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May 12, 2014

The Honorable Steven Palazzo
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Palazzo:

The National Right to Life Committee (NRLC), the federation of state right-to-life organizations, has reviewed the May 6, 2014 Legislative Counsel draft of your proposed legislation titled “The Every Child is a Blessing Act of 2014,” which we understand that you plan to introduce soon in the U.S. House of Representatives. NRLC commends you for advancing this worthwhile legislation, which we endorse.

Your bill would eliminate the civil causes of action usually referred to as “wrongful birth” and “wrongful life,” when they arise under federal law or from claims involving health care services affecting interstate or foreign commerce. A wrongful birth claim rests on the assertion by a parent that a baby should have been aborted, due to some real or perceived deficiency – usually, a disability – and would have been aborted, but for some act by the defendant. A wrongful life claim is based on the same concept, but is filed in the name of the child rather than the parent. The claims are not based on any allegation that a defendant actually caused the baby’s condition, but rather, that the plaintiff in some way failed to take actions that would have led to the abortion of the afflicted baby.

The concept that a violent pre-natal death by abortion is preferable to life with a disability is incompatible with, and corrosive to, fundamental disability-rights principles. Acceptance of such causes of action is a manifestation of a resurgent drive to promote human eugenics -- an ideology that was in vogue in the early 20th century, but became discredited when zealously implemented in some states and nations. Certainly, such lawsuits cannot be reconciled with recognition that each unborn member of the human family has an intrinsic right to life. Therefore, your legislation deserves the support of all of your colleagues who affirm the intrinsic right to life of unborn children, and we encourage them to sign on as co-sponsors.

Respectfully,

A handwritten signature in blue ink that reads "Douglas Johnson".

Douglas Johnson
Legislative Director