

left and right their plans to invert or move their headquarters overseas, but since our 2017 Trump tax reform, I haven't heard of any companies with inversion plans. Quite the opposite, companies have called off inversions and even brought back operations to this country, and they are citing our tax reform as the main reason for doing it. So why would Mr. Biden want to undo that?

Even more curious is that Mr. Biden's own talking points suggest that he supports a number of our tax reform policies in that 2017 bill.

Kimberly Clausing, who reportedly advises Mr. Biden on tax policy, has said the Tax Cuts and Jobs Act "should be commended for providing some limits on tax avoidance through the GILTI and the BEAT."

What is more, Ms. Clausing has estimated the new rules under the 2017 tax bill will result in a 20-percent decrease in shifting profits overseas.

That is consistent with the Joint Committee on Taxation's macroeconomic estimate in 2017 that found that tax reform would reduce profit shifting and increase the U.S. tax base.

Nevertheless, Mr. Biden wants to double down on increasing taxes on U.S. businesses and, in fact, undo the progress that we have seen since tax reform in 2017.

In addition to higher taxes on domestic earnings, he also wants to increase the rate on U.S. companies' foreign earnings to 21 percent. That is almost double the 12.5-percent rate that the OECD is targeting for its global minimum tax.

I guess the former Vice President wants to ensure that no country can top the United States when it comes to the highest tax rates possible.

And that is not all. Mr. Biden proposes an additional 10-percent penalty on goods and services imported by U.S. companies from foreign affiliates.

Now, even the Washington Post editorial board noted earlier this month that Vice President Biden's policy simply ignores the reality of global supply chains.

Do we, in fact, really want to encourage foreign countries to tax goods and services imported from the United States? That could be a slippery slope.

The truth is, Mr. Biden is trying to fix problems from the last administration. Republicans already met that challenge, and tax reform of 2017 is working.

Data from the Bureau of Economic Analysis clearly shows that tax reform stemmed the flood of offshoring, while encouraging U.S. companies to invest right here in the United States.

In fact, among U.S. multinationals, employment investment, research, and production in the United States has increased at a faster rate in 2018 than the average rate over the past 20 years—faster than the growth rate of U.S. multinational companies that are abroad.

Of course, there is more work to be done. But tax reform has made this

country a more attractive place for businesses to headquarter, invest, and create jobs.

Now, if the former Vice President succeeds in his plans, it will not just be our businesses that will bear the brunt.

The Joint Committee on Taxation and Congressional Budget Office have both concluded that 25 percent of the corporate tax is borne by workers. So workers will be hurt. They will feel the burden of the Biden plan through fewer jobs, through reduced wages, and through less benefits.

Above all, the Biden tax plan ignores the reality of today. We are trying to see our way out of the global pandemic. Undoing the progress that we have made through tax reform, especially now, is certainly not a prescription for economic recovery and growth.

What is more, the Vice President's plan will do nothing to speed the progress that we made reducing unemployment since the height of the pandemic. Instead, it will do just the opposite, work against it.

The Biden tax increases wouldn't be good policy in the best of conditions, but they are certainly bad policy right now because of the economic hardship caused by the pandemic.

If Mr. Biden really wants to keep living in the Obama era, he should recall President Obama's sound advice on tax policy during a crisis, the financial crisis of 2009 and 2010, when President Obama said this: "The last thing you want to do is raise taxes in the middle of a recession."

That is something we should all be able to agree upon.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

(The remarks of Mr. COTTON pertaining to the introduction of S. 4648 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. COTTON. I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

#### SUPREME COURT NOMINATIONS

Mr. MENENDEZ. Madam President, our Nation has suffered a historic loss in the passing of legal giant Justice Ruth Bader Ginsburg, and I fear the rush to replace her with just 44 days left before the next Presidential election will have grave consequences for the lives of millions of Americans.

As tempting as it is, I am not here to talk about the stunning hypocrisy of my Republican colleagues who once opposed filling any Supreme Court vacancy during a Presidential election year now changing the reasons for doing so like a willow in the wind.

Well, make no mistake, their willingness to abandon their word in the naked pursuit of power and deny the American people a voice in this process is truly stunning. Today, I want to talk about the consequences of their hypocrisy, not for our process here in the Senate but, rather, for the lives and livelihoods of millions of families across this Nation.

Everything Americans care about and depend on is on the line, starting first and foremost with their healthcare. President Trump has already declared that whoever his nominee is, his nominee to the Court will vote to "terminate" the Affordable Care Act and reverse *Roe v. Wade*.

The Trump administration is closer than ever to tearing healthcare away from millions of people by overturning the law that gave it to them in the first place. It is especially outrageous to see the administration threaten the healthcare of millions of Americans at this perilous moment in our history—with nothing, by the way, to replace it.

Since the passage of the Affordable Care Act, they have said they have a better plan. Well, now 11 years later or so, maybe almost 12 years, we have yet to see what that plan is.

We are in the midst of a deadly, once-in-a-century pandemic. A staggering 200,000 Americans—fathers and mothers, sisters and brothers, dear friends and beloved grandparents—are gone forever. Meanwhile, millions of people nationwide are infected with the coronavirus. To this day, many survivors of COVID-19 are grappling with lasting healthcare challenges, from chronic shortness of breath to lifelong scar tissue in their lungs.

We are still learning about the long-term health impacts of contracting COVID-19, but here is one thing we do know: Every single one of these survivors now has a preexisting condition that makes them vulnerable to insurance company discrimination without the protections guaranteed by the Affordable Care Act. That is in addition to the estimated 135 million Americans who already live with common preexisting conditions like chronic asthma, diabetes, and high blood pressure, to mention a few.

Remember what it was like before the Affordable Care Act? A health insurance company could refuse to cover you or provide your care or even kick you off your plan due to your medical history. A child born at birth with a birth defect couldn't get health insurance. The husband who had a heart attack couldn't get health insurance. A woman with cervical cancer couldn't get health insurance afterward—a preexisting condition. We don't want to go back to those days, but that is exactly where the Trump administration will take us should they prevail at the Supreme Court, as this case is pending before the Supreme Court.

Now, despite what they say, the Republican mission has been clear for a decade: to kill the Affordable Care Act, to strip away healthcare from millions of Americans, all the while lying about how they will protect individuals with preexisting conditions. It is shameless.

Just as dangerous is the prospect of a Supreme Court that will overturn *Roe v. Wade* and roll back the reproductive rights of women. That is what is at stake with this Supreme Court seat—the basic principle that women have a

right to make their own private medical decisions. The American people overwhelmingly believe that women, not the government, should be allowed to decide when they have children.

There is no question that the right to choose is inseparable from the past half-century of progress achieved for women's equality in the United States. It is that progress that Justice Ruth Bader Ginsburg devoted her entire life's work to advancing—the right to pursue their own destinies with full equality under the law.

It is not just healthcare that is on the line; it is our voting rights, our civil rights, workers' rights, immigrant rights, and LGBTQ rights as well. More than that, it is the right of the American people to see their elected representatives enact the kinds of policies they support, like bold action on climate change without corporate-backed challenges at the Supreme Court undoing their wishes.

A Supreme Court nominee has never been confirmed this close to a Presidential election. Americans are already voting as we speak. Should my colleagues in the majority abandon all their prior commitments and deny the American people the opportunity to make their voices heard, I fear we could do lasting damage to the legitimacy of the Supreme Court.

This is an institution that rests on the trust and reverence of the American people. Losing that trust and reverence is dangerous. It is dangerous. It is dangerous for millions of people who will lose the Affordable Care Act's protections. It is dangerous for women who could lose their right to choose and all of us who do not want to turn back a half-century of progress. It is dangerous for our economy at a time when American workers and consumers find themselves at the mercy of corporations that have grown larger and more powerful than at any other time since the Gilded Age. It is dangerous for the future of our planet and safety of our climate at a time when the West is burning, seas are rising, and the Earth is warming faster than ever before. Quite frankly, it is dangerous for our democracy.

We owe the American people a voice and a decision that will shape the course of history for generations. We owe the memory of Ruth Bader Ginsburg and her seat on the Supreme Court more than just another political power grab.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Madam President, last Friday, our country lost a trailblazer for equality, a moral giant, and a lover of justice—the great Justice Ruth Bader Ginsburg, affectionately known as RBG. While physically small, she had a towering impact on American jurisprudence. While the volume of her voice was not high, her words carried farther and had a greater impact than the louder voices that were often around her.

She famously observed that many of the laws on the books that pretended to put women on a pedestal actually put them in cages, and then she proceeded to bring cases to strike down those discriminatory walls. She transformed America's legal landscape, especially in the area of gender equality, and that was before she was even appointed and confirmed to the Supreme Court.

On the Supreme Court, with intelligence and persuasion, she was often able to bring others to her point of view, and when she couldn't, she could write a stinging dissent, which she viewed as a conversation with the future. She had optimism in our Nation's pursuit of justice—that her dissents would be vindicated in time, and I dare say that they already have in so many cases, including her dissent in the voting rights case with the reprehensible 2013 decision where, on a 5-to-4 vote, the Supreme Court took a bite out of the Voting Rights Act. She predicted that as soon as that happened, many of the States that had been subject to the preclearance provisions would begin to put up barriers to voting, and that is exactly what happened.

Speaking of the future, her deathbed wish communicated to her granddaughter—her most fervent wish—was that she not be replaced until a new President is installed, whoever that President may be.

She died last Friday on Rosh Hashanah. It was a moment when the country needed to come together to celebrate her life and honor her legacy, and that is what so many people did around the country. We saw an outpouring of support from coast to coast, north to south, east to west. We saw large crowds gathering at the Supreme Court. But here in the U.S. Senate, the majority leader didn't have the decency to even provide a respectful pause, a respectful timeout to honor that legacy. Just over 1 hour after her death was announced, he put out a statement announcing his power play—a statement saying that President Trump's nominee, whoever it may be to replace her, would get a vote. The majority leader rushed to do that despite taking the opposite position in March of 2016 when Justice Scalia passed away and President Obama nominated Merrick Garland.

The majority leader rushed to commit to that vote on President Trump's nominee even though, in the middle of this COVID-19 pandemic, we have not even had a chance to vote here in the Senate on the Heroes Act, which passed the House of Representatives over 4 months ago, providing emergency comprehensive relief to families and workers and small and medium-sized businesses that are hurting from this pandemic. We haven't had a vote on that in 4 months. Yet, within 1 hour of Justice Ginsburg's death, the Republican leader announced: "We will have a vote" on President Trump's Supreme Court nominee.

Our country just reached the grim total of 200,000 Americans dead from COVID-19. More Americans have died from COVID-19 than in any other country on the planet, and a big share of those dead are the direct result of President Trump's calculated indifference—what he describes as "downplaying" the threat. Well, downplaying a known threat led to inaction, and inaction led to thousands more Americans dying than would have been the case. That inaction has led to far more economic pain and fallout from COVID-19 than had to be the case.

We wouldn't have all of these schools closed right now if the President had taken more rapid action and if we had comprehensive universal and rapid testing. But here we are because Trump wanted to "downplay" the threat.

The President has opposed the Heroes Act, which passed the House of Representatives, and there is still no vote here in the Senate on that important legislation to help a country in need—so no vote on that. But, my goodness, they just couldn't wait to announce, within 1 hour of the Justice's passing away, that this Senate would vote on Trump's Supreme Court nomination.

That is despite what Majority Leader MCCONNELL said in 2016. When Justice Scalia passed away and President Obama nominated Merrick Garland to fill the seat, you heard Senator MCCONNELL and many Republicans say: Can't do it. We are in the middle of an election year.

In fact, the majority leader went so far as to instruct his Republican Members not even to meet with Merrick Garland. They didn't even have a hearing for Merrick Garland. The majority leader and so many Republican Senators said: Oh, we can't do that because primary voting has begun in this 2016 Presidential election year. Primary voting has begun. It is underway. It is important to let the American people weigh in on the Presidential election and then allow whoever wins that Presidential election to make their nomination to the Supreme Court.

That is what we heard from Senator MCCONNELL and so many of our Republican Senate colleagues back in 2016—that democracy required that the people's will be heard in the Presidential election year.

Well, it turns out that all of that was just a pure political ploy; that we are going to see one set of rules for Democratic Presidents like Barack Obama and another set of rules from the Republican majority for Republican Presidents like Donald Trump. The dishonesty and rank hypocrisy is obscene, and the American people, regardless of party, see it for what it is.

But as bad as the hypocrisy and the dishonesty is, this is about even more than that. In fact, it is about much more than that. It is about the future direction of our country and the direction of justice in our Nation. It is about whether we have a Supreme

Court that truly stands for equal justice under law, as Justice Ginsburg did. It is about whether we will protect women's rights, as Justice Ginsburg did throughout her career before and after being on the Supreme Court.

We know where President Trump stands on that. We know he was asked during his Presidential campaign on national television about a woman's right to reproductive freedom. He said that women who would choose to have an abortion should be punished—should be punished. And he has said that he will appoint a Justice who will make sure that is what happens. That is what he said.

We are going to see a Justice who wants to strike down workers' rights and protections, and we are going to see a Justice who wants to destroy the Affordable Care Act.

The Affordable Care Act provides important protections to the American people during ordinary times. It is especially important now, as we face this COVID-19 pandemic. We know it has been the goal of President Trump and Republicans for years to destroy and overturn the Affordable Care Act. After all, I think many of us remember being right here on the Senate floor in the summer of 2017. The Speaker of the House, Paul Ryan, and a majority of Republicans in the House at that time had passed a law to overturn the Affordable Care Act. President Trump was itching to sign it. But here in the Senate, we defeated that effort by one vote—one vote in the U.S. Senate.

Why did that happen at the time? A lot of people thought it was a forgone conclusion that this Republican majority Senate would vote to strike down the Affordable Care Act. It is because the American people rose up and said: Hell no. People with diabetes, cancer, heart disease, and other preexisting health conditions, and so many other Americans said: Do you know what? This isn't a partisan issue. It is not a partisan issue if I have cancer or diabetes or asthma or other preexisting conditions. Don't take it away.

Guess what. COVID-19 is not a partisan disease either. It will strike people, of course, regardless of political party.

So the American people got to the phones, got to social media, occupied people's offices, and they said: Hell no. And by one vote, we protected the Affordable Care Act here in the U.S. Senate.

That should have been the end of the story, but it wasn't because what Republicans could not do through the democratic process here in the U.S. Senate, they decided to take to the courts. President Trump and his Attorney General Barr are in court right now, trying to do there what they could not succeed in doing here in the U.S. Senate—trying to destroy and overturn the Affordable Care Act.

Guess when the Supreme Court hearing on that Affordable Care Act case is scheduled to take place: November 10—

November 10, 1 week—1 week—after the November 3 election.

So we see the power play here: Jam through a Supreme Court nominee. Put them on the Court in time for that hearing so they can hear the case and be part of overturning it.

Make no mistake, President Trump has pledged to appoint a Supreme Court Justice who will knock down the Affordable Care Act. We don't know who it is going to be, but we know it is going to be somebody who the President believes will strike down the Affordable Care Act.

How do we know that? Here is what Candidate Trump said: "If I win the presidency, my judicial appointments will do the right thing unlike Bush's appointee John Roberts on ObamaCare." That is Candidate Trump in June of 2015.

Here is what Candidate Trump said on another occasion:

I'm disappointed in [Justice] Roberts because he gave us ObamaCare. He had two chances to end ObamaCare. He could have ended it by every single measure and he didn't do it, so [it is] disappointing.

He says this on numerous occasions—numerous occasions.

He also tweeted out that in 2012, he supported—this is 2012 when now-Senator ROMNEY was running for President. Donald Trump tweeted out then: I am 100 percent supporting MITT ROMNEY's position that we need a Justice on the Court to strike down ObamaCare.

So nobody should be playing any games. The President has told us he is going to nominate somebody to strike down the Affordable Care Act. That hearing is scheduled 1 week after the November 3 election.

All of those issues are at stake right now. It appears that we have enough Republican Senators who have said that we will proceed to consider the nomination. They have abandoned the position that MITCH MCCONNELL, the Republican leader, and so many Senators took in 2016 with Barack Obama—President Obama—when they refused to provide a hearing. So we are going to proceed. But let's remember the President has pledged that he will nominate somebody who will get rid of the Affordable Care Act and who will strike down a woman's right to choose. That is what the President has said.

Just as the American people began to get to the phones and on social media and to contact their Senators in the summer of 2017 when healthcare was at risk, when the Affordable Care Act was at risk, we need to make sure that the word gets out again. Back in 2017, we stopped that from happening by one vote in the U.S. Senate because the American people understood what was at stake.

Here we are now, in a global pandemic. Instead of focusing on the pain the American people are feeling at the moment, instead of allowing us to vote on the Heroes Act, we have this Republican majority trying to power through

a Supreme Court nominee to strike down the Affordable Care Act, to do through the courts what they were unsuccessful doing here on the Senate floor in the summer of 2017.

Let's recognize the consequences of this abuse of power and the impact and harm it will do to the American people. Let's take the advice and dying wish of Justice Ginsburg: Allow the American people to speak on November 3 and then allow whoever is sworn in on inauguration day in January to put forward a nominee to be considered by the U.S. Senate.

Thank you.

I yield the floor.

The PRESIDING OFFICER (Mr. CASSIDY). The Senator from Mississippi.

UNANIMOUS CONSENT REQUEST—S. 3072

Mrs. HYDE-SMITH. Mr. President, in a few moments, I will ask unanimous consent for the Senate to take up and pass legislation I have introduced to protect women from harm and to protect their health.

This is such an important issue to me as a Senator, as a woman, and as a mother. I am pleased several of my Senate colleagues have joined me on the floor to discuss this important issue, and I look forward to hearing their remarks as well.

Twenty years ago this month, the Food and Drug Administration approved, for the very first time, the abortion pill known as mifepristone. It did so under the immense pressure from the Clinton administration and its pro-abortion allies. However, when the FDA approved this drug, it recognized the serious risk of complications and life-threatening side effects that can be caused by this drug. Because of the risk of harm, and even death, the FDA put in place certain rules to protect the health of women. These rules are known as risk, evaluation, and mitigation strategies—or REMS for short—because they work to mitigate the risks posed by this drug to women.

These commonsense rules require a woman to see a doctor to get the drug, to be fully informed of the potential side effects and how she can seek followup treatment for those life-threatening side effects, and to offer her informed consent before being prescribed the drug.

These simple, commonsense rules have been in place to protect the health of women for over 20 years. Recognizing their importance, I introduced the SAVE Moms and Babies Act last year to codify these rules into law to make sure they remain in place to protect women from these serious side effects. However, pro-abortion forces oppose even these basic protections for women's health and have been working to undermine them, putting women at serious risk.

This summer, a judge in Maryland issued a nationwide injunction canceling these REMS rules for the entire country. We knew this was coming. Back in April, I led 150 Members of Congress, including 38 Members of this

body, in warning the FDA about this issue, and now pro-abortion advocates have found one activist judge to rule in their favor, putting women's health at risk in the middle of a pandemic.

Even with the REMS rules in place to protect women's health, a substantial number of women end up needing life-saving surgery or blood transfusions following chemical abortion. Sadly, some women have even died from these dangerous drugs.

Make no mistake, no protections mean more adverse events for women. These protections ensure that a doctor could examine the woman to see if she has an ectopic pregnancy or is RH negative. These conditions can seriously increase the risk of harm to a woman taking this drug.

No REMS protections means at-home abortion without medical oversight, putting women at risk of bleeding out and dying alone without a doctor to help her. No REMS protections mean that every State health and safety law that protects women from harm will be at risk. No REMS protections mean mail-order abortion without physicians providing the screenings recommended by the doctors and scientists at the FDA.

That is why it is more important than ever to pass my bill, the SAVE Moms and Babies Act, to codify into law the important FDA REMS rules that protect women from the dangers inherent in mail-order, do-it-yourself chemical abortions.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, an abortion is always tragic, as it involves the taking of an innocent human life, one that has yet to draw its first breath or commit its first sin. In the case of a chemical abortion, it sometimes takes two lives: that of the baby and that of the mother.

Advocates for this procedure will say that it is simple, it is easy, it is convenient, and it is safe. They claim that it is a good and valuable form of "healthcare" for women, but nothing could be further from the truth. The grim and gruesome reality is that this barbaric practice wreaks havoc on women's bodies and destroys the tiny bodies growing within them.

So just how does this procedure work? The details are not pleasant. First, the mother is given a pill that blocks progesterone. This, of course, is a hormone that is necessary for pregnancy, and it breaks down the lining of her uterus. Without progesterone, you see, the baby, whose heart is already beating, is starved to death and dies in her mother's womb.

Then, 24 to 48 hours later, the mother is given a second pill, one that empties her uterus by causing severe contractions and bleeding, mimicking early miscarriage. It can last anywhere from a few hours to a few weeks.

Planned Parenthood will try to gloss over the truth here, as elsewhere, claiming that a hot shower and some

ibuprofen are enough for a quick recovery to get the mother back on her feet, but, on average, the miscarriage lasts between 9 and 16 days and can last for as long as 30 days. Thirty days—that is a long time.

Most of the time these abortions are done at home. The mother is left to suffer alone, without care or medical attention, without supervision from a doctor or a nurse, and often without any followup whatsoever until 7 to 14 days later, if ever, keeping in mind that many of them don't get any followup care at all.

The result? Well, women have suffered tragic, gruesome, and horrific experiences using the abortion pill. It has caused nearly 4,200 adverse medical events, including more than 1,000 hospitalizations and nearly 600 instances of blood loss requiring transfusions.

Some women have even died. The FDA has reported 24 maternal deaths from the abortion pill just since its approval in 2000, and those are just the officially reported ones that we know of that have happened with the regulations we currently have in place. Based on the assumption that those regulations are in place, that is still a really high rate at which they die.

Some women need corrective surgery after taking the abortion pill and others require lifesaving procedures. And, somehow, we call this healthcare. This is not like popping a Tylenol. This two-step abortion cocktail poses severe risks to women, not even to mention their unborn babies.

In fact, abortion pills are one of only a few medications that require what is known as a risk evaluation and management strategy, a drug safety program that the FDA requires for medications with serious risks. Yet some are pushing to further expand access to these drugs and even further loosen the regulations around them.

Some activists are even pushing for access to the abortion pill by mail, meaning that the patient would never even have to be seen in person by any medical professional at all—not a medical clinic, not a doctor, not a nurse—nothing in person.

The standards of care surrounding this practice are already reckless, they are already harmful, and they are already causing misery, injury, suffering, and death. In fact, they are unacceptable standards of care for women and for babies. The last thing we should be doing is making them even worse, making them even more vulnerable than they already are.

So setting aside for a minute how you feel about other issues related to unborn human life in this area, let's just talk about this issue for a moment. Let's just talk about whether this issue is really one that we want to expand, where we increase the amount of misery, the amount of suffering, and the amount of carnage that would occur as a result of more people gaining access to this deeply flawed, very dangerous form of so-called healthcare.

That is why we ought to support the bill put forward by my friend and colleague Senator HYDE-SMITH. The SAVE Moms and Babies Act would prohibit the FDA from approving new abortion drugs, from loosening any regulations that exist on already approved abortion drugs, and from dispensing abortion drugs remotely or through the mail.

The purpose of healthcare is to heal, to preserve, and to protect human life. A chemical abortion happens in the first trimester of life, up to about the tenth week of pregnancy, when an unborn baby already has a beating heart, when an unborn baby already has a growing brain, and when the growing baby already has 10 fingers and 10 toes.

She deserves a shot at life, at the beginning of life, at the front door, and she deserves to not have it taken away and, literally, flushed down the drain. Mothers deserve the utmost care, protection, and support as they nurture the human life inside of them, not medical harm and not medical neglect.

Our healthcare system should protect and care for them both, and our laws should uphold the immeasurable dignity and worth of both. This bill is a step in the right direction, and I implore all of my colleagues to support this legislation.

The PRESIDING OFFICER (Mrs. HYDE-SMITH). The Senator from Louisiana.

Mr. CASSIDY. Madam President, I thank the Presiding Officer, Senator HYDE-SMITH, and Senator LEE for organizing this colloquy and participating in it in support of the Support and Value Expectant Moms and Babies Act. I love that title: Support and Value Expectant Moms. Isn't that great? We should.

I am a doctor—not an obstetrician, but, nonetheless, I have delivered babies. As a doctor, my mission was to save lives—I don't practice anymore; I use the past tense—and improve health outcomes for all patients.

We are here talking about chemical abortions. Chemical abortions don't do any of that. The health risks can be severe, obviously, for the unborn child but also, potentially, for the mom, and, particularly, when the mother has this without supervision by a healthcare provider.

The total absence of medical support is the total absence of care, and using potentially dangerous chemicals without medical support can lead to the absence of health. If Americans care about a woman's health, they should be concerned when such procedures are allowed.

Yet chemical abortions are on the rise. I am told that in 2017 they represented nearly 40 percent of all abortions. Due to a recent court case, women can begin to receive these through the mail, prescribed without even receiving a physical exam.

Now, the mom who selects that may not know the potential consequences, but, as a physician, I do. The potential

complications include, for example, if the mother has what is called an ectopic pregnancy, where the unborn child and the placenta are not in the womb but are outside of the womb. If that occurs and these pills are taken—the pill known as Mifeprex, RU486—it can cause that pregnancy to rupture, and instead of the bleeding coming out as the child would, through the vagina, it means that internal bleeding occurs, which can result in the mother's death.

Chemical abortions have four times the complications that surgical abortions do in the first trimester, and as many as 6 percent of women taking these abortion drugs require surgery to complete the abortion—potentially painful and life-threatening and, of course, horrific for the unborn child.

The American College of Obstetricians and Gynecologists has stated that “compared with surgical abortion, medical abortion takes longer to complete, requires more active patient participation, and is associated with higher reported rates of bleeding and cramping.”

The bill we are discussing today, the SAVE Moms and Babies Act, or the Support and Value Expectant Moms and Babies Act, takes substantive steps to protect the health of women and the unborn child. The bill prevents approval of new abortion drugs by the FDA, keeps the risk evaluation and mitigation strategy, or REMS, protocol, and curtails abortion pills from being dispensed by mail or through telemedicine.

I introduced the Teleabortion Prevention Act of 2020 in February, which requires a doctor to physically examine a pregnant mom before prescribing any abortion-related drugs and requires a followup appointment. We actually want women to receive healthcare, by healthcare providers who care about their health.

If Senators in this body really care about women's health, they should join with us to stop these do-it-yourself abortions. Preventing abortion protects unborn babies, but preventing chemical abortions protects women.

Let's work together to protect women by passing the SAVE Moms and Babies Act to forever end dangerous chemical abortions.

I yield the floor.

The PRESIDING OFFICER. (Mr. CASIDY). The Senator from Mississippi.

Mrs. HYDE-SMITH. Mr. President, as in legislative session, I ask unanimous consent that the Health, Education, Labor, and Pensions Committee be discharged from further consideration of S. 3072 and the Senate proceed to its immediate consideration. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Washington.

Mrs. MURRAY. Mr. President, reserving the right to object. The FDA

approved mifepristone nearly 20 years ago, and leading medical organizations have made clear that restrictions on it like those that are in this bill are not based on evidence or patients' best interests. This bill is not about science or healthcare or what is best for women across the Nation. It is about ideology and Republicans wanting to do every single thing they can to chip away at the right to a safe, legal abortion.

Not on my watch. This is far from the only Republican effort to ignore the science and the medical professionals and overrule the personal decisions of patients across the country.

At this very moment, they are gearing up to jam through President Trump's Supreme Court nominee and strike down *Roe v. Wade*. But as sure as I am standing here today to oppose this effort to restrict women's reproductive rights, you can bet I will be standing with women and men across the country to oppose that one too.

I will offer legislation in a moment that actually does work to protect and help women and families in a moment, but for now, on this request, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Washington.

UNANIMOUS CONSENT REQUEST—S. 4638

Mrs. MURRAY. Mr. President, we are in the middle of a pandemic. Two hundred thousand people have died, millions more have been infected, and this crisis is nowhere close to being over. But are Republicans are offering solutions? Not even close.

We need to be prioritizing science. Instead, they are offering a bill that prioritizes partisan ideology. We need to be making it easier for people to get the care they need. Instead, they are offering a bill with the sole purpose of putting up unnecessary barriers to care. And not only are they wasting time on their partisan war against abortion with this bill—which they know is a nonstarter—they are preparing to jam through a Supreme Court nominee who would make things even worse.

They are fighting to not just overturn *Roe v. Wade* but to strike down healthcare for tens of millions of people and strike down protections for people with preexisting conditions and to send healthcare costs skyrocketing—all during a pandemic.

I can't believe I have to say this, but we need to be taking steps to make this crisis better, not worse, which is why I am going to offer a unanimous consent request that the Senate proceed to S. 4638—the Science and Transparency Over Politics Act, which Senator SCHUMER and myself and 32 other Democrats introduced today.

Unfortunately, we have seen the Trump administration repeatedly take dangerous steps to undermine and overrule the experts at our Nation's public agencies. We have seen the President spread lies and misinformation and conspiracy theories about

their work. We have seen his officials meddle with key scientific reports and apply pressure to promote unproven treatments. And we know this interference can damage public confidence in the science-based guidance our experts issue to help save lives and in their efforts to evaluate a vaccine and make sure it is safe and effective. We just can't let that happen.

This reckless interference didn't start yesterday, and it is clear it is not going to stop tomorrow. So I believe Congress needs to take action to make it stop.

The STOP Act would do just that by providing much needed transparency and accountability. Given how many Republicans have said we need to be listening to the experts and following the science, this bill should not be controversial. It should be common sense.

Mr. President, as in legislative session, I ask unanimous consent that the Health, Education, Labor, and Pensions Committee be discharged from further consideration of S. 4638, and the Senate proceed to its immediate consideration. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mrs. HYDE-SMITH. I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. HYDE-SMITH. Mr. President, reserving the right to object, I am disappointed but can't say I am surprised that the Senators on the other side of the aisle have objected to the SAVE Moms and Babies Act. The Democrats have shown time and again that they would rather put the profits of the abortion industry over protecting women. That is what is happening again today.

Make no mistake, the Democrats are trying to change to another bill because they want to distract you from what my bill is about. My bill is about protecting women from dangerous at-home abortions without a physician involved whatsoever. That is what my bill does—ensure women have to see a doctor to get this drug, ensure the doctor can examine her to see if she has any conditions that might make her at higher risk for complications, make sure she is fully informed and consents that she is not coerced.

Democrats objecting to this shows you how far to the left the Democratic Party is on abortion. Passing my bill should be a no-brainer. The REMS rules were put into place by a Democratic FDA to protect women. They have been in effect for 20 years, until the judge in Maryland fell for some far-fetched arguments from abortion advocates.

The FDA and HHS implement government health and safety regulations to protect patients and ensure that doctors are doing their job, to make

sure that drugs are safe and that patients are not harmed. That is why we have an FDA and why we have an HHS.

I agree with the Senator from Washington State that FDA and HHS should do this work based on scientific evidence. That is exactly what happened in 2000 when the Clinton administration and FDA scientists looked at the evidence and decided these REMS rules were needed to protect women from the dangers of this abortion drug.

Usually, Democrats support science-based health protections but not when it comes to abortion. When it comes to abortion, they are in the pocket of the abortion lobby and would rather play politics rather than protect women's health.

We can't let Senate Democrats change the subject by trying to bring up another bill that is not related to these REMS protections whatsoever. We can't let them try to change the subject from women's health to their latest conspiracy theory about the President. Therefore, I object.

The PRESIDING OFFICER. The objection is heard.

I do ask, invoking rule XIX, that no Senator in debate shall, directly or indirectly, by any form of words impute to another Senator or to other Senators any conduct or motive unworthy or unbecoming a Senator.

The Senator from Washington.

Mrs. MURRAY. Mr. President, it is disappointing that Republicans would object to a bill that simply provides much needed accountability and support for scientific decisionmaking. It is especially disappointing they would object to it during a pandemic and while simultaneously pushing for an ideological bill that would undermine patient's care and reproductive rights.

Rest assured, the minority leader, Senator SCHUMER, and I and the rest of our Democratic caucus are not giving up, and we will continue to fight on behalf of women and families.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, point of parliamentary inquiry: What was the statement that prompted the admonition under rule XIX?

The PRESIDING OFFICER. Democrats are in the pockets of the abortion industry.

The Senator from Utah.

Mr. LEE. Mr. President, I appreciate the thoughtful discussion that we have had today between my colleague from Mississippi and my colleague from the State of Washington. I also appreciate the thoughtful insight that the Senator from Louisiana provided in his remarks.

I feel it necessary to address a couple of issues that were raised by my friend and distinguished colleague from the State of Washington. There are differences that Members have—differences of opinion—when it comes to a wide variety of issues.

When it comes to abortion, people have different approaches they take. I

know my own view, and I know the views taken by many of my Democratic colleagues. But it is important to point out here what we are talking about and what we are not talking about.

One of the first arguments that we heard today from the Senator from Washington related to *Roe v. Wade*. And as long as we are on the topic of imputing to another person improper motives or motives not apparent on the face of a piece of legislation, if one is going to impute to the Senator from Mississippi the intention of undoing a Supreme Court precedent, I would like to point out that is manifestly not within the scope of this legislation, nor is it the place of any Senator to purport to know the subjective motivation behind Senator HYDE-SMITH's legislation here.

I am not going to purport to know the reason why she said that. I just want to point out, that is not the point of this bill. This bill has nothing to do with *Roe v. Wade*. You can feel however you want about *Roe v. Wade*. This isn't it. I know that is a convenient excuse to not have to deal with something—something real, something that has to do with the lives and the health and the well-being of women, to say nothing about the unborn human lives within them.

From those who would invoke science in opposing this bill, I would ask, on what planet does science back the idea we should remove the REMS restrictions from this supposed so-called form of healthcare—a form of healthcare that, as I mentioned a few moments ago, has resulted in thousands upon thousands of complications in the two decades it has been on the market? On what planet can one contend that one can't support this legislation without being opposed to science?

Back to the *Roe v. Wade* question. If every single time someone gets up to try to present legislation—legislation that as far as I can tell, the Senator from Washington wasn't claiming was outside of our legislative purview as Federal lawmakers—if every single time someone gets up to try to raise legitimate questions of public policy regarding the health, safety, and welfare of the American people, of the American patient, of American women subjected to very serious side effects from a piece of legislation—if no one can present legislation without being accused of trying to undo a 1973 court decision, which is, on its face, not even at issue in this legislation, then we are going to have a hard time carefully considering these things.

Last I checked, it is our job to decide questions of public policy—questions that are squarely within our Federal jurisdiction. One could argue, I suppose, about whether it was a good idea to put exclusive jurisdiction over the regulation of pharmaceuticals in this country under the FDA. One could make that argument.

I don't understand the Senator from Washington to be making a federalism argument. If she wants to have that conversation, I would love to have that with her. That would be fantastic. In fact, I would love to raise federalism concerns anytime we are discussing anything because it is far too seldom invoked here.

But that is not what this is about. What that argument was about was instead that the Senator from Mississippi supposedly is trying to overturn *Roe v. Wade*. And it couldn't possibly be the fact that she is there genuinely concerned about the thousands upon thousands of injuries that have been sustained as a result of this barbaric form of so-called medical treatment. It can't possibly be that.

If that is the case, if those who were so determined to make everything about *Roe v. Wade*—if they are right and if they were to have their way, then I guess we can't discuss anything even related to women's health that affects pregnancy.

Surely, that is not the argument. That can't be the argument. I don't think anyone, regardless of how they feel about *Roe v. Wade*, regardless of how they feel about government's role in abortion or not, if what we are talking about is the fact that we ought not loosen certain restrictions so as to allow people to gain access to an abortion cocktail that is dangerous under many circumstances, especially when it is administered without any kind of direct medical supervision or attention, if that is where we are, that is not good. That is messed up. Something is terribly wrong if we can't have a conversation about women's health without being accused of wanting to undo an entire line of precedent dating back to 1973.

Look, guilty as charged. I have my own views about that line of precedent. Those views are no secret. Those views are well-founded as a matter of science. They are well-founded as a matter of hundreds of years of American constitutional law, of common law, but I understand they are not the only views.

You cannot simply walk in here and say that because this addresses a type of abortion procedure, because *Roe v. Wade* reached the conclusion that it did, anyone who proposes a piece of legislation like the one proposed by Senator HYDE-SMITH today necessarily has as its object—that her subjective motivation behind filing that legislation is the undoing of *Roe v. Wade*, and because that is her supposed subjective motivation, we can't even have the conversation about what this does for women's health—to say: Let's draw the line, and let's not remove the REMS restrictions. Let's not let people order these through the mail and be administered these dangerous drugs without direct medical supervision.

The next line of reasoning used by the Senator, my friend and distinguished colleague from the State of

Washington, is that we are in the middle of a global pandemic. Yes, we are, but last I checked, that doesn't prevent or preclude us from discussing and addressing other things, from the funding of the government to Presidential nominees whom we confirm or don't confirm. That doesn't preclude us or excuse us from considering other pieces of legislation. I am struggling to understand how the existence of a global pandemic means that we can't even address another type of epidemic—one brought about potentially as a result of the abusive prescription and reckless misuse of abortion-inducing drug cocktails. This is beyond my ability to understand.

It is also beyond my ability to understand how a simple requirement that before one of these drugs is administered, the patient should have at her disposal a medical examination and some kind of medical attention. Nothing about *Roe v. Wade* says that you can't have laws restricting the manner in which abortions are performed. Nothing about *Roe v. Wade* says that a State or Congress itself may not require that abortions be performed by healthcare professionals under the supervision of a board certified medical doctor. Nothing about *Roe v. Wade* carries any implication for this. This legislation simply says: Let's make sure that medications like this are not used to harm American women.

I have other colleagues wishing to discuss this topic and other topics. Let me say this: Human life matters. Every human life means something. You can't snuff it out and pretend it doesn't exist, because it does. Every life matters to God. It matters in the universe. Whether you believe in God or not, life matters. You can't pretend it doesn't exist. Every life is unrepeatable, irreplaceable. We should vow to protect it. For those who aren't interested in protecting unborn human life, let's at least focus on protecting the human lives that we all agree exist. That is what this legislation is about. Shame on us if we can't even do that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. BRAUN. Mr. President, I thank my colleague Senator LEE for an impassioned and effective argument.

I rise here today in support of my colleague Senator HYDE-SMITH's SAVE Moms and Babies Act, of which I am a proud cosponsor. I am disappointed that my colleagues would object to this bill to help safeguard and help expectant mothers.

The SAVE Moms and Babies Act would improve women's health by protecting important safety mechanisms put into place by the FDA. The Risk Evaluation and Mitigation Strategy is an essential mechanism which ensures that drugs with serious safety concerns are used and prescribed correctly.

My Democratic colleagues and the abortion lobby may expect Americans to believe chemical abortion pills are

safe to use and should be available on-line without an in-person physician consultation, but here are the facts: Between 3.4 and 5.9 percent of women taking chemical abortion drugs require surgical intervention to complete the abortion. This meant 10,000 women in 2017 alone needed surgery after taking an abortion drug. Chemical abortion has four times the complications as surgical abortion during the first trimester. The risk of complications are particularly worsened in the case of an ectopic pregnancy. Women with ectopic pregnancies have suffered serious injury and even death from taking chemical abortion drugs.

I am disappointed this Chamber could not come together today to support Senator HYDE-SMITH's timely, needed, and important bill to protect women's health.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Mr. 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.

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

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

Mr. COTTON. I know of no further debate on this nomination.

The PRESIDING OFFICER. There being no further debate on the nomination, the question is, Will the Senate advise and consent to the Sonderling nomination?

Mr. COTTON. 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.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from West Virginia (Mrs. CAPITO), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Alaska (Mr. SULLIVAN), and the Senator from North Carolina (Mr. TILLIS).

Further, if present and voting, the Senator from Wisconsin (Mr. JOHNSON) would have voted yea.

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS), the Senator from Vermont (Mr. SANDERS), and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

The PRESIDING OFFICER (Ms. MCSALLY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 41, as follows:

[Rollcall Vote No. 189 Ex.]

YEAS—52

Alexander	Blunt	Burr
Barrasso	Boozman	Cassidy
Blackburn	Braun	Collins

Cornyn	Inhofe	Roberts
Cotton	Jones	Romney
Cramer	Kennedy	Rounds
Crapo	Lankford	Rubio
Cruz	Lee	Sasse
Daines	Loeffler	Scott (FL)
Enzi	Manchin	Scott (SC)
Ernst	McConnell	Shelby
Fischer	McSally	Sinema
Gardner	Moran	Thune
Graham	Murkowski	Toomey
Grassley	Paul	Wicker
Hawley	Perdue	Young
Hoeben	Portman	
Hyde-Smith	Risch	

NAYS—41

Baldwin	Gillibrand	Reed
Bennet	Hassan	Rosen
Blumenthal	Heinrich	Schatz
Booker	Hirono	Schumer
Brown	Kaine	Shaheen
Cantwell	King	Smith
Cardin	Klobuchar	Tester
Carper	Leahy	Udall
Casey	Markey	Van Hollen
Coons	Menendez	Warner
Cortez Masto	Merkley	Warren
Duckworth	Murphy	Whitehouse
Durbin	Murray	Wyden
Feinstein	Peters	

NOT VOTING—7

Capito	Sanders	Tillis
Harris	Stabenow	
Johnson	Sullivan	

The nomination was confirmed.

CHANGE OF VOTE

Mr. HAWLEY. Madam President, on rollcall vote 189, I voted nay. It was my intention to vote yea. Therefore, I ask unanimous consent that I be permitted to change my vote since it will not affect the outcome.

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

(The foregoing tally has been changed to reflect the above order.)

The PRESIDING OFFICER. The Senator from Kansas.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MORAN. Madam President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, for debate only, for 30 minutes, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

COMMANDER JOHN SCOTT HANNON VETERANS MENTAL HEALTH IMPROVEMENT ACT

Mr. MORAN. Madam President, I am pleased to share with my colleagues in the Senate that we have reached an agreement with the House to pass S. 785, the Commander John Scott Hannon Veterans Mental Health Improvement Act, and we expect the bill to pass the House of Representatives tomorrow.

This is a bill that passed—our most significant piece of legislation—from the Senate Committee on Veterans' Affairs dealing with mental health and suicide prevention. The bill came out