

Despite Claiming to Support IVF, Senate Republicans Block Duckworth Bill to Protect IVF Access Nationwide

February 29 2024 10:00 AM



WASHINGTON, D.C. – Despite many Senate Republicans recently claiming to support in-vitro fertilization (IVF) in the days since Alabama’s Supreme Court issued a ruling that severely restricted access to IVF in that state, Senate Republicans today blocked U. S. Senator Tammy Duckworth’s (D-IL) legislation that would protect access to IVF and other assisted reproductive technology (ART) nationwide. Leading a group of Senate Democrats in calling for the legislation’s passage, Duckworth urged her Republican colleagues to get out of the way of the Democrats’ efforts to protect access to IVF and let the Senate pass her [*Access to Family Building Act*](#)—which would establish a statutory right to access IVF for all Americans who need it to start or grow a family—through

unanimous consent. U.S. Senator Cindy Hyde-Smith (R-MS) objected. Video of Senator Duckworth's remarks [can be found on YouTube](#).

“After clamoring to get on the record in support IVF after the Alabama Supreme Court ruling, Senate Republicans had a chance to prove that claimed support tonight by simply getting out of the way of our efforts to pass my bill that would protect IVF access nationwide—and they blocked it,” said Senator Duckworth. “For years, even before the Supreme Court’s disastrous Dobbs decision that overturned *Roe v. Wade*, I’ve sounded the alarm that Republicans’ decades-long campaign to rob women of their right to make decisions about their healthcare and bodies would eventually put IVF and other ART at risk. I’m heartbroken that I was right and disappointed that they blocked our efforts tonight, but I will never stop working to protect every American from being criminalized just for trying to start or grow their family through IVF.”

The group of Senate Democrats led by Senator Duckworth calling for the *Access to Family Building Act*’s passage included U.S. Senators Patty Murray (D-WA), Catherine Cortez Masto (D-NV), Elizabeth Warren (D-MA), Ron Wyden (D-OR), Richard Blumenthal (D-CT) and Tim Kaine (D-VA). This is the second time Senate Republicans have blocked Duckworth-led legislation that would protect access to IVF nationwide. The *Access to Family Building Act* that Senator Duckworth sought to pass through unanimous consent today builds on [previous legislation](#) she introduced in 2022. That year, Duckworth went to the Senate floor and [pleaded](#) with her Republican colleagues to help pass the legislation through unanimous consent. Republicans objected. The *Access to Family Building Act* is endorsed by the American Society for Reproductive Medicine (ASRM) and RESOLVE: The National Infertility Association.

“This isn’t some surprise—the Alabama Supreme Court decision is Republican ideology in action,” said Senator Murray. “Women have had their dreams shattered because Republicans believe a frozen embryo kept in storage at an IVF clinic is the same, and should have the exact same rights, as a living, breathing, human person. Instead of empty words, Democrats want to see action—that is why we just tried to pass the Access to Family Building Act. It doesn’t get more straightforward than that! And yet, Republicans still blocked this bill—and showed their true colors when it comes to IVF.”

“Having a child through IVF is a wonderful thing, not a crime that should be punished. Our anti-choice Republican colleagues know this, and yet they have once again refused to do the right thing for American families by supporting protections for accessing IVF,” said Senator Cortez Masto. “Their hypocrisy is on full display, and America is watching.”

“Remember that for all their talk about supporting IVF, when it came down to it, Republicans blocked IVF protections that would give families a chance to have a baby.

For Donald Trump and Republicans, this has always been about conservative politicians controlling women's bodies," said Senator Warren. "I'll keep fighting alongside President Biden and Democrats until reproductive freedom is protected across the country."

"At every opportunity, Republicans have moved mountains in order to restrict the constitutional rights and freedoms of women, making it impossible for them to live their lives free from government intrusion," said Senator Wyden. "Today was no exception. Senate Republicans have once again denied protections for a generation of women hoping to become mothers."

"What has become devastatingly and tragically clear is that the Republican Party's animosity towards women's health and women's rights doesn't stop at abortion," said Senator Blumenthal. "This measure very simply guarantees the right for women and families everywhere -- in Alabama and Connecticut, in every state in this country -- to access the fertility care they need to bring children into the world."

"The Supreme Court's decision to overturn Roe v. Wade has opened the floodgates for draconian restrictions on reproductive freedom," said Senator Kaine. "Americans deserve the freedom to decide whether, when, and how to start or build their families—without interference by the government. This legislation would help us codify that right by safeguarding access to IVF, and unfortunately, its passage is more important than ever."

[A copy of the bill text can be found using this link.](#)

Last year, Duckworth also joined Murray in reintroducing the [Reproductive Healthcare Accessibility Act](#), legislation to help people with disabilities—who face discrimination and extra barriers when seeking care—receive better access to reproductive healthcare and the informed care they need to control their reproductive lives. Additionally, Duckworth and U.S. Representative Gerald Connolly (D-VA-11) [urged](#) the Office of Personnel Management to require Federal Employees Health Benefit (FEHB) Programs to cover IVF. This resulted in the first nationally available healthcare plan to offer IVF coverage for federal employees insured by the FEHB program.

Duckworth was the first Senator to give birth while serving in office and had both of her children with the help of IVF. In 2018 she [advocated](#) for the Senate to change its rules so she could bring her infant onto the Senate floor. She has made protecting and expanding access to essential reproductive healthcare a top priority. She joined her colleagues to [applaud](#) the Biden Administration's landmark decision to allow the

Veterans Health Administration (VHA) to provide abortion care to Veterans and their eligible dependents to protect the health and life of the person and in cases of rape or incest.