take into consideration the severe of fatal fetal conditions that develop are detected in mid or late pregnancy. This Subcommittee has heard from Christy Zink, who learned midway through her pregnancy that if she carried to term, she would, tragically, give birth to a baby missing half his brain. The answers were far from easy to hear, but they were clear there would be no miracle cure. His body had no capacity to repair this anomaly, and medical science could not solve this tragedy.¹² Christy and her husband considered their situation and made the best decision for their family to end the pregnancy.

If H.R. 1797 had been in place at that time, Christy could have found herself in the same position as Danielle Deaver. Her water broke months early at 22 weeks. She sped to the hospital, only to be told that her fetus had no chance of survival. Danielle continued the pregnancy, her baby would be born with undeveloped lungs and no ability to breathe. Danielle and her husband decided to have an abortion, but tragically for Danielle, the state of Nebraska had enacted a ban similar to H.R. 1797, and her doctors were therefore unable to give her the care she needed and so despaired. She was forced to sit and wait for 10 days until her body finally expelled the pregnancy. Danielle said no words for how awful the 10 days were. From the moment my water broke to the day my daughter died. There are no words for the heartbreak that cut deeper every time she moved

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H.R. 1797 would impose criminal penalties on physicians who provide their patients with

doctors who compassionately but objectively explained to us 12 Tf 1 0yw75(y)20h-2(s ano) 72.0F0003

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For four decades, the U.S. Supreme Court has recognized the irreducible right of every woman to determine the course of her pregnancy before viability. H.R. 1797 would take that right away. It would