

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

net—not a guarantee on farm prices—to pursuing policies that enhance the availability and affordability of all energy resources, I am glad to know Zippy Duvall will be leading in these and many other areas.

Agriculture is a strategic industry not only for Georgia but also for our Nation. I join our country's farmers and ranchers in the pursuit of a strong, safe, and abundant industry. Our kids and our grandkids depend on this. I am very confident that with leaders like Zippy, we can actually do this.

Congratulations to Zippy, his wife Bonnie, and the entire Duvall family as they begin this exciting chapter together. This election is a great victory not only for Georgia but also for all of agriculture. I look forward to working with Zippy and the members of the American Farm Bureau Federation to promote a strong, safe, and abundant future for our agricultural industry in the United States.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

BIPARTISAN SPORTSMEN'S ACT

Mrs. FISCHER. Madam President, I rise to thank and congratulate my Environmental and Public Works Committee colleagues on the Bipartisan Sportsmen's Act. This legislation will now join the Senate Energy and Natural Resources Committee's sportsmen's package that was approved last fall. I hope this legislation can now swiftly advance to the Senate floor for consideration and approval.

As a member of the EPW Committee and vice chair of the Congressional Sportsmen's Caucus, I am grateful for the opportunity to work with my colleagues on legislation to promote our country's hunting, fishing, and conservation heritage. The Bipartisan Sportsmen's Act includes a broad array of bipartisan measures that enhance opportunities for hunters, anglers, and outdoor recreation enthusiasts by preserving our Nation's rich outdoor heritage.

This bill also expands and enhances hunting and fishing opportunities on Federal lands by establishing a more open policy for recreational activities to gain access on public lands. The bill also provides States with more flexibility to build and maintain public shooting ranges, allowing greater opportunities for more Americans to engage in recreational and competitive shooting activities.

It prevents groups from restricting ammunition choices, which would unnecessarily drive up costs, hurt partici-

pation in shooting sports, and consequently decrease important conservation funding. I am especially encouraged by the fact that this bill includes a bipartisan amendment which is identical to the Sensible Environmental Protection Act that I promoted with Senators CARPER and CRAPO. It targets the duplicative permitting of pesticides under FIFRA and the Clean Water Act.

This duplicative process has created unnecessary burdens on resources for pesticide users such as private homeowners, businesses, golf courses, local water, and natural resource authorities, and of course the sportsmen's community.

All across the country sportsmen and outdoor enthusiasts utilize pesticides for critical habitat management by suppressing harmful pests and vector-borne diseases, which threaten outdoor activities of all kinds. Eliminating harmful and invasive pests is crucial to vegetation and ecosystem management.

This legislation clarifies that the NPDES permits should not be required for the application of pesticides that are already approved by the EPA authorized for sale, distribution or use under FIFRA. These products benefit outdoor recreation enthusiasts by protecting and maintaining natural habitats.

Another priority that I championed increases transparency for the Judgment Fund. This provision will help our efforts to track taxpayer-funded litigation that impacts public lands policies. As my colleagues may know, the Judgment Fund is administered by the Treasury Department and is used to pay certain court judgments and settlements against the Federal Government. Essentially, this fund is an unlimited amount of taxpayer dollars which is set aside for Federal Government liability.

The Judgment Fund is not subject to the annual appropriations process, and even more remarkably, the Treasury Department has no reporting requirements so these funds are paid out with very little oversight or scrutiny. This is no small matter, as the Judgment Fund disburses billions of dollars in payments every year. Since the Treasury Department is not bound by reporting requirements, few public details exist about where the funds are going and why.

The Public Lands Council has denounced the lack of oversight of the Judgment Fund, stating that "certain groups continuously sue the Federal Government and Treasury simply writes a check to foot the bill without providing Members of Congress and American taxpayers basic information about the payment." This kind of litigation can have a major impact on sportsmen and others who enjoy multiple uses of Federal lands. A GAO report regarding cases filed against the EPA showed a disturbing pattern where groups and big law firms are

suing under the same statutes to push a political agenda through the courts. The legislation I introduced with Senator GARDNER, known as the Judgment Fund Transparency Act, has been included as a provision in ENR's Sportmen's Act. It will bring these cases to light. Simply put, more transparency leads to greater accountability.

Members of Congress have worked hard on the Bipartisan Sportsmen's Act for the last 6 years. It is time for the Senate to take action. We have the opportunity to provide the sportsmen's community with the certainty that they need to allow important conservation work to thrive without fear of destructive Federal redtape.

I am proud to be the vice chair of the Sportsmen's Caucus, and I look forward to continuing our work to advance these important legislative measures.

I thank the Presiding Officer.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold her suggestion?

Mrs. FISCHER. I will. I see Senator BLUMENTHAL on the floor.

I thank the Chair.

Mr. BLUMENTHAL. Madam President, I thank my colleague from Nebraska, and I thank the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

43RD ANNIVERSARY OF ROE V. WADE DECISION

Mr. BLUMENTHAL. Madam President, I come to the floor on two issues of great importance to our Nation, both involving the rights and opportunities of individuals to live in the greatest, strongest Nation in the history of the world, with the tremendous opportunity to fulfill their dreams and their rights—rights to enhance themselves and rights of privacy.

Tomorrow we will celebrate the 43rd anniversary of the Supreme Court decision *Roe v. Wade*. As I recall well from my days as a law clerk to Justice Blackmun in the term following *Roe v. Wade*, that was a bitterly controversial decision, but it was one that we thought at the time would assure every woman of her constitutional right to make her own decision about whether and when to have a child, based on the fundamental right of privacy that decision enshrined and expressed and protected.

Unfortunately, those great hopes have been dashed. Over the last four decades, this constitutional right to reproductive care has been under attack throughout this country. Rather than advancing the health and well-being of women, legislators in a lot of States, and even in the Federal Government, have put themselves squarely between women and their health care providers, denying that fundamental right of choice that *Roe v. Wade* guaranteed.

That practical reality means that *Roe v. Wade* has been far less effective