

# U.S. Sen. Baldwin: Senate Democrats release new report detailing how health care and reproductive rights are at risk with new Supreme Court vacancy

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WASHINGTON, D.C. – Today, U.S. Senators Tammy Baldwin (D-WI), Sheldon Whitehouse (D-RI), Debbie Stabenow (D-MI), Tammy Duckworth (D-IL), Kirsten Gillibrand (D-NY), Richard Blumenthal (D-CT), Dianne Feinstein (D-CA), Mazie Hirono (D-HI) and Democratic Leader Chuck Schumer (D-NY) released a [new report](#) on how Americans' health care is at risk because of the new Supreme Court vacancy following the tragic death of Justice Ginsburg.

In the first in a [series of Captured Courts reports focused on issues](#), Senate Democrats have followed the dark money behind judicial decisions and are shining a light on how Republicans are using the courts to threaten health care for millions of Americans, and take away the hard-earned rights of women to make their own decisions about their bodies.

With millions in funding from corporate special interests and ultra-wealthy donors like the Koch Brothers, Republicans have mounted repeated challenges to the Affordable Care Act (ACA) and access to reproductive care, and have appointed swaths of conservative judges who often lack basic qualifications, but are wholly committed to advancing the conservative agenda. The report details multiple instances of federal courts serving as the key battleground for these issues going

back decades, and continuing this November when the Roberts Court will hear another challenge to the ACA in *Texas v. California*.

“For years now, corporate special interests and Republicans in Washington have been using our judicial system to chip away at Americans’ health care and reproductive rights. If they succeed in filling the Supreme Court vacancy left by Justice Ginsburg, it will mean millions of Americans could lose access to quality, affordable health care, and millions of women could lose the freedom to make their own health care decisions,” **said Senator Baldwin**. “This report makes clear that the stakes couldn’t be higher in this fight, and Senate Democrats will continue to push back against the right wing capture of our courts and the Republican efforts to take health care away from millions of Americans.”

“Special interest have built a massive machine to seize control of Americans’ judiciary. It doesn’t matter to them if 135 million Americans lose protections for preexisting conditions or women around the country lose their reproductive rights. All they want is to advance their partisan interests at the polls and win reliably in the court room,” **said Senator Whitehouse**. “We need to shine a light on this right-wing capture of our courts and its implications for health care and reproductive rights. This report does just that.”

“This report makes it clear just how much is at stake with our federal courts when it comes to protecting access to affordable healthcare and ensuring women’s reproductive rights,” **said Senator Duckworth**. “As a woman of color, a mother and a Veteran with a number of pre-existing conditions, I understand just how valuable—how life-changing—affordable healthcare can be. Senate Republicans have made it clear their only concern is installing judges who will continue to chip away at these rights, but we cannot — and will not — stop fighting to protect our healthcare.”

“Americans’ health care and reproductive rights are under threat like never before. The Trump administration and Mitch McConnell’s Senate – working hand-in-hand with dark money groups and wealthy donors – have packed the courts, handing lifetime appointments to ideological, extremist judges,” **said Senator Blumenthal**. “Dark money groups have funneled millions of dollars from big money

donors to shape our courts – and advance their own special interests. Their appalling agenda is clear: roll back the clock on women’s rights and repeal the ACA, leaving millions of Americans without vital care in the midst of the worst global health crisis in a century. We must redouble our fight against these shameful anti-health care, anti-choice attacks.”

### **Key Takeaways from the Captured Courts: Health Care and Reproductive Rights Report**

- Courts are the linchpin of the Republican anti-health care and anti-choice agenda. The vacancy created by Justice Ginsburg’s death further jeopardizes health care and reproductive rights for millions of Americans.
- If the Supreme Court overturns the Affordable Care Act (ACA), 135 million Americans with pre-existing conditions could lose protections. The Medicaid expansion – which covers 17 million people – would end. Insurance companies could once again charge women more than men. And insurance companies could stop covering basic services like maternity care, cancer screenings, and contraception.
- Corporate special interests and ultra-wealthy donors, like the Koch Brothers, have spent millions of dollars to destroy the ACA and undermine reproductive rights. In 2010-2011, as the National Federation of Independent Businesses (NFIB) led a major lawsuit opposing the ACA, it took in \$10 million of new donations from just 10 wealthy donors. This was a huge jump: in 2009, before their lawsuit began, their largest donation was just \$21,000.
- The Trump Administration has used opposition to the ACA and *Roe v. Wade* as a litmus test for its judicial nominees. These judges, with life tenure, will carry out the Republicans’ anti-health care and anti-reproductive-rights agenda long beyond Trump’s time in office.
- Emboldened by this slate of activist judges, opponents of the ACA and reproductive rights have put in place scores of laws and policies that restrict Americans’ access to health care.
- These restrictions disproportionately impact people who are poor, people who live in rural areas, and people of color.

The full report is available [here](#).



An online version of this release is available [here](#).