

118th Congress

H.R. 26 Born-Alive Abortion Survivors Protection Act

Three Things to Know:

- A “born alive abortion” is a failed abortion resulting in an infant's live birth. This bill does two important things: 1) It would require medical professionals to provide a proper degree of care to infants that survive an abortion or an attempted abortion. 2) It also guarantees the infant all legal protections under US laws.
- Currently, 0.21% of infants survive abortions, but that figure is rising. In 2020 alone, an estimated 1,927 infants were born alive after abortion in the United States. That number is expected to rise due to abortion-friendly laws and increased use and availability of chemical abortion pills, which have a significant failure rate.
- During the 118th Congress, expect more than 4,000 born-alive abortions across the country, not including failed chemical abortions or babies born-alive after the abortion pill reversal.

Background:

- In the 117th Congress, this bill (HR 619) received the support of nearly all GOP members of the House but failed to garner any Democrat support.
- Introduced again by Rep. Ann Wagner (R-MO), supported by House Majority Leader Steve Scalise (R-LA) and numerous pro-life organizations across the country, this bill avoids typical controversies around “reproductive health.”
- During the 49.5-year Roe era, it is estimated that there were 85,817 born-alive abortions resulting in live births. ***(Just how many is that? State Farm Stadium in Glendale, Arizona, and host of the Super Bowl LVII 2023, could not hold them all.)***
- Chemical abortions are readily available and are the least reliable, resulting in live births after attempted abortions. Further, women have successfully stopped pregnancy termination with the abortion pill reversal protocol, creating an additional population of abortion survivors.

The Key Idea:

Due to the lack of consistent reporting requirements nationwide, data on failed abortions that result in born-alive abortion survivors is limited. However, modeling based on Canadian data applied to US abortion statistics makes it clear that there are tens of thousands of abortion survivors in the general US population. Abortion survivors consistently report that they bear both physical and emotional scars from the circumstances of their birth and the failed abortion. Many were left to die, others were heroically provided care, breaking established protocol. For these survivors and future survivors, legislation that guarantees them medical care and personhood would provide them with promised life, liberty, and the pursuit of happiness.

Resources About Abortion Survivors and Legislation:

- [Born Alive Abortion Reporting](#) by Alayna Shamo, the Abortion Survivors Network, June 26, 2022
- State Born-Alive Reporting Legislation and Definitions can be found [here](#).
- [Testimony of Melissa Ohden](#), abortion survivor and founder of the Abortion Survivors Network, before the Senate Judiciary Committee hearing on the Women’s Health Protection Act, June 16, 2021.
- [Abortion Survivors Speak Out: ‘We Are Just as Human as You’](#), Epoch Times, October 27, 2022