

To: Health and Human Services Committee
From: Marion Miner, Associate Director of Pro-Life & Family Policy
Nebraska Catholic Conference
Subject: LB626 (Nebraska Heartbeat Act) (Support)
Date: February 1, 2023

Chairman Hansen and Members of the Health and Human Services Committee,

The Nebraska Catholic Conference advocates for the public policy interests of the Catholic Church by engaging, educating, and empowering public officials, Catholic laity, and the general public. I am here to express the Conference's support for LB626, the Nebraska Heartbeat Act.

From the first moment of his or her existence, a new baby in the womb is, and must be recognized as, a fellow human being. Human beings have rights—not to be asserted over and against other human beings—but to be recognized equally before the law as persons deserving of love and protection.

As the late Fr. Richard John Neuhaus said in 2008, “The contention between the culture of life and the culture of death is not a battle of our own choosing. We are not the ones who imposed upon the nation the lethal logic that human beings have no rights we are bound to respect if they are too small, too weak, too dependent, [or] too burdensome.”¹ We ask you today to contend for the culture of life.

The U.S. Supreme Court's *Dobbs* decision in June overturned 49 years of the old *Roe* and *Casey* decisions' imposition of that lethal logic on the nation. Gone with *Roe* and *Casey* are the endless tangles of constitutional legal arguments about whether a pro-life law will be allowed to stand by the U.S. Supreme Court. The *Dobbs* decision set a new and very simple standard: is there a *rational basis* for the law proposed? That is a very easy test to pass—the same test applied to any normal piece of state legislation.

Four states bordering Nebraska—Iowa, Missouri, South Dakota, and Wyoming—have laws in place right now that provide as much or even better protection for unborn children than the Nebraska Heartbeat Act would provide. So do several other states in the Midwest and Great Plains. The number of children lost annually to abortion in Nebraska, after many years of decline, has begun to increase again. It is imperative that we pass legislation similar to what has been enacted in states around us to prevent Nebraska from becoming a regional elective abortion “tourism” or “destination” state—something none of us wants to see.

We urge you to contend for the culture of life, and to vote “yes” to advance the Heartbeat Act to General File.

¹ Neuhaus, “We Shall Not Weary, We Shall Not Rest.” *First Things*, July 11, 2008. Accessed at: <https://www.firstthings.com/web-exclusives/2008/07/we-shall-not-weary-we-shall-not-rest>.