



January 18, 2018

RE: Vote NO on H.R. 4712, the “Born-Alive Abortion Survivors Protection Act”

Dear Representative:

On behalf of the American Civil Liberties Union (ACLU) and our more than two million members and supporters, we urge you to vote NO on H.R. 4712, which would insert politicians into the practice of medicine, target providers, and mislead the public about safe, legal abortion. Our vote recommendation is attached.

Please contact Georgeanne Usova with any questions at gusova@aclu.org.

Sincerely,

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ACLU Recommends a NO Vote on H.R. 4712

H.R. 4712 would interfere with the patient-provider relationship, target providers, and mislead the public about safe, legal abortion.

H.R. 4712 would alter the Born-Alive Infants Protection Act, a law passed in 2002 with bipartisan support which made a definitional change that was not intended to alter medical practice or restrict abortion.¹ The current proposal would go much further than existing law, inappropriately inserting politicians into the practice of medicine, and is aimed directly at providers of safe, legal abortion.

This bill imposes a rigid set of requirements on health care providers that entirely disregards providers' professional training and judgment, as well as patient preferences and established medical standards. Such congressional intrusion is inappropriate and harmful. One provision is so vaguely worded that it is unclear what it actually requires of providers—and yet, these requirements are coupled with the threat of serious criminal penalties, including up to five years in prison, for those who do not comply.

The real aims of this bill are clear: to target abortion providers by applying harsh penalties and uncertain standards in order to drive them out of practice, and to distort public perception of safe, legal abortion by suggesting that doctors do not provide high quality care to their patients. This misrepresentation is nothing more than an attempt to intimidate patients and scare away those seeking constitutionally-protected health care.

HR. 4712 would substitute a physician's best judgment with that of politicians, interfering with physicians' ability to provide appropriate, compassionate, evidence-based care. It must be rejected.

For the above reasons, we urge you to vote NO on H.R. 4712

¹ See, e.g. 148 Cong. Rec. 27, H787 (Mar. 12, 2002) <https://www.gpo.gov/fdsys/pkg/CREC-2002-03-12/pdf/CREC-2002-03-12-house.pdf> (During floor debate on the bill, Rep. Nadler said, "I am pleased that the majority has made a serious effort in this draft of the bill to make clear that this bill has nothing to do with matters related to abortion." Rep. Cliff Stearns said, "For those who exclaim this is an 'assault' on Roe v. Wade, this bill does not touch Roe v. Wade").