



## Committee on Pro-Life Activities

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The Honorable Lindsey Graham  
211 Russell Senate Office Building  
Washington, DC 20510

October 26, 2023

Dear Senator Graham,

I write to thank you for your work on advancing the “Protecting Pain-Capable Unborn Children from Late-Term Abortions Act,” a positive step toward protecting the right to life of preborn children, beginning at 15 weeks after conception.

Science continues to reveal the amazing development and characteristics of babies in utero, such as their ability to respond to music, to their mother’s voice, and to other stimuli. Furthermore, there is significant scientific evidence that babies can feel pain as early as 12 weeks’ gestation. In a collaborative report, “Reconsidering Fetal Pain,” that was published in the *Journal of Medical Ethics*, scientists summarized their findings in part: “Overall, the evidence, and a balanced reading of that evidence, points towards an immediate and unreflective pain experience...from as early as 12 weeks... [W]e no longer view fetal pain...in a gestational window of 12–24 weeks as impossible based on the neuroscience.”<sup>1</sup>

Further, not only does abortion end the life of the preborn child, but it is frequently harmful to the mother, emotionally and physically. Late-term abortions, such as those performed when the preborn child is 15 weeks or older, pose significant physical, and potentially fatal, risks to the mother.<sup>2</sup>

Pope Francis has [said](#), “It is troubling to see how simple and convenient it has become for some to deny the existence of a human life as a solution to problems that can and must be solved for both the mother and her unborn child.”<sup>3</sup> The Catholic Church remains clear and consistent in asserting that true justice demands protection for the right to life, the most basic human and civil right, for *every* child, from conception onward. No person or government has the right to take the life of any innocent human being, regardless of his or her stage of development. We will never

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<sup>1</sup> Stuart WG Derbyshire & John C. Bockmann, “Reconsidering Fetal Pain,” *J Med Ethics* 46 (2020): 3-6, <https://jme.bmj.com/content/medethics/46/1/3.full.pdf>.

<sup>2</sup> Angela Lanfranchi, Ian Gentles, & Elizabeth Ring-Cassidy, *Complications: Abortion’s Impact on Women* (2013), 96; see also John J. Thorpe, Jr., M.D., et al., “Long Term Physical and Psychological Health Consequences of Induced Abortion: Review of the Evidence,” *Obstetrical & Gynecological Survey* 58 (2002): 67, 70-72, 75; Byron C. Calhoun, M.D., “Preterm Birth Update,” *Linacre Quarterly* 79:2 (May 2012): 231-242; Brent Rooney & Byron C. Calhoun, “Induced Abortion and Risk of Later Premature Births,” *J Am Physicians & Surgeons* 8 (2003): 46.

<sup>3</sup> Courtney Mares, “In UN message, Pope Francis decries abortion and family breakdown,” *Catholic News Agency*, Sep. 25, 2020, <https://www.catholicnewsagency.com/news/45974/in-un-message-pope-francis-decries-abortion-and-family-breakdown>.

cease working for laws that protect human life from its beginning, supporting mothers in need, and ultimately making abortion unthinkable. It is long past time to provide more life-affirming alternatives that support and protect both mother and child.

To be sure, as I reflected in marking the beginning of [Respect Life Month](#) this very month, “laws alone will not end the tragedy of abortion.” “[T]he most immediate way to save babies and mothers from abortion is to thoroughly surround mothers in need with life-giving support and personal accompaniment,” which also entails “addressing the fundamental challenges that lead an expectant mother to believe she is unable to welcome the child [...]”<sup>4</sup>

Since the Supreme Court’s decision in *Dobbs v. Jackson Women’s Health Org.*, overturning *Roe v. Wade* and returning the issue of abortion to the people to decide through their elected representatives, however, the country has been in tremendous turmoil over this tragic and divisive issue. And we think that your proposed legislation should serve as one place to begin uniting Americans regardless of their overall views on abortion.

I therefore support your efforts with the “Protecting Pain-Capable Unborn Children from Late-Term Abortions Act” to protect the right to life of preborn babies from 15 weeks’ gestation as a step toward fulfilling the ultimate imperative that all preborn children be protected from the moment of conception and that mothers be supported. All elected officials, at all levels of government, including members of Congress at the federal level, now have the opportunity to protect preborn human life and should rise to the occasion. We strongly encourage your colleagues in Congress to co-sponsor this legislation.

Sincerely,

A handwritten signature in blue ink that reads "Michael F. Burbidge". The signature is written in a cursive style with a small cross at the beginning of the first name.

Most Reverend Michael F. Burbidge  
Bishop of Arlington  
Chairman, Committee on Pro-Life Activities

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<sup>4</sup> Most Rev. Michael F. Burbidge, “Respect Life Month Statement: Living Radical Solidarity,” United States Conference of Catholic Bishops, Committee on Pro-Life Activities, Oct. 2023, <https://www.usccb.org/resources/rfp-23-RLM-Statement.pdf>.