

**Senator Elizabeth Warren**  
**Remarks on the Senate Floor**  
**July 15, 2014**

Mr/Madame President. Republicans are on the attack, once again trying to put women's fundamental rights on the chopping block. I stand alongside my colleagues to fight back. Senator Patty Murray of Washington, Senator Mark Udall of Colorado, and forty other Senators have stood up to sponsor new legislation to reverse the Supreme Court's shocking decision in *Hobby Lobby*, where the Court gave *corporations* the power to deny their employees access to birth control. We will vote on our legislation tomorrow morning, and I urge my colleagues to pass it without delay.

Right now – with millions of Americans still out of work and struggling to recover from the worst economic downturn since the Great Depression, with 40 million Americans dealing with student loans, with millions of people working full-time at minimum wage and still living in poverty, with big banks getting bigger, workers getting poorer, and seniors struggling to make ends meet – Republicans in Washington have decided that the most important thing for them to focus on is how to deny women access to birth control.

I'll be honest – I cannot believe that we are even having a debate about whether employers can deny women access to birth control. Guys, this is 2014, not 1914. Most Americans thought this was settled long, long ago. But for some reason, Republicans keep dragging us back here – over and over and over again.

After all, the *Hobby Lobby* case is just the most recent battle in an all-out Republican assault on women's access to basic health care. In 2012, the Republicans tried to pass the Blunt Amendment – a proposal that would have allowed employers and insurance companies to deny women access to health care services based on any vague moral objection. Democrats said no – the President said no – and the American people said no – to this offensive idea.

But instead of listening to the American people, Republicans in Washington doubled down. Remember last year's government shutdown that nearly tanked our economy? That fight started with a GOP effort to hold the whole operation of the federal government hostage in order to try to force Democrats and the President to let employers deny their workers access to birth control. Well, we rejected that hostage taking. Democrats said no – the President said no – and the American people said no – to this offensive idea.

But instead of listening to the American people, Republicans turned to their right-wing friends on the Supreme Court. And those justices did what Congress would not do – what the President would not do – what the American people would not do. Those justices decided that corporations have the right to ignore the law and determine for themselves whether their employees can access basic health care coverage.

The *Hobby Lobby* decision is a stunning case. As Justice Ruth Bader Ginsberg noted in her dissent, the result of this case could be to deny “legions of women, who *do not hold* their employers' beliefs, access to contraceptive coverage that the ACA would otherwise secure.” And

the case is a first step on a slippery slope that could eventually allow corporations to deny health coverage to their employees for other medical care – including immunizations that protect our children from deadly diseases, HIV treatments that save lives, or blood transfusions needed in surgeries.

The *Hobby Lobby* case is stunning, but not entirely surprising. Giant corporations and their right-wing allies fight every day in Congress to protect their own privileges and to bend the laws to benefit themselves. They devote enormous resources to the task. Sometimes, we beat them anyway. We beat them when they tried to pass the Blunt amendment, and we beat them when they tried to shut down the government over birth control coverage.

But when corporations lose in Congress, they don't just give up. They know they can often turn defeat into victory if they get a favorable court decision.

So while they push hard on Congress, they also devote enormous resources to influencing the courts – trying to transform our judiciary from a neutral, fair, and impartial forum into just one more rigged Washington game.

And nowhere has the success of this strategy to rig the courts been more obvious than with our current Supreme Court.

Three well-respected legal scholars recently examined 2,000 Supreme Court cases from the last 65 years and listed the top ten most pro-corporate justices in that time – 65 years. The results? The five conservative justices on the court today were all in the top ten, and Justices Alito and Roberts are numbers one and two.

So it's no surprise that those five Justices banded together in the *Hobby Lobby* case to decide that *corporations* have more rights than the women who work for them. They decided that corporations are “people” who matter more than the real, living men and women who work hard every day and are entitled to the protection of our laws.

We can fight back against this decision, and against the corporate capture of our federal courts. We can fight back by appointing judges who are fair, judges who are impartial, and judges who won't show up on any top ten lists for consistently putting a thumb on the scales in favor of big business.

And we can fight back tomorrow by passing legislation to overturn this terrible Supreme Court decision.

The proposed law, called the Protect Women's Health from Corporate Interference Act, is simple. It does not require any person, any church, any house of worship, any faith, or any religious non-profit to endorse or provide insurance coverage for contraception. It does just one thing: It prevents ordinary, for-profit corporations from ignoring the law and imposing their owners' religious beliefs on their employees by refusing to provide access to basic health benefits that are legally required. That was the law before the *Hobby Lobby* case – and it should be the law again.

Senators will have a chance to vote tomorrow. I urge every Senator to do the right thing. But whatever happens, we have won this fight many times before, and I am confident that sooner or later we will win it again. Because no matter how many resources the other side pours into the battle, they will never convince Americans that their bosses should be in charge of their most intimate health care decisions. And they will never convince Americans that corporations are “people” whose imagined rights are somehow more important than the health of real, living, breathing people.

I have a daughter. I have granddaughters. And I will never stop fighting the efforts of backward-looking ideologues who want to cut women’s access to birth control. We’ve lived in that world, and we are not going back.