

I rise today ahead of the 49<sup>th</sup> anniversary of the Supreme Court's tragic decision in *Roe v. Wade*.

Every year, for nearly five decades, thousands of pro-life Americans have faithfully gathered here in Washington D.C., and across the country, to mark this dark day by marching for life and being a voice for the voiceless.

This year's official March for Life comes at a turning point in our nation's history.

On December 1st of last year, the Supreme Court heard oral arguments on the landmark 15-week abortion case out of Mississippi, *Dobbs v. Jackson Women's Health Organization*.

This is the first case in our generation that presents the Supreme Court of the United States with the best opportunity to right its historic injustice and finally overturn *Roe v. Wade*.

The *Roe* decision has resulted in the deaths of more than 63 million innocent babies... 63 million.

In fact, as I stand here and speak today, 2,363 preborn children are being killed in this country.

2,363 babies are killed every single day.

These precious lives were created by God, and intended for this world, but were violently deprived of their lives, because they were deemed "unwanted", "unfit", or simply "inconvenient".

And because they are so small, without voices of their own, far too many, for far too long, have ignored their desperate cries.

Because of *Roe*, States have been virtually powerless to stop this tidal wave of bloodshed.

What's more, *Roe*'s extreme abortion regime has made the United States a global outlier on abortion.

We are one of just seven nations, including China and North Korea, that allow abortions on demand—past the point babies feel pain, all the way up until the moment of birth. It's barbaric.

Because of science and technology today, it's impossible to ignore the humanity of the baby growing in the womb.

Thanks to incredible 4-D ultrasound technology, we can watch babies grow, hear their hearts beat, watch them yawn and even suck their thumbs.

We have come a long way since 1973—it's time our laws catch up with the science.

Overturing *Roe* will not, will not, ban abortion nationwide.

It will return the power to pass pro-life laws to state and federal lawmakers.

According to a recent Marist poll, 80% of Americans are opposed to abortions after the first three months of pregnancy.

That is an overwhelming majority of the American people.

But because of *Roe*, their voices are being silenced.

It's time for the Supreme Court to allow state and federal lawmakers to rightfully represent their constituents and protect the most vulnerable among us.

It's time we, as the United States of America, a nation who is supposed to be leaders in the world on human rights, recognize—what happens to be the theme of this year's March for Life—that equality begins in the womb.

The *Dobbs* case before the Supreme Court gives the Court a chance to finally restore justice and equality to the most vulnerable among us, in the spirit of this nation's long history of progress in civil rights.

In listening to oral arguments in the *Dobbs* case, I was struck by something Justice Kavanaugh said.

He said: "If you think about some of the most important cases, the most consequential cases in this Court's history, there's a string of them where the cases overruled precedent."

Justice Kavanaugh cited most notably *Brown v. Board of Education* in 1954 which outlawed separate but equal, overturning *Plessy v. Ferguson* decided in 1896.

It took 58 years for the Court to recognize the obvious truth that racial segregation was wrong, and overturn its grievous error in *Plessy*.

Justice John Marshall Harlan showed tremendous courage as the lone dissenter from the Court's decision in *Plessy*.

Now, it has taken 49 years for the Court to consider the obvious truth that ALL life must be protected.

It's taken 49 years since *Roe v. Wade*, for the Court to reconsider this wrongly decided case.

In the spirit of Justice Harlan who dissented in *Plessy*, I would like to share a quote from another great dissenter proved right in the course of history, Justice Byron White.

Justice White, who in his 1973 dissent, joined by Justice Rehnquist, in *Doe v. Bolton*, the companion case to *Roe v. Wade*, wrote as follows:

*"With all due respect, I dissent. I find nothing in the language or history of the Constitution to support the Court's judgment.*

*"The Court simply fashions and announces a new constitutional right for pregnant mothers and, with scarcely any reason or authority for its action, invests that right with sufficient substance to override most existing state abortion statutes.*

*"The upshot is that the people and the legislatures of the 50 States are constitutionally disentitled to weigh the relative importance of the continued existence and development of the fetus, on the one hand, against a spectrum of possible impacts on the mother, on the other hand.*

*"As an exercise of raw judicial power, the Court perhaps has authority to do what it does today; but, in my view, its judgment is an improvident and extravagant exercise of the power of judicial review that the Constitution extends to this Court.*

*"The Court apparently values the convenience of the pregnant mother more than the continued existence and development of the life or potential life that she carries.*

*"Whether or not I might agree with that marshaling of values, I can in no event join the Court's judgment because I find no constitutional warrant for imposing such an order of priorities on the people and legislatures of the States.*

*"In a sensitive area such as this, involving as it does issues over which reasonable men may easily and heatedly differ, I cannot accept the Court's exercise of its clear power of choice by interposing a constitutional barrier to state efforts to protect human life and by investing mothers and doctors with the constitutionally protected right to exterminate it.*

*"This issue, for the most part, should be left with the people and to the political processes the people have devised to govern their affairs."*

Justice White was correct. I share that belief.

The Court's decision in *Roe* was a travesty of Constitutional law and human rights... one that should follow *Plessy v. Ferguson* to the ash heap of history.

In the *Dobbs* case, I pray that we see the Supreme Court do precisely this, correct this historic injustice and uphold Mississippi's 15-week abortion law.

For the pro-life movement, overturning *Roe* is not the end, but only the beginning.

States across the country stand ready to protect life and provide support for pregnant moms facing crisis pregnancies.

I pray this year's March for Life marks the final anniversary of *Roe v. Wade*, and heralds the dawn of a new day where every life is protected.

I would like to thank the thousands of Americans across the country who will be joining this year's March for Life.

I would also like to thank the hundreds of Montanans who joined me last week in Helena's March for Life.

I stand with you, and I will continue to fight to protect all life.

I yield back my time.