

Administration of Joseph R. Biden, Jr., 2022

Remarks on Abortion Rights

October 18, 2022

The President. Good afternoon.

Audience members. Let's go, Joe! Let's go, Joe! Let's go Joe!

The President. [Laughter] Thank you.

Well, folks, thank you for giving me the opportunity to speak to you. Look, Doc, thanks for that introduction.

And you know, we're only 22 days away from the most consequential election in our history, in my view—in recent history at least—elections where the choice and the stakes are crystal clear, especially when it comes to the right to choose.

And on January 22, 1973—I hate to admit this, but I was a freshman, a 30-year-old freshman United States Senator—[laughter]—and the Supreme Court issued its opinion on *Roe v. Wade*, establishing a fundamental constitutional right to choose.

Nearly 50 years later, on June 24 of this year, the Court issued the *Dobbs* decision. A woman—and all across the country, starting in my house, lost a fundamental right. I want to remind us all how we felt that day when 50 years of constitutional precedent was overturned.

[At this point, the President picked up a hand-held microphone.]

I'm going to use this mike if it's okay.

The anger, the worry, the disbelief, the unbelievable fact that for the first time in our history, the Supreme Court didn't just fail to preserve a constitutional freedom, it actually took away the right that was so fundamental to Americans. It took away a right. And the fear that now—that most personal decisions may not only be made by the woman and her doctor, but by politicians to make that decision.

The *Dobbs* decision—the Court practically dares women to go ahead and lead and be heard. One of the most extraordinary parts of that decision, in my view, was when the majority wrote, quote, "Women are not without electoral"—"are not"—excuse me—"are not without electoral or political power."

Let me tell you something—[laughter]—the Court and the extreme Republicans who have spent decades trying to overturn *Roe* are about to find out. As they say in one of the towns I grew up, "They ain't seen nothin' yet." Just take a look at what happened in Kansas. And come this November, we're going to see what happens all over America, God willing.

You know, it's only been 4 months since the *Dobbs* decision, but we're no longer have to imagine the chaos and the heartache it's causing. In just 4 months, abortion bans have gone into effect in 16 States; 26.5 million women of reproductive age already live in States subject to these bans.

Today, in America, there are women who have been turned away from emergency rooms while having miscarriages, losing wanted pregnancies, and told they need to wait until they're sicker before they get the care they need. And there are survivors of rape and incest who have been denied access to health services in their home States and been forced to travel to States that do provide that care.

And there's so much confusion and uncertainty that doctors and nurses fear they could face criminal charges for just doing their job responsibly. Patients are being denied prescriptions that they've been taking for years for conditions like rheumatoid arthritis and osteoporosis, you know, because pharmacies are concerned that those drugs could also be used to terminate a pregnancy, so they're not giving them their prescriptions.

That's not all. I've warned about how this decision risks the broader right to privacy for everyone. There's a thing called the Ninth Amendment. It says there's a right to privacy. It's how it was interpreted back then.

Well, guess what, folks? That's because *Roe* recognized the fundamental right to privacy that has served as a basis for many more rights that are—were to come and to take—we've taken for granted of late. And they're ingrained in the fabric of this country: the right to make a decision—the best decision for your health; the right to birth control—the right that I pushed hard and it finally got changed—the married couples in the privacy of their bedroom. Excuse me. The—I'm thinking about the *Dobbs* decision.

Imagine—well, I'll get to that in a second with Clarence Thomas. [*Laughter*] But the right to marry who you love.

Look, folks, Justice Thomas said as much in his concurring opinion in the—*Dobbs*, writing, quote, "In future cases, we should reconsider all of this Court's substantive due-process precedents, including *Griswold*"—we're getting to the whole idea of contraception—"Lawrence and *Obergefell*."

Look, folks, meanwhile—and I just want to make clear—I know you all know, but I'll make sure—they're talking about the right to use contraception and the right to marry who you love. I mean—anyway, I don't want to get started. [*Laughter*]

Meanwhile, congressional Republicans are doubling down on their extreme positions. Kevin McCarthy, the Republican leader of the House, has said that if they take control of the House, our work is, quote, "far from done." He wants the United States Congress to pass a law that would ban abortion nationwide.

Senator——

Audience members. Boo!

The President. Well——

Senator Lindsey Graham called for an abortion ban that criminalizes doctors and nurses who provide medical care for their patients in need. If Republicans get their way with a national ban, it won't matter where you live in America. So let me be very clear: If such a bill were to pass in the next several years, I'll veto it. But we can't let it pass in the first instance.

Immediately after the *Dobbs* decision came down, I signed an order and my administration took a number of actions to protect the access to reproductive health care, including emergency medical care; to protect a woman's right to travel from a State that prohibits abortion to a State that allows it; and to protect the privacy of sensitive health information preserving—preventing States from tracking women who are seeking help, because that's what some will do.

But as I said when the *Dobbs* decision—we're fighting a battle in the courts as well. But as I've said in the *Dobbs* decision, when it was released, I want to repeat it again: The only sure way to stop these extremist laws that are—put in jeopardy women's health and rights is for Congress to pass a law. And I've said before: The Court got *Roe* right nearly 50 years ago, and I believe Congress should codify *Roe* once and for all.

Right now we're short a handful of votes. If you care about the right to choose, then you've got to vote. That's why, in these midterm elections, it's so critical to elect more Democratic Senators to the United States Senate and more Democrats to keep control of the House of Representatives.

And, folks, if we do that, here is the promise I make to you and the American people: The first bill that I will send to the Congress will be to codify *Roe v. Wade*. And when Congress passes it, I'll sign it in January, 50 years after *Roe* was first decided the law of the land.

And together, we'll restore the right to choose for every woman in every State in America. So vote. You've got to get out the vote. We can do this if we vote.

Folks, I also have a message for the young people of this Nation. I've always believed that this generation is—the young generation represents the best educated, most talented, least prejudiced generation in American history, and that today we face an inflection point, one of those moments that only come around every several generations where there's so much change happening—technologically, politically, and socially—that the decisions we make now are going to determine the future of our Nation and the future of your generation for the next 30 or more years, and it only happens once every five, six generations.

I know that you may feel like it's an added burden on top of all you've already been through and this young generation, my grandchildren and children, have been through.

I'm not saying you have to shoulder the burden alone. The task at hand and the task ahead is the work of all of us. What I am saying is, you represent the best of us. Your generation will not be ignored, will not be shunned, and will not be silent. Just look at what happens when you speak out.

Two years ago, perhaps many of you voted for your first time in an election or volunteered for your—work in your first election. You understood the choices and the stakes. And because of your experience and power to vote, you elected me President and Kamala Vice President, the highest ranking woman ever to be elected in American history.

And since then, with your help, we've delivered enormous progress for the Nation—the most significant gun safety law in 30 years. And by the way, if you give me a Democratic Congress, we're going to ban assault weapons again. I did it once, I'll do it again.

And the most significant infrastructure law in 70 years. Have us—you know, we ranked something like in the twenties, in terms of infrastructure—the United States of America, for God's sake. We made the most significant commitment ever in all of history to protect our environment—ever, ever, ever—\$360 billion.

And with your help, we're forgiving student debt. By the way, we really worked hard to get the system right as to how you apply. Just since yesterday, 4 million more people applied.

I'm keeping my promise that no one should be in jail merely for using or possessing marijuana. You should not be in jail.

Together, we're making sure our democracy delivers for people, but we know there's much more progress that needs to be made. And we know that there remains real options.

In 2020, you voted and delivered the change you wanted to see in the world. In 2022, you need to exercise your power to vote again for the future of our Nation and the future of your generation.

So let me close with this. I'm asking the American people to remember how you felt—how you felt—that day the extreme *Dobbs* decision came down and *Roe* was overturned after 50 years. And I'm asking you—and by the way, it's not just affecting your generation—young

generation. It's affecting children, moms, grandmoms, grandpops, all—the entire generations all the way across the board.

And I remember asking—I want you to remember that the final say does not rest in the Court now; it does not rest with extremist Republicans in Congress—and finally say—finally say—about your right to choose, that it rests with you. And if you do your part and vote for Democratic leaders in Congress, I promise you, we'll do our part. I'll do my part.

And with your support, I'll sign a law codifying *Roe* in January.

Together, let's remember who we are. We are the United States of America, and there's nothing beyond our capacity. So vote, vote, vote!

God bless you all, and may God protect our troops. Thank you.

I'm sorry——

[The President turned to address audience members standing on the stage behind him as a musical recording began to play over the sound system. He then returned to the podium and spoke as follows.]

I was apologizing for my back.

[The music stopped playing.]

My mother would be very angry. I was talking with people with my back to them. I apologize. *[Laughter]*

So thank you all so very, very much.

NOTE: The President spoke at 12:45 p.m. at the Howard Theatre. In his remarks, he referred to Jennifer C. Villavicencio, lead for equity transformation, American College of Obstetricians and Gynecologists, who introduced the President.

Categories: Addresses and Remarks : Abortion rights.

Locations: Washington, DC.

Names: Graham, Lindsey O.; Harris, Kamala D.; McCarthy, Kevin O.; Thomas, Clarence; Villavicencio, Jennifer C.

Subjects: Civil rights : Freedom of speech; Civil rights : Privacy; Civil rights : Same-sex marriage; Congress : House of Representatives :: Minority leader; Drug abuse and trafficking : Decriminalization and legalization; Education : Postsecondary education :: Federal student loans, partial forgiveness; Elections : 2022 congressional elections; Elections : Voter participation; Environment : Carbon emissions, reduction efforts; Health and medical care : Abortion; Health and medical care : Contraception and family planning; Health and medical care : Women's health issues; Infrastructure, national improvement efforts; Judiciary : Judicial review; Judiciary : Supreme Court :: Associate Justice; Judiciary : Supreme Court :: U.S. Supreme Court opinion overturning 1973 decision in *Roe v. Wade*; Law enforcement and crime : Gun control; White House Office : Vice President.

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