

Democrats will prove their party has been totally captured by the far-left branch.

My colleague, the Democratic leader, controls the schedule. He decides what we vote on. From inflation to the border crisis, to violent crime, there is no shortage of problems that deserve attention, but, alas, today Democrats have decided to line up behind an extreme and radical abortion policy. Our Democratic colleagues want to vote for abortion-on-demand through all 9 months, until the moment before the baby is born—a failed show vote that will only prove their own extremism.

The Democrats' radical bill is as extreme as extreme gets. It ignores modern science. It is tone-deaf to public opinion. Nothing about their bill merely codifies the current case law on this issue. Their extreme proposal goes way, way beyond codifying the status quo. It would roll back many existing laws.

Democrats' bill would functionally allow elective abortion through all 9 months, abortion until the moment of birth. We are currently one of only seven countries worldwide that allow elective abortion after 20 weeks. It puts us in a group with China and North Korea. This bill would take us to an even more extreme and darker place.

Only 19 percent of Americans believe that abortion should be legal in most or all cases into the third trimester—only 19 percent of the American people. But 97 percent of House and Senate Democrats have cosponsored this bill that would have exactly that effect. Ninety-seven percent of Washington Democrats stand with the most radical 19 percent of the country. Almost half the Senate is about to walk the plank for a position that fewer than one in five Americans actually support.

In addition to 9 months of functional abortion-on-demand, the Democrats' extreme bill would roll back basic health and safety regulations. It would roll back overwhelmingly popular safeguards such as waiting periods and informed consent laws. Parental notification would likely go out the window as well. Democrats would even rule out restrictions on sex-selective abortions. And their legislation takes direct aim at conscious protections and religious freedoms that protect Americans of faith who practice medicine.

So let's sum it up. This legislation would allow abortion to viable babies in the ninth month, with no waiting period or informed consent, at the hands of a nonphysician. Taxpayers could be forced to pay for it, and Catholic hospitals would be forced to perform it.

Democrats could not have written more extreme legislation. They have let fringe activists lead them far away from the American people. More than 60 percent of Americans support 24-hour waiting periods and requiring that doctors have admitting privileges. Even majorities of self-identified Democrats actually support those

things. But Washington Democrats want to roll them back. Only 19 percent of Americans want abortions to be entirely or mostly legal into the third trimester, but 97 percent of Washington Democrats back this bill.

Democrats are melting down because the Supreme Court may—may—uphold a Mississippi law that would limit abortion after 15 weeks. That law would still be more liberal than the abortion laws in Switzerland, Germany, or France. Today's Democratic Party is extreme on an international scale.

So, Madam President, it is chilling that anybody would write legislation like this in 2022. It is even more disturbing that 97 percent of Washington Democrats have put their names on it. But the American people need to see what the far left has become.

So I am glad—glad—the Senate will vote today. We will stand with the American people, stand with innocent life, and block the Democrats' extreme bill.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I have to disagree with the distinguished minority leader.

The bill that we are going to vote on this afternoon is legislation that would ensure that the decisions about whether or not to have a child are made by women. It would codify *Roe v. Wade* to ensure that women make those decisions—not the minority leader, not Justice Alito, not some politician someplace but women. And that is who should make those decisions.

I rise today to add my voice to the chorus of American women who are standing together, arm in arm, to loudly and clearly declare that we will not surrender our rights.

Like the majority of women in New Hampshire and across this country, I was outraged by the leaked draft Supreme Court decision by Justice Alito that said that the Supreme Court would overturn *Roe v. Wade*; that they would overturn almost 50 years of rights that have been guaranteed to women. So I rise today on behalf of the women of New Hampshire and the women across this country, including my daughters and granddaughters and the generations that will follow them.

I rise today that we must preserve a woman's fundamental right to make our own decisions about our own bodies, about our futures, and about our health.

Like millions of women across the country, I was shocked to see that opinion, written by Justice Alito, indicating that five Justices would vote in favor of overturning *Roe*. That decision, if it stands, would upend nearly 50 years of precedent that says a woman's healthcare decisions are ours and ours alone, in consultation with our families, with our physicians, with our clergy.

This Nation is built on the bedrock of liberty. Our founding declaration holds

that life, liberty, and the pursuit of happiness is among the most essential of unalienable rights that are guaranteed to all Americans. The fundamental right to make decisions about our own bodies touches on each of these.

The decision to have a child is one of the most personal and private that women and families make. And that is exactly who should make that decision, not some extreme politician in Washington or in State capitals across this Nation, not some Supreme Court Justice—people who know nothing about the circumstances that women and their families are facing.

How dare they presume to substitute their judgment? What does it say about the moral righteousness, the self-righteousness of a politician or an unelected jurist over individual women on a matter that is so ultimately personal, so pivotal to every single aspect of the lives of women and families?

We have already heard from the minority leader that Republicans, if they gain control of the Senate and the House, will seek a nationwide ban on abortion. It is a sad day when people at the highest levels of government, who are entrusted to defend our Constitution, to safeguard our citizens, can no longer be trusted to do either.

Unfortunately, we know today that nearly half of the States in this country have already pushed through what we are calling trigger laws that would automatically roll back the clocks by half a century if *Roe* is repealed. That would immediately jeopardize the fates of millions of women across this country. Seventeen of those States would outlaw abortions even in cases of rape and incest. This is the extreme position, the position that says that we should leave up to government, we should leave up to elected officials the decision about whether families should have children, the decision about whether a woman should have a child. That is who should make that decision, not a politician here, not a politician in my State capital of Concord, not a Supreme Court Justice but a woman—and her family—who understands her own circumstances, who knows what she and her family need.

We need to ensure that the freedom for women to make these decisions is guaranteed. That is what this vote is about this afternoon to codify *Roe v. Wade*.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### WOMEN'S HEALTH PROTECTION ACT

Mr. THUNE. Madam President, let's get two things straight about the abortion legislation on the floor before us

today. One, this legislation does not represent the views of a majority of the American people, and two, this legislation is some of the most extreme abortion legislation in the world.

It is a little hard to believe we are having a vote on this bill again mere weeks after it was defeated in the Senate, but I guess when the abortion lobby calls, our Democrat colleagues come running.

The bill before us today, the so-called Women's Health Protection Act, would prop up the abortion industry and make abortion-on-demand—at any time, for essentially any reason—the law of the land.

My Democratic colleagues would like to convey the impression that, with this legislation, they are merely attempting to codify a widely held belief from which no reasonable American dissents. That is baloney. The American people don't even come close to supporting abortion-on-demand up until the moment of birth.

Gallup has been polling on abortion for decades. In all that time, the percentage of Americans who believe abortion should be legal under any circumstance has always remained under 35 percent. An Associated Press poll from this past June found that 65 percent of Americans believe that abortion should generally be illegal in the second trimester—or from about 13 weeks of pregnancy—while a whopping 80 percent of Americans believe that abortion should generally be illegal in the third trimester. Why? Well, I suspect it is because the American people are well aware that when we are talking about abortion, we are talking about the killing of human beings, innocent human beings, and that is not exactly something most Americans are comfortable with. Americans are used to defending the weak and the innocent, not killing. So it is not exactly surprising that Americans are not joining the Democratic Party and wholeheartedly embracing abortion up until the moment of birth.

Democrats do everything they can to run away from the humanity of the unborn baby, but they are fighting a losing battle because science and medical technology and plain old common sense all point inexorably to the humanity of the unborn child.

It is pretty hard to look at a fully formed baby on an ultrasound kicking her feet and sucking her thumb and think she is anything but a human being. Once you have acknowledged the self-evident truth that baby is a human being, it is pretty hard to argue that she shouldn't be protected. So it is no surprise that, almost 50 years after Roe, Americans still do not wholeheartedly embrace abortion.

In addition to being totally out of step with the American mainstream, Democrats' "Abortion on Demand Act" is also far outside the mainstream of abortion law globally. Thirty-nine of the forty-two European countries that allow elective abortion limit such

abortions to 15 weeks or earlier. Thirty-two of those countries limit elective abortion to at or before 12 weeks' gestation. Meanwhile, Democrats here in the U.S. Senate want to enshrine abortion-on-demand up until the moment of birth.

Thanks to Roe v. Wade, our country is already outside the global mainstream when it comes to protecting unborn human beings. In fact, we are currently one of just a tiny handful of countries in the world that allow elective abortions past 20 weeks of pregnancy. Who is on that list among those other countries? China, North Korea—not exactly the kind of company we want to be keeping when it comes to defending human rights.

But the so-called Women's Health Protection Act is even more extreme than Roe. Not only would it allow abortion through all 40 weeks of pregnancy, it would sweep away almost every commonsense restriction that has been upheld since Roe—parental notification, informed consent, waiting periods. All of those would be gone under Democrats' abortion-on-demand bill. Plus, it would open the door to Federal funding of abortion, forcing Americans who oppose abortion to subsidize it with their tax dollars—something that has been bipartisan consensus, again, for decades in this country.

Furthermore, under this legislation, conscience protections for doctors and hospitals who do not want to perform abortions would be in jeopardy. The Democratic leader has suggested that this bill would not jeopardize the right of Catholic hospitals to refuse to perform abortions. I would like to believe it, but it is pretty hard to do so when this bill removes the right to invoke the Religious Freedom Restoration Act as a defense.

The Religious Freedom Restoration Act, of course, is a 1993 law passed by Congress to ensure that Americans' constitutional right to live in accordance with their religious beliefs is protected. That law was actually sponsored by the Democratic leader—back, I should add, when the Democratic Party still believed in protecting religious freedom.

While I would love to believe the Democrats are still interested in protecting conscience rights, it is pretty hard to believe when their bill takes steps to prevent providers from claiming protection under the Religious Freedom Restoration Act. Why would you include such a provision in your legislation unless you intended to make sure that healthcare providers could not cite their religious faith to ensure that they are not forced to participate in abortions?

With the legislation before us today, Democrats aren't attempting to codify some widely held consensus on abortion; rather, they are attempting to codify the most extreme views of the extreme pro-abortion lobby, make no mistake about it.

It is pretty sad that the Democratic Party has come to this. The party that has historically portrayed itself as the defender of the little guy is now the party seeking to deny even the smallest protections to the littlest and most vulnerable guys and girls among us, unborn human beings. But, hey, I guess Democrats can at least claim that they are standing up for the abortion industry.

I believe that we are better than this. We have to be better than this.

I hope that not only Republicans but some of my Democratic colleagues will stand up today and say that we can do better than a law that rips away even the smallest protections for unborn Americans.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LUJÁN). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Ms. STABENOW. Mr. President, I ask for one minute before the vote.

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

Ms. STABENOW. I find it just very frustrating to hear from my colleagues on the other side of the aisle about how we are extreme because we are supporting a woman's freedom to make her own reproductive health decisions. That is the vote today. The vote today is about who decides, who decides under Roe v. Wade when the third trimester—which, by the way, abortions can only be done to save the life of the health of the mother—who decides that? The people on this floor? The Republicans who think it is their right to decide it? Who decides it? The United States Supreme Court? Who decides in the most personal decisions—and sometimes those agonizing decisions—a woman will ever have to make, the question is: Who decides? Fifty years of freedom is what we are talking about. Republicans eliminating with this vote. Fifty years of freedom for women to decide what we need to do as it relates to our own healthcare and reproductive freedom.

So I strongly support the women of this country. I believe in them. I believe in us. I trust them. I trust us. And this is about their choice, not a bunch of politicians deciding what is best for them.

I yield the floor.

VOTE ON MOTION TO DISCHARGE

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the motion to discharge.

Ms. STABENOW. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.