



Secretariat of Pro-Life Activities

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Senator Steve Daines
320 Hart Senate Office Bldg.
Washington, DC 20510

Representative Ron Estes
2234 Rayburn House Office Bldg.
Washington, DC 20515

January 18, 2023

Dear Senator Daines and Representative Estes,

As episcopal moderator for the National Catholic Partnership on Disability, I am deeply committed to promoting the meaningful participation of persons with disabilities in our Church and our society. However, today I write to you in my capacity as chairman of the U.S. Conference of Catholic Bishops' (USCCB) Committee on Pro-Life Activities.

The Catholic faith, in keeping with the example of Jesus Christ, proclaims and upholds the human dignity and equal rights of people with disabilities, which for many years our society has struggled to fully recognize. The Americans with Disabilities Act (ADA) of 1990 has certainly helped by establishing minimum standards for fair accommodation in employment, education, public transportation, access to public buildings and documents, and so on. More recently, in response to increasingly prolific genetic testing, the Genetic Information Non-Discrimination Act (GINA) of 2008 was passed to try to combat genetic discrimination in health insurance and employment and to protect the privacy of individuals. Progress has been made, but there are still many ways that people with physical or intellectual disabilities are belittled or ostracized.

As Pope Francis said at a gathering of people with disabilities, “Still, at a cultural level there are expressions that offend the dignity of the person and that maintain a false concept of life. An often narcissistic and utilitarian view, unfortunately, leads several to consider people with disabilities as marginal, without seeing in them the multifaceted human and spiritual wealth that they possess. There is still a strong attitude of **rejection of this condition in the collective mentality**, as though it prevented the individual from being happy and self-fulfilled. Proof of this is the eugenic tendency to eliminate the unborn child that shows some form of imperfection.”¹

Our nation's critically important efforts to recognize and protect the inherent dignity of people with disabilities are tragically undermined when the most defenseless—children in the womb—can be killed simply for having a disability (or being thought to have a disability). It is for this reason that I write to express my strong support for your introduction of the Protecting Individuals with Down Syndrome Act. This bill would prohibit the performance of abortions, in whole or part, because the unborn child has or may have Down syndrome.

¹ “Pope meets with participants in Vatican disability conference,” Vatican News, October 21, 2017, <https://www.vaticannews.va/en/pope/news/2017-10/time-for-persons-with-disabilities-to-become-catechists.html>.

While Down syndrome is only one of many conditions that can be diagnosed in utero, it is the most prevalent, affecting an estimated one in 700 babies born in the United States.² It is also one of the conditions for which pregnant mothers are most commonly tested. Tragically, it is estimated that at least 67 percent of children diagnosed with Down syndrome are terminated before the child's birth.³ Some countries have even higher rates, with Iceland reporting a nearly 100% abortion rate.⁴ How can our society claim to value, respect, and protect the dignity and rights of persons with disabilities when we allow babies to be aborted simply because they have a disability? Are we not communicating to those who live with Down syndrome, and indeed to all persons with disabilities, that our society thinks they are better off dead, not to have been born, to have no life at all rather than a life with disabilities?

Some legislators will support this bill because they oppose the destruction of all human life through abortion, no matter the reason—and for that, I thank them. For those who view abortion differently, I would ask them to please consider how persons with Down syndrome must feel knowing that some view them as having too little value to exist.⁵ I encourage your colleagues to please draw this very modest, but important, line in our nation's abortion laws and support your Protecting Individuals with Down Syndrome Act. Lastly, I also urge all members of Congress to find more ways to ensure adequate healthcare and supports for individuals with Down syndrome and their families.

Sincerely,

A handwritten signature in blue ink that reads "Michael F. Burbidge". The signature is written in a cursive, flowing style.

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

²"Facts About Down Syndrome," CDC, at <https://www.cdc.gov/ncbddd/birthdefects/downsyndrome.html>.

³ <https://obgyn.onlinelibrary.wiley.com/doi/pdf/10.1002/pd.2910>.

⁴ Jessica Wakeman, "The Debate over Terminating Down Syndrome Pregnancies," Healthline, August 29, 2017, <https://www.healthline.com/health-news/the-debate-over-terminating-down-syndrome-pregnancies#6>.

⁵ See testimony of Mr. Frank Stephens before the Subcommittee on Labor, Health and Human Services, and Education, Committee on Appropriations, U.S. House of Representatives, October 25, 2017, at <https://docs.house.gov/meetings/AP/AP07/20171025/106526/HHRG-115-AP07-Wstate-StephensF-20171025.pdf>.