

clear rejection of the hate and division that President Trump campaigned on and in strong support of every woman's rights.

This past weekend, we also recognized the anniversary of the historic ruling in *Roe v. Wade*, a decision that has empowered women and expanded economic opportunity and security for families for more than four decades.

I have heard story after story from Washington State and across the country about what *Roe v. Wade* means for women. It means being able to plan your family, to be able to pursue your dreams and give back to your community. But perhaps most importantly, the decision in *Roe v. Wade* sent a clear message that access to abortion—a woman's right to make the most personal of all decisions herself—is fundamental to her freedom and her ability to chart her own path.

Now we have already seen extreme politicians in State after State do everything they can to undermine access to abortion. But, today, the constitutionally protected rights these women have had now for 44 years are, unfortunately, more at risk than ever as a result of President Trump's extreme and deeply harmful agenda.

He has promised to pick Supreme Court nominees whose beliefs about women's reproductive rights simply could not be more backwards or damaging. Unfortunately, in what looks like a sign of things to come, the President yesterday signed an Executive order limiting access to safe abortion and other family planning services on women worldwide by reinstating the global gag rule.

I want to be very clear. If the President continues down this path, women will be hurt. Their lives will be put at risk, and the same goes for women around the world. So I am very concerned, and I am angry.

But if Saturday's march proved anything, it proved that women and men across this country are more motivated than ever, and, frankly, so am I.

Now, I can understand why President Trump may not have wanted to hear from the hundreds of thousands of marchers who completely filled the National Mall on Saturday or the millions more who marched nationwide in every State—coast to coast—and on every continent. But if he didn't get the message, this is just the beginning.

The millions of women and people who care about women's rights and their access to health care are going to keep standing up, and we in the Senate are going to continue to stand with them and fight back every step of the way and do everything in our power to make sure that our country does not go backwards. It will not be easy, but I know we can do it if we keep marching together.

Thank you. 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. BLUMENTHAL. Mr. President, I suggest unanimous consent that the order for the quorum call be rescinded.

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

44TH ANNIVERSARY OF ROE V. WADE

Mr. BLUMENTHAL. Mr. President, this past Sunday we celebrated the 44th anniversary of the Supreme Court decision in *Roe v. Wade*, a ruling that assured every woman of her constitutional right to make her own decision about whether and when to have a child. That fundamental constitutional right is the right to privacy, which all women should cherish and protect.

This weekend, in fact, many of us in Washington, DC, and around the country marched in the streets of our home States—or here, as I did—in support of these ideals and values, including the right to privacy, other civil rights and liberties, economic opportunity, and women's access to health care, which truly make America great.

Fundamental to the principle of women's access to health care is the *Roe v. Wade* decision that reaffirms the constitutional right to reproductive decisions made by women individually on their own in consultation with their health care providers, their families, their clergy. I was a clerk for Justice Blackmun in the term after *Roe v. Wade* was decided, and I can tell you that we all believed then very strongly that that Supreme Court decision would put to rest the question of legal access to abortion in this great country.

In fact, it did not. Despite 7 in 10 Americans opposing the potential overturning of *Roe v. Wade* according to a recent survey by Pew Research Center, the outliers and extremists still seek to eliminate the right to legal abortion. That broad public support was embodied in the spirit and dedication shown over this past weekend by protesters across the world, and I was reminded yet again that we must continue to fight for what we believe, particularly in light of the ongoing threats to and attacks on women's health care.

Efforts to undermine these rights have redoubled in recent years, and throughout the past decade we have seen unprecedented attacks through State efforts to chip away at that virtually protected constitutional right. From 2011 to 2016, there were 334 restrictions enacted by States that would cut back on *Roe v. Wade* rights, accounting for 30 percent of all abortion restrictions since the U.S. Supreme Court decided that case.

The force dedicated to enacting these restrictions, which are designed to undermine the right to reproductive health care, can be particularly disheartening as they disregard the health needs of the most vulnerable population of the women who are most often impacted, by also seeking, or at

least claiming to seek, to advance women's health care. In fact, many of those restrictions are a ruse. They are enacted in the name of health care but are a disguise for restrictions on health care. They have left many women, particularly in rural and underserved locations, with little access to health care, including basic care such as cancer screening, STD testing, and preventive health care. Clearly, improving women's health care has failed to be the focus of State legislatures in these instances, as they have actively worked to restrict access to care and chip away at the constitutional protections provided in *Roe v. Wade*.

I joined with Senator MURRAY in leading a total of 163 Members of the House and Senate in filing an amicus brief in the case of *Whole Woman's Health v. Hellerstedt*. Last summer, the Supreme Court overturned the restriction at issue in that case, reiterating and clarifying the "undue burden" standard in *Roe* and debunking the lie that anti-choice extremists have been pushing for years—that medically unnecessary, onerous restrictions on clinics and clinicians that provide women abortions do not make women safer. In fact, they simply constrain access.

I am hopeful that this decision will help stem and stop the assault on women's health care taking place in so many States and communities around the country. So I am joining with my colleague, Senator MURRAY, who was here just minutes ago—a wonderful champion of this cause—as well as Senator SHAHEEN, whom I believe will be speaking later today on *Roe v. Wade*'s anniversary, in pushing back on this policy by introducing legislation to permanently repeal the global gag rule that the Trump administration, as one of its first acts, has announced, which will reverse much of the progress that President Obama made in relation to international family planning. This legislation will seek to move that progress forward again and forestall the effort to roll back that process and turn back the clock. I will oppose any and all efforts by the Trump administration to move our country backwards, including yesterday's reversion to the global gag rule.

This 44th anniversary of *Roe v. Wade* should be a reminder about the importance of fighting for the right of privacy, the right to live life free of governmental interference, and, as one of our Supreme Court Justices said, the right to be let alone—in effect, let alone from government interference.

It is a right that I have fought for and that so many others have fought for throughout my career and throughout my time as a Senator and the attorney general of Connecticut. It is a right we should all continue to keep at the forefront of our work here in the Senate and for all of us in this country.

Thank you. 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.

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

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

PATIENT FREEDOM ACT

Mrs. CAPITO. Mr. President, I rise today to talk about an issue that is important to all of us.

We are, obviously, a nation in transition. Recently, the Senate took the first steps to repeal ObamaCare and begin a transition toward policies that will ensure continued access to health care with more affordability and flexibility for all. We need a stable transition that will empower Americans to make the best health care decisions for their families.

In my home State of West Virginia, ObamaCare has been very difficult for many. It has meant skyrocketing premiums and skyrocketing copays and deductibles for families and small businesses. It has meant little, if any, choice of insurers. As a matter of fact, for the first several years, we had no choice. We now have two insurers in several counties, but in the beginning, the entire State had no choice.

It has meant fewer choices of doctors and hospitals, as networks shrink and plans become more restrictive. Now we must repair what can be fixed, scrap what is not working, and create a better health care reality for all Americans.

I have spoken with small business owners who have absorbed the cost of increased insurance, but their employees are getting less coverage. I have spoken to families who may have health insurance, but due to the high deductibles and copays, they don't use it. They can't afford to even go. I have also heard from those in my State who have real concerns about what this transition will mean to them. This is especially true for those who receive coverage through Medicaid.

My State is one of the States that did an expanded Medicaid. For all of these West Virginians—and there are somewhere around 177,000 new folks who are on Medicaid—whether they are the Medicaid recipients or the business owners and families who are currently struggling, we need to have health insurance that works for everybody.

So I want them to know—and many of them have called my office, and I have talked with them a lot in our State—that I am listening to their concerns. As we move forward, I am working to balance each of these needs and ensure access in West Virginia and across the Nation to affordable, quality health care.

To achieve this goal, I am joining Senators CASSIDY, COLLINS, and ISAKSON to introduce an alternative to ObamaCare which was introduced yesterday. It is called the Patient Freedom Act. It sounds good. We are really

good at making names that sound good, but the Patient Freedom Act lives up to its name.

The Patient Freedom Act of 2017 removes ObamaCare's most burdensome regulations. It provides our States, which are closest to the people who are accessing health care, the opportunity and funding to ensure that those currently covered by Medicaid expansion are protected and retain their health coverage. It returns authority to the States and provides more health care choices and better insurance options to individuals and families. It keeps important consumer protections, such as coverage for preexisting conditions, and extends coverage to children and dependents until the age of 26—both very popular parts of the ACA. It protects the Federal black lung benefits program, which is especially important in my State of West Virginia and the surrounding areas.

In addition to all of those important changes, it gives States a pathway forward for replacing ObamaCare. Specifically, following repeal, which we know we are going to do, States will have three options. First, a State, if it so chooses, could choose to reinstate ObamaCare, or a State could go without Federal assistance and opt to not receive any Federal funding for tax credits or Medicaid expansion. Finally, a State could choose an innovative replacement plan where the State determines its own insurance regulations. In this scenario, the State would be eligible for 95 percent of the funds it would receive under ObamaCare, and the Medicaid expansion would be fully funded. For a State like West Virginia that has already expanded Medicaid, the State could either keep its Medicaid expansion as is, or they could convert it to subsidies to help individuals purchase the private insurance.

Under this plan, individuals would use a Roth Health Savings Account to purchase health care. This would enable uninsured individuals to purchase health insurance that meets their specific needs. States would have the option to auto-enroll uninsured individuals into a standard health care plan, with individuals able to easily opt out if they didn't want it. Auto enrollment would ensure stability and soundness to our insurance markets.

The Patient Freedom Act is a smart, innovative way forward and meets the varied needs of people in my State of West Virginia and across the country. The legislation reflects Senator CASSIDY's experience as a physician, and I thank him for his innovation—he has worked with patients who are uninsured—and I appreciate his leadership so much, as I do Senator COLLINS in particular and Senator ISAKSON as another cosponsor. As other replacement plans are drafted and introduced in the Senate, I will evaluate those proposals to ensure they meet West Virginians' health care needs. I am committed to replacing ObamaCare with a system that offers us more choice. We can fig-

ure this out; we know what we need—lowers cost gives patients and families more control—because, together, we can achieve a health care system that works for everybody.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The assistant Democratic leader.

REPEALING THE AFFORDABLE CARE ACT

Mr. DURBIN. Mr. President, I was listening carefully to the comments made by my colleague from West Virginia. I thank her for coming to the floor and expressing her feelings about the Affordable Care Act. It is truly an article of political faith on the Republican side that we must repeal ObamaCare. We have heard that for 6 years, maybe longer, and each and every time, Democrats have asked: And then what?

We have asked Republicans: What would you replace ObamaCare with? Until some of the most recent moments, there was never an answer. Now they are starting to put at least some ideas forward, but repealing ObamaCare and then talking about the possibility of replacement is a disaster. It is an invitation to uncertainty and chaos. We might expect that from a Democratic Senator who voted for the Affordable Care Act, but what I ask my colleagues in the Senate to do is, please go home. Please go back to your States. Do as I did yesterday. I called together the administrators of hospitals in Central Illinois, smalltown rural hospitals and larger hospitals such as Memorial Medical Center in my hometown of Springfield. I asked them, in a nonpressurized setting: What would you do? What is wrong with the Affordable Care Act? How would you change it? What would be the impact of repeal?

I knew, and they did as well, that there had been some reports from the Congressional Budget Office. Just last week, the nonpartisan Congressional Budget Office told us exactly what repeal without replace would look like: 18 million Americans would lose health insurance in 12 months, 32 million within 10 years. According to the Congressional Budget Office, if they went through with the Republican repeal plan, premiums in the individual health insurance market would increase by 20 to 25 percent the first year and double within 10 years.

Despite this, on his first day in office, President Trump signed an Executive order that began to dismantle our health care system. We still haven't seen the President's secret replacement plan, even though he has repeatedly said he wants to replace the law at the same time he repeals it, and we are going to be so proud of what he does.

Let's talk about what repeal without replace means in Illinois, now that I have taken it home and asked the people who are actually running the hospitals. With repeal, 90,000 young people