

S. 907

IN THE SENATE OF THE UNITED STATES

APRIL 28, 1999

A BILL

To protect the right to life of each born and preborn human person in existence at fertilization.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 SHORT TITLE

4 SECTION 1. This Act may be cited as the “Right to
5 Life Act of 1999”.

6 SEC. 2. The Congress finds that—

7 (1) we, as a Nation, have declared that the
8 unalienable right to life endowed by Our Creator is
9 guaranteed by our Constitution for each human per-
10 son;

1 (2) the Supreme Court, in *Roe v. Wade* (410
2 U.S. 113 at 159), stated: “We need not resolve the
3 difficult question of when life begins . . . the judi-
4 ciary at this point in the development of man’s knowl-
5 edge, is not in a position to speculate as to the an-
6 swer . . .”;

7 (3) the Supreme Court, in *Roe v. Wade* (410
8 U.S. 113 at 156–157), stated: “If this suggestion of
9 personhood is established, the appellant’s case, of
10 course, collapses, for the fetus’ right to life is then
11 guaranteed specifically by the (Fourteenth) Amend-
12 ment . . .”;

13 (4) the Supreme Court, in *Roe v. Wade* stated
14 that the privacy right is not absolute, and stated
15 (410 U.S. 113, at 159) that: “The pregnant woman
16 cannot be isolated in her privacy. She carries an em-
17 bryo and, later a fetus. . . . The woman’s privacy
18 is no longer sole and any right of privacy she pos-
19 sesses must be measured accordingly.”;

20 (5) a human father and mother beget a human
21 offspring when the father’s sperm fertilizes the
22 mother’s ovum, and the life of each preborn human
23 person begins at fertilization;

24 (6) there is no justification for any Federal,
25 State, or private action intentionally to kill an inno-

1 cent born or preborn human person, and that Fed-
2 eral, State, and private action must assure equal
3 care and protection for the right to life of both a
4 pregnant mother and her preborn child in existence
5 at fertilization;

6 (7) Americans and our society suffer from the
7 evils of killing even one innocent born or preborn
8 human person, and each day suffer the torture and
9 slaughter of an estimated 4,000 preborn persons;

10 (8) the intentional killing of preborn human
11 persons occurs in Federal enclaves, in interstate
12 commerce activities, and in the States, estimated at
13 1,500,000 per year and 33,000,000 since 1973; and

14 (9) the violence of intentionally killing a
15 preborn human person has provoked more violence,
16 carnage, and conflict reaching into homes, schools,
17 churches, workplaces and lives of Americans.

18 RIGHT TO LIFE

19 SEC. 3. Upon the basis of these findings and in the
20 exercise of duty, authority, and powers of the Congress,
21 including its power under article I, section 8, to make nec-
22 essary and proper laws, and including its power under sec-
23 tion 5 of the 14th article of amendment to the Constitu-
24 tion of the United States, the Congress hereby declares
25 that the right of life guaranteed by the Constitution is
26 vested in each human being at fertilization.

DEFINITION OF STATE

2 SEC. 4. For the purposes of this Act, the term
3 “State” used in the 14th article of amendment to the Con-
4 stitution of the United States and other applicable provi-
5 sions of the Constitution includes the District of Colum-
6 bia, the Commonwealth of Puerto Rico, and each other
7 territory or possession of the United States.