

Congress of the United States
Washington, DC 20515

July 20, 2026

The Honorable Todd Blanche
Acting Attorney General
United States Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

The Honorable Jeanine Ferris Pirro
U.S. Attorney for the District of Columbia
601 D Street, NW
Washington, DC 20579

Dear Acting Attorney General Blanche:

We write to urge the Department of Justice to comprehensively investigate the circumstances surrounding the deaths of five preborn children whose remains are held by the Office of the Chief Medical Examiner in the District of Columbia to identify whether they were victims of the crimes of infanticide or partial-birth abortion.

The bodies of these children were recovered by the Metropolitan Police Department in 2022, after they were allegedly aborted in the Washington Surgi-Clinic operated by the late-term abortionist Dr. Cesare Santangelo. For four years, members of Congress have remained alarmed at this clear violation of life and law, but the Biden Administration Department of Justice refused to act.

Under the Born Alive Infants Protection Act (1 U.S.C. § 8), these five children should have experienced equal protection under the law at any stage of development, including as abortion survivors. Yet, based on the publicly shared photographs of these babies, neonatal specialist Robin Pierucci, M.D., said, “I can say with confidence that [four of] these babies died at an age when they were viable, premature people.”¹ Doctors estimate that one baby boy was around 28-32 weeks, and former abortionist Kathi Aultman, M.D., said that the baby looked “like he should have been in the nursery” and was “about the same size as [her] granddaughter when she was born.”²

A review of these photographs also led doctors to suggest that at least one baby may have been killed from the illegal partial-birth abortion method. According to neonatologist Kendra Kolb, M.D., the baby seemed to be “between 28-30 weeks gestational age” and had “deep lacerations to the posterior neck which presumably correlates to the method of abortion used to end her life.”³ If this baby girl was alive when the abortionist made these lacerations, then her death directly violated the Partial-Birth Abortion Ban Act of 2003 (18 U.S. Code § 1531), which criminalizes the partial deliverance of a living child for the purpose of performing an overt act that intentionally takes the life of the child. With the passage of this Act, Congress declared that partial-birth abortion “is a gruesome and inhumane procedure that is never medically necessary and should be prohibited.”⁴

¹ Dorman, Sam. “Aborted babies discovered in DC may indicate infanticide after attempted abortions.” Live Action News. April 1, 2022.
<https://www.liveaction.org/news/infant-bodies-infanticide-attempted-abortions>.

² Ibid.

³ Ibid.

⁴ 18 USC 1531 note.

On April 8, 2022, Sen. Mike Lee (R-UT) and Rep. Chris Smith (R-NJ) led a letter signed by 69 Members of Congress demanding that Attorney General Merrick Garland conduct a comprehensive investigation into these infants' deaths. The Department of Justice never provided a substantive response or indicated that any investigation had occurred. On the contrary, after two years of inaction, reports indicated that the Department of Justice advised the Chief Medical Examiner to discard the bodies of the infants. Fortunately, members of Congress were able to intervene with the Chief Medical Examiner and urge him to preserve the bodies.

We were encouraged to hear former Attorney General Pam Bondi confirm last year in a House budget hearing that DOJ was conducting an ongoing investigation into this case.⁵ The report accompanying Public Law 119-74, signed by President Donald Trump, now encourages the Department of Justice "to provide a briefing to the Committees on all actions previously taken by the Department on this issue within 180 days after the enactment of this act," which would be July 22, 2026.⁶

After years of inaction by the Biden Administration, we write to you again to reiterate these concerns and request that DOJ promptly complete a thorough investigation into the death of each child, including autopsies of the infants and the preservation of all collected evidence. Additionally, we request that you ensure these children receive a proper and respectful burial once the investigation is complete and all responsible parties have been brought to justice.

We cannot undo the grievous, barbaric acts that killed these children in their most vulnerable stage, but we equally cannot allow such lawlessness and inhumanity to evade our justice system any longer. Under President Trump's and your leadership, we are hopeful that these children will finally receive the justice they deserve.

Sincerely,



Michael S. Lee
United States Senator



Christopher H. Smith
Member of Congress



Chuck Grassley
United States Senator



Michelle Fischbach
Member of Congress

⁵ Budget Hearing – Fiscal Year 2026 Request for the Department of Justice. House Appropriations Committee. June 23, 2025. <https://appropriations.house.gov/schedule/hearings/budget-hearing-fiscal-year-2026-request-department-justice>

⁶ House of Representatives; Congressional Record Vol. 172, No. 5. <https://www.congress.gov/congressional-record/volume-172/issue-5/house-section/article/H255-1>. H.R. 6938 was signed into law on January 23, 2026; HR 6938, "Commerce, Justice, Science; Energy and Water Development; and Interior and Environment Appropriations Act, 2026.



John Boozman
United States Senator



Kat Cammack
Member of Congress



John Hoeven
United States Senator



Robert F. Onder
Member of Congress



M. Michael Rounds
United States Senator



Mary E. Miller
Member of Congress



Steve Daines
United States Senator



Sheri Biggs
Member of Congress



Ted Cruz
United States Senator



Harriet M. Hageman
Member of Congress



Tom Cotton
United States Senator



Riley M. Moore
Member of Congress



James Lankford
United States Senator



Glenn "GT" Thompson
Member of Congress



Kevin Cramer
United States Senator



Russ Fulcher
Member of Congress



Todd Young
United States Senator



Ben Cline
Member of Congress



Cindy Hyde-Smith
United States Senator



Andy Biggs
Member of Congress



Josh Hawley
United States Senator



Andrew S. Clyde
Member of Congress



Rick Scott
United States Senator



Michael Guest
Member of Congress



Pete Ricketts
United States Senator



Michael Cloud
Member of Congress



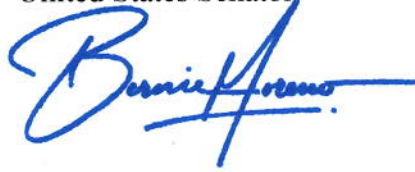
Jim Banks
United States Senator



August Pfluger
Member of Congress



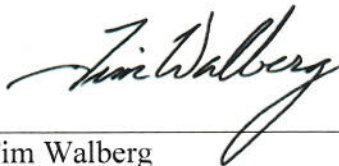
Jim Justice
United States Senator



Bernie Moreno
United States Senator



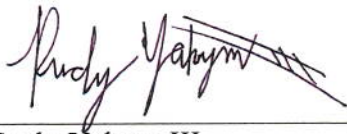
Chip Roy
Member of Congress



Tim Walberg
Member of Congress



Elijah Crane
Member of Congress



Rudy Yakym III
Member of Congress



Daniel Webster
Member of Congress



Brian Babin, D.D.S.
Member of Congress



John Moolenaar
Member of Congress



Marlin A. Stutzman
Member of Congress



Josh Brecheen
Member of Congress



Warren Davidson
Member of Congress



Gary Palmer
Member of Congress



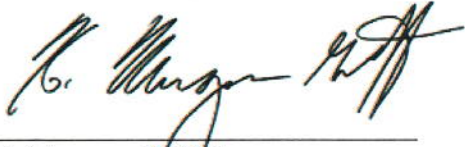
Mark Alford
Member of Congress



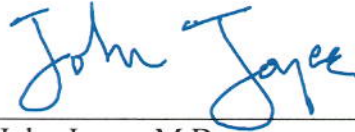
Eric A. "Rick" Crawford
Member of Congress



Ralph Norman
Member of Congress



H. Morgan Griffith
Member of Congress



John Joyce, M.D.
Member of Congress



Ron Estes
Member of Congress



John J. McGuire III
Member of Congress



Andy Ogles
Member of Congress



Mike Ezell
Member of Congress



Randy Feenstra
Member of Congress



Ronny L. Jackson
Member of Congress



Addison P. McDowell
Member of Congress

APPENDIX: Congressional Letters to the Biden Department of Justice

Bicameral Letter to DC Mayor and DC Police

April 5, 2022: Sen. James Lankford (R-OK), Rep. Jim Jordan (R-OH) sent a [letter](#) signed by 23 members of Congress to DC Mayor Muriel Bowser and the DC Police Chief after DC police [recovered the remains of five unborn children](#) at a home in DC. The letter urged a thorough investigation into the deaths of each child as well as an autopsy to determine the causes of death.⁷

Bicameral Letter to Department of Justice

April 8, 2022: Rep. Chris Smith (R-NJ) and Senator Mike Lee (R-UT) sent a [letter](#) signed by 69 members calling on Attorney General Merrick Garland to investigate whether federal crimes were committed by a DC abortionist after the [grisly discovery](#) of five dead babies.⁸ **Note: the appendix of the letter contains graphic images.*

House Member Letter to the Department of Justice

February 7, 2024: Rep. Pat Fallon (R-TX) led 45 members of Congress in [sending a letter](#) to Attorney General Merrick Garland demanding that plans to destroy the bodies of five-late term pre-born babies be halted and that the Department of Justice conduct an immediate investigation into the deaths of these babies.⁹

Letter from Ranking Member of Senate Judiciary Committee's Subcommittee on the Constitution

February 8, 2024: Senator Ted Cruz (R-TX), in his capacity as Ranking Member of the Senate Judiciary Committee's Subcommittee on the Constitution, sent a [letter](#) to DC Mayor Muriel Bowser, the DC Police Chief, and the DC Chief Medical Examiner.¹⁰

Letter from the House Judiciary Subcommittee Leadership

February 8, 2024: Rep. Chip Roy (R-TX), Chairman of the House Judiciary Subcommittee on the Constitution and Limited Government, and Rep. Andy Biggs (R-AZ), Chairman of the House Judiciary Subcommittee on Crime and Federal Government Surveillance, sent a letter to DC Mayor Muriel Bowser and the DC Chief of Police urging the DC Chief Medical Examiner not to dispose of the remains of five preborn children whose bodies were allegedly recovered from the Washington Surgi-Clinic.¹¹

Bicameral Letter to the DC Chief Medical Examiner

February 9, 2024: Senator James Lankford (R-OK) and Rep. Chris Smith (R-NJ) sent a [letter](#) to the Office of the Chief Medical Examiner calling for the bodies of the children to be preserved and a thorough investigation to be conducted.¹²

⁷ <https://www.lankford.senate.gov/wp-content/uploads/media/doc/Lankford%20Letter%20to%20Bowser%20and%20Contee%204.5.22.pdf>

⁸ https://chrissmith.house.gov/uploadedfiles/04_08_22_doj_letter_on_partial-birth_abortion.pdf

⁹ <https://www.dailysignal.com/2024/02/07/exclusive-lawmakers-demand-doj-halt-plans-by-dc-to-dispose-of-5-aborted-babies/>

¹⁰ https://www.cruz.senate.gov/imo/media/doc/cruz_letter_to_bowser_diaz_and_smith.pdf

¹¹ <https://biggs.house.gov/sites/evo-subsites/biggs.house.gov/files/evo-media-document/2024-02-08%20Roy%20Biggs%20to%20Bowser%20Smith%20re%20DC5.pdf>

¹² https://www.lankford.senate.gov/wp-content/uploads/2024/02/02_09_24-Lankford-letter-to-CME-re-DC-5.pdf