

NOT VOTING—8

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|-----------|---------|--------|
| Alexander | Cruz | Scott |
| Boxer | Rubio | Warner |
| Coons | Sanders | |

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 40.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Cloture not having been invoked, under the previous order, the veto message on S.J. Res. 22 is indefinitely postponed.

The Senator from Kansas.

MORNING BUSINESS

Mr. ROBERTS. Madam President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Washington.

43RD ANNIVERSARY OF ROE V. WADE DECISION

Mrs. MURRAY. Madam President, thank you to my colleagues who are joining me here today and so many other efforts to stand up for women. The 43rd anniversary of the Supreme Court's historic ruling in Roe v. Wade is tomorrow. This is an important time to remember how much this decision has meant for women's equality, opportunity, and health, why it is so important we continue defending the hard-won gains that women have made, and why we need to keep pushing for continued progress.

For anyone who supports a woman's constitutionally protected right to make her own health care choices, this has been a tough and trying Congress. To be honest, at the beginning of 2015, I gave my Republican colleagues the benefit of the doubt. I hoped that in the majority, they might focus more on governing and less on trying to get in between a woman and her rights. Unfortunately, that didn't last long.

Since this Congress began, more than 80 bills have been introduced in Congress that would undermine a woman's constitutionally protected right to make her own choices about her own body. The House and Senate have voted a total of 20 times on legislation to roll back women's health and rights.

That is not all. Republicans have pushed budget proposals that would dismantle the Affordable Care Act. After a summer of using deceptive, highly edited videos to discredit Planned Parenthood and try to take away health care services that one in five women rely on over their lifetimes, the House has doubled down by launching a special investigative committee to keep up the political attacks. Of course similar efforts to undermine women's constitutionally protected health care rights are underway across the country.

Nowhere is that clearer than in Texas, where an extreme anti-abortion law could force 75 percent of the clinics

statewide to close. If that law stands, 900,000 women of child-bearing age will have to drive as far as 300 miles round trip to get the health care they need.

To be clear, a right means nothing without the ability to exercise that right. Laws like HB2 in Texas and many others like it across the country, driven by extreme conservative efforts to undermine women's access to care, are without question getting in between women and their rights, especially the rights of women who can't afford to take off work and drive hundreds of miles just to get health care.

Later this year, the Supreme Court will decide whether to uphold Texas's extreme anti-abortion law. In doing so, they will decide whether women can act on the rights they are afforded in the Constitution. This law puts women's lives at risk. It is the biggest threat to women's constitutional rights in over a decade. That is why I am working with many of my Democratic colleagues to call on the Supreme Court to uphold Roe v. Wade and protect a woman's right to make her own health care decisions.

Today, as we head into a year that is absolutely critical for women, I have a message for those who want to turn back the clock. Those efforts to undermine women's health care are nothing new. Women have been fighting them for generations, and we are going to keep fighting back today. We are not going to go back to the days when because women had less control over their own bodies, they had less equality and less opportunity.

As we defend the progress we have made, we will keep pushing for more, from continuing to expand access so that where a woman lives doesn't determine what health care she can get to expanding access to affordable birth control and family planning, to fighting back against domestic violence and sexual assault, which disproportionately impacts women.

We are going to keep pushing for progress because we believe strongly that the next generation of women—our daughters and our granddaughters—should have stronger rights and more opportunity, not less.

My colleagues and I in the Senate are going to keep working hard every day to bring women's voices to the Senate floor and show that when women are stronger, our country is stronger. Let's keep up the fight.

• Mrs. BOXER. Mr. President, Roe v. Wade became law of the land 43 years ago, taking women out of the back alleys and promising them the fundamental right to make their own choices about their health care and their futures.

As we mark this milestone, the GOP and their extreme allies are doing everything in their power to take away that promise. Since 2010, States have passed 288 new laws that are designed to place barrier upon barrier between women and their critical health care. These laws have piled on outrageous requirements for clinics, providers and the women they serve—making it harder for women to get the care they need.

Texas's extreme law, HB2, is no different. The Supreme Court recently agreed to hear *Whole Women's Health v. Cole*, a case challenging HB2, which is designed to close health clinics that provide safe, legal abortions. Its proponents claim to be protecting women. In what universe is it "protecting" women by making it harder for them to access critical health care?

The answer, of course, is it's not.

This law targets women's health care providers with intentionally burdensome requirements such as mandating that physicians gain admitting privileges at hospitals within a 30-mile radius of where they practice—a provision that has already forced more than half the clinics in Texas to close.

And let's be clear: that is their goal—to shut down clinics and deny rights. If HB2 is upheld, it would reduce the number of providers from 40 to 10. Ten clinics for the second largest State in the country. This would force women to travel for hours or even to another State for care.

That is exactly what happened to Austin resident Marni, who was forced to fly to Seattle when her procedure was cancelled the night before it was scheduled because the clinic was forced to immediately discontinue providing these services after HB2 took effect. Muni said her first reaction was "to feel like my rights were being taken away from me, to feel very disappointed that elected officials had the ability to make decisions about my and my fiancé's life."

In some cases, forcing women to delay or cancel procedures could endanger their health and lives.

Vikki is a diabetic who discovered months into her pregnancy that the fetus she was carrying suffered from several major anomalies and had no chance of survival. Because of Vikki's diabetes, her doctor determined that induced labor and Caesarian section were both riskier procedures for Vikki than an abortion. Fortunately, Vikki lived in a State where she was able to have the procedure she needed to protect her life and ensure she could have children in the future.

But GOP-led state legislatures are doing everything they can to pass laws designed to deny care to women like Vikki. There are currently laws across the country to: Ban abortions; Restrict the use of the abortion pill; Ban the use of telemedicine—which allows doctors to treat patients who live far away or in rural areas and prescribe abortion medication; Require women to wait a certain time between their first doctor's visit and their procedure; and Require women go through mandatory counseling and even require an ultrasound in which medical personnel describe the image of the fetus to the patient.

This crusade is also about denying access to family planning. Yes, in the

year 2016, Republicans and their extreme allies are still on a crusade against contraception, which the Supreme Court deemed legal 50 years ago.

This is despite the fact that we know contraceptives are the best way to decrease unintended pregnancies and abortions.

This is despite the fact that 99 percent of American women who have ever been sexually active have used at least one contraceptive method—and not just to plan their families. Fifty-eight percent of women who take birth control do so at least in part to treat painful and difficult medical conditions. Of those, 1.5 million women take it solely as a medication to treat those conditions.

They are women like Sandra from Los Angeles, who suffers from polycystic ovary syndrome and has used birth control since the age of 18 to treat her condition, which could otherwise render her infertile and put her at higher risk for complications like heart disease, diabetes, and cancer. For women like Sandra, access to birth control is essential.

In fact, contraception has had such a dramatic impact on women and families in this country that the Centers for Disease Control and Prevention declared it one of the greatest public health achievements of the 20th century. A 2012 study also found that access to affordable birth control led to a decline in teen births and reduced the rate of abortions by one-half, which is a goal we all should share.

So while many of us fight to expand access to affordable birth control, the GOP is trying to make contraception more expensive and harder to get.

Ironically, so many of those who want to overturn Roe and deny access to contraceptives are the same people who say they want limited government. There is nothing limited about inserting the government between a woman, her family and their most personal health care decisions.

This is the opposite of limited government—and it is wrong and dangerous. Leaving women with no other option for health care may force them to take matters into their own hands—and in Texas, it is already happening. A recent study by the University of Texas found that as many as 210,000 women tried to end their own pregnancies since HB2 took effect in 2013.

We cannot go back to the days of back alley abortions.

We cannot undermine the promise Roe made to women 43 years ago.

In the 21st century, we cannot deny women access to family planning and other reproductive care.

But that is exactly what the GOP and their right-wing allies are trying to do.

These shameful attacks are trying to take away the real, legal health care that millions of women depend on. This is a fight that has been picked before. We have won it before, and we will win it again.

We will fight this assault on women's health.

We will fight to make sure that women across America can continue to get the services they need—and deserve.

And, we will make sure the promise of Roe v. Wade is protected for the next generation of women.●

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Madam President, I rise to mark the anniversary of Roe v. Wade. Forty-three years ago, within the lifetime of most of us here, the Supreme Court's decision effectively reversed draconian State laws prohibiting abortion and gave women power over their own health care decisions.

Before Roe v. Wade, nearly 5,000 American women died every year seeking abortion care that was legally not available to them. That number dramatically dropped after the decision because women were able to get abortion care from trained medical professionals legally, out in the open. The Court found that a woman's right to access abortion care is a fundamental constitutional right. While as with many constitutional rights, not totally unfettered, this decision enabled women to gain control over their own bodies and in turn their futures.

If the government interfered in other patient-doctor decisions the way that State and local governments have interfered with women's reproductive rights, there would be a national uproar. Why is it different when we talk about a woman's body as opposed to a man's? Can you imagine if States passed laws restricting fundamental decisions about a man's medical care? Why is it that women have to defend deeply personal decisions over our own bodies in court and in legislatures?

I recognize that there are deeply held beliefs by good people on both sides of this issue, which is why the right to choose should be left to the individual woman and her doctor. Yet ever since the Roe v. Wade decision, State and Federal lawmakers have attempted to chip away at a woman's right to make her own health care decisions.

Hundreds of laws have been passed by States to place limitations and roadblocks to a woman's right to choose. Restrictions such as mandatory delays, unduly burdensome regulations, and unscientific 20-week bans are all attempts to undermine Roe v. Wade.

In Congress we continue to see unprecedented attacks on women's reproductive health—destructive policy riders in spending bills, attacks on providers, and efforts to reduce women's access to health care services—all in the name of prohibiting abortions.

These attempts are not based on facts or science. They do not advance any public policy goals in the interest of women, which is why many of us characterize these efforts as part of a deeply anti-women agenda. Moreover, these restrictions disproportionately impact women of color and low-income women. Apparently, it is not enough to remove funding from reproductive

services. The anti-women agenda includes reducing funding from maternal health programs and services for infants and children.

The lawmakers writing these restrictions are not the ones who will have to live with their negative consequences. It is the women across the country who will have to live with these consequences.

Of course, the legal battles continue. For example, the U.S. Supreme Court will be hearing arguments later this year on a Texas law that severely restricts the ability of a woman to access safe reproductive health care. My colleague from Washington touched on the problems and challenges that this Texas law imposes. This law, which disproportionately impacts low-income women, has already severely affected the ability of women in Texas to get the reproductive care they need. The rhetoric around this case, as well as the rhetoric employed by abortion foes, has become increasingly dangerous, leading to attacks on providers, clinics, and women seeking care.

I hope we can all agree to not return to the pre-Roe v. Wade landscape, where women endangered their lives seeking reproductive care and thousands died doing so. I urge my colleagues to join me in ensuring that women can continue to control their own destinies for the next 43 years and beyond.

I yield the floor.

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Madam President, tomorrow marks the 43rd anniversary of the U.S. Supreme Court's ruling in Roe v. Wade recognizing a woman's constitutional right to liberty and personal autonomy in her decision of whether to have an abortion or not. This landmark case not only recognizes those rights, but it is also responsible for saving countless women across the country from the devastating and deadly outcomes of back-alley abortions. I want to speak to that because I have some personal knowledge here.

I was a young State's attorney in Vermont before Roe v. Wade, and I will never forget getting a call in the middle of the night from the police and going with them to the emergency room of the local hospital. The young woman who was there had nearly died from an unsafe, illegal abortion because she could not legally receive that care from a doctor. I want to speak of that tragic history today because I feel the current effort in many States to roll back Roe v. Wade by denying women access to doctors could drag women back to those dark and dangerous times.

In the years leading up to the Supreme Court decision of *Roe v. Wade*, I was the State's attorney in Chittenden County, VT. Abortion was illegal in my State of Vermont. Despite the State ban, many women desperately needed and sought this medical care, and some doctors risked their freedom and livelihood by providing women with abortions at local hospitals. These were safe abortions in medical facilities that saved women's lives and protected their health. Knowing this, I made it clear to the doctors in my county that I would not prosecute any of them for providing this medical attention to women in a medical facility. I did, however, prosecute to the full extent of the law others who preyed upon women's fear and desperation by extorting them for unsafe, back-alley abortions.

There are 100 Senators in this body. I am the only U.S. Senator who has ever prosecuted somebody in an abortion case. I vividly remember that horrific case. It was the spring of 1968, and I was called to the hospital to see this young woman, as I mentioned. She had nearly died from hemorrhaging caused by the botched abortion. I prosecuted the man who had arranged for the unsafe and illegal abortion that nearly killed her.

After that case and after witnessing firsthand the tragic impact that the lack of safe and legal abortion care had on women and families in my State, I talked to the local doctors about challenging Vermont's abortion law. A year later, a group of women and doctors brought a class action case to overturn the law. The case was styled as a suit against me as a State prosecutor, but this was a test case against the law, and I publicly welcomed the case. Even when the office of the State attorney general told me that it lacked resources to devote to any defense in this case, I decided to file briefs of my own, but the case was unable to proceed because none of the plaintiffs were seeking abortions at the time. The particular nature of the constitutional claim to abortion, which by its nature is a time-limited claim, made it extremely difficult to bring actionable cases before the courts. But later that same year, we got another chance.

The case in which I represented the State and did the briefs was *Beecham v. Leahy*, and it quickly made its way to the Vermont supreme court. At that time, our State's high court was composed entirely of Republicans, but these conservative justices understood what we had been arguing all along—that a statute whose stated purpose was to protect women's health, yet denied women access to doctors for their medical care, was sheer and dangerous hypocrisy. The court's opinion rightly questioned: Where is that concern for the health of a pregnant woman when she is denied the advice and assistance of her doctors? The court's ruling in *Beecham v. Leahy*, that protecting women's health for required access to safe and legal abortions, ensured that

the women of Vermont would no longer be subjected to the horrors of back-alley abortions. It was a victory for women's health in Vermont. Even though the attorney general moved for reargument, I told the court as the State's attorney that I had no objection to the ruling and concurred with it.

A year later the U.S. Supreme Court in *Roe v. Wade* held what is now the law of the land. Women have a constitutional right to their autonomy and bodily integrity that protects their decision to have an abortion and to make that decision with their doctors.

I recount this history not just to mark another year of women's rights and safety under both *Roe v. Wade* and *Beecham v. Leahy*, but also to connect the history to the attack today on women's access to safe and legal abortions that are threatening to take us back to those times. States looking to roll back women's rights have returned to penalizing doctors to deter them from providing women with safe health care. What I find most appalling is that States that are passing these laws claiming they somehow protect women's health. Yet these laws have nothing to do with women's health, and they have everything to do with shutting down women's access to safe and legal abortion. When you deny women access to doctors for medical services, you deny them their constitutional rights. You also deny them their safety and, in some cases, their lives. This is a fact that legislators passing these laws either callously ignore or willfully choose not to hear.

I still remember that case as though it was yesterday. I still remember that young woman, and I still remember the history of the person who was performing those illegal abortions. That is why I joined an amicus brief with 37 other Senators and 124 Members of the House in the *Whole Women's Health v. Hellerstedt* case currently before the Supreme Court. Our brief urges the Court to overturn a State law that requires doctors who provide abortions to meet onerous restrictions that apply to no other medical procedures and are completely unrelated to protecting women's health.

The Texas law at issue would have the effect of shuttering 75 percent of all women's health clinics that provide abortion services in the State if the full law were implemented, as well as possibly shuttering all the other services they provide. Already, parts of the law in effect have had a devastating impact on women's health. As a University of Texas study of women showed, after the law went into effect, an estimated 100,000 to 240,000 women have tried to end their pregnancies on their own without seeking medical attention. The study found that women, with nowhere to turn, resorted to herbs, illicit drugs, and even self-harm.

That this law was passed under the pretense of women's health is a travesty, and it should be struck down. The

Supreme Court Justices cannot ignore the impact upholding this State law will have on hundreds of thousands of women in Texas and across the Nation.

When I see these efforts to prevent women's access to safe and legal medical services, I think about all the young women in Vermont who have grown up knowing only that the U.S. Constitution and the Vermont Constitution protects their liberty and also recognizes that they are capable of deciding for themselves matters that control their lives and their destiny. I hope they and the generations after them never experience otherwise from the Supreme Court.

I will speak further on this subject another time, but when I think about what that young woman in Vermont turned to, I am glad our case to uphold our Constitution's right to privacy, *Beecham v. Leahy*, is on the books. I applaud the very conservative, very Republican Supreme Court Justices who wrote it in a nearly unanimous opinion.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PERDUE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING ZIPPY DUVALL

Mr. PERDUE. Madam President, we are celebrating a first in Georgia history today. Last week our State's Farm Bureau president, Zippy Duvall, was elected by the American Farm Bureau Federation to serve as its 12th president. I join my fellow Georgians in congratulating Zippy on this honor and look forward to working with him in this new role.

Zippy, as he is affectionately known—and that is his real name—first became a member of the Farm Bureau in 1977. He is a third-generation dairy farmer and currently maintains a beef cow herd and poultry production operation. To the Duvalls, farming is a business, a lifestyle, and a proud family tradition. As a dairyman, Zippy is accustomed to hard work, and he will be a tireless champion for the agricultural industry. He understands the importance of a safe and abundant food supply for consumers across the Nation and globe.

Zippy traveled over 55,000 miles and visited 29 States to meet with Americans and discuss his vision for the future of American agriculture. He heard from farmers and ranchers across our country—just as we have in the Senate—that something has to be done to defend citizens against a runaway government. From taking action against the EPA's power grab of our Nation's water, to promoting a climate of abundant trade and supporting a safety