

VEFAMUN'26

U.S. SENATE RULES OF PROCEDURE



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I. GENERAL PROVISIONS

Article 1: Scope and Authority

1. These Rules of Procedure apply only to the United States Senate Committee of VEFAMUN'26.
2. If a situation is not clearly explained in these Rules, the general VEFAMUN'26 Rules shall apply.
3. The Senate Presidency has the authority to interpret and enforce these Rules.
4. All Senators are expected to act with professionalism, respect, and diplomatic conduct at all times.

II. GENERAL RULES OF THE SENATE

Article 2: Quorum

1. A quorum consists of a simple majority of Senators present in the Chamber.
2. No voting procedure may begin without quorum.
3. A Senator may raise a Point of Order to check quorum, except during voting.

Article 3: Senate Presidency

1. The Senate Presidency shall have complete power, given by the Under-Secretary-General, to preside over the Senate in its entirety.
2. The Secretariat has the highest overall authority in VEFAMUN'26 and may intervene in procedural matters when necessary.
3. All committee members shall respect the authority of both the USG and the Secretariat.

III. OPENING OF SESSION

Article 4: Roll Call and Pledge of Allegiance

1. At the beginning of each session, the Presidency shall conduct a roll call in alphabetical order.
2. Senators shall respond “Present.” or “Present and Voting.”
3. After roll call is completed, the Chairboard shall lead the Chamber in the Pledge of Allegiance:

“I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible with liberty and justice for all.”

4. The Chamber shall open for debate only after the Pledge of Allegiance has been completed.

IV. FLOW OF DEBATE

Article 5: Party Caucus

1. A motion for a Party Caucus allows Senators to meet only with members of their own party.
2. The motion must have a duration time.
3. The structure is the exact with the rules of an unmoderated caucus, however, it is only allowed and limited to talking to their own party members.

Article 6: Party Leaders

1. Each party shall elect a Party Leader.
2. The Party Leader is the only main person who speaks at the beginning of each session and coordinates party strategy.

3. A Party Leader may be chosen by a simple majority which can be voted in the Party Caucus.

Article 7: Leader Time

1. At the beginning of each session, the Majority Leader and Minority Leader shall have the floor for one minute to present their party's general position on the agenda item.
2. Leader Time is not open to Points of Information.

Article 8: Moderated Caucus

1. A motion for a moderated caucus may be raised when the floor is open.
2. A simple majority is required for the motion to pass.
3. Senators may speak only when recognized by the Chairboard.

Article 9: Unmoderated Caucus

1. A motion for an unmoderated caucus may be raised when the floor is open.
2. The motion must state the total duration.
3. A simple majority is required for passage.
4. During this time, Senators may negotiate, draft bills, and discuss freely.

Article 10: Filibuster

1. A Senator may motion to begin a filibuster during debate.
2. A simple majority is required for the motion to pass.
3. If it passes, the Senator has the floor for an unlimited time, which can be yielded to another Senator with the permission of the Presidency.

4. The Senator who is on the floor can talk about any topic that is relevant or irrelevant to the agenda during the filibuster and they must continuously speak and must not pause for more than three seconds.
5. The purpose of a filibuster can be used strategically. It is usually to delay the voting process, win time for your party to complete documents or prevent the other side from passing a bill. Since there is no limit for a filibuster, a Senator can realistically talk indefinitely and postpone the voting procedure as long as they want. However, the filibuster must still follow the rules of decorum. The Presidency has the authority to cut the Senator's time short if the filibuster is being abused or disrupts the functioning of the committee.
6. If other Senators wish to end the filibuster, they may give a motion for cloture (termination). Cloture motion requires a three-fifths (3/5) majority to pass. If the motion is passed, the filibustering Senator must immediately yield the floor, and the committee shall proceed with normal debate or voting procedures.

V. RULES GOVERNING BILLS

Article 11: Bill Submission

1. Any Senator may draft and submit a bill. The bill must receive Presidency approval before being introduced.
2. A bill requires at least ten co-sponsors to be suitable for presentation. Co-sponsors are official signatories supporting debate on the bill.
3. Although unlimited Senators may sponsor a bill, no more than five Sponsors may present it on the floor.

Article 12: Introduction of Bills

1. After Presidency approval, a Sponsor may motion to introduce the Draft Bill. This motion requires a simple majority.
2. If multiple bills are approved, they shall be presented in order of submission.
3. Sponsors shall read the bill and briefly explain its purpose.

4. A 20-minute Question & Answer session shall follow. Senators may raise Points of Information to clarify or challenge the bill.

Article 13: Amendments

1. Amendments must be submitted in writing and approved by the Presidency before introduction.
2. Friendly amendments, which are approved by all Sponsors, are automatically added without debate.
3. Unfriendly amendments shall be debated in a 2-for-2-against format and require a simple majority to pass.

Article 14: Structure of a Bill

S. [Number]

[List Sponsors] introduced the following bill;
Co-sponsored by: [List Co-sponsors].

A BILL

To [clearly state the purpose of the Bill].

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “[Act Name].”

SEC. 2. [Title].

- a) Clauses must be written in full sentences.
 - i) Sub-clauses must end with semicolons, except the last one, which ends with a period.

SEC. 3. [Title]

- a) Clauses should be written in full sentences. When listing specific details within a sub-clause, a colon is used at the end of the clause, and a semicolon is used at the end

of the sub-clauses, with the exception of the final sub-clause, which should be punctuated with a period.

Article 15: Language of a Bill

- Bills must be clear, direct, legal in tone, and free from emotional or persuasive language.
- Use words such as “shall establish,” “shall implement,” “not later than,” “shall report.”
- “The federal government shall increase funding for border security operations.”
- Definitely avoid phrases such as “We believe,” “This bill hopes,” “It is important that,” etc.
- Senators must indicate the source of the funds. The institutions and organizations from which the funds originated must be specified.

Article 16: Example Bill

S. 2026

Ms. Murray (D-WA), Mr. Collins (R-ME), Mr. Booker (D-NJ), Ms. Murkowski (R-AK), and Mr. Warnock (D-GA) introduced the following bill;

Co-sponsored by: Mr. Padilla (D-CA), Ms. Ernst (R-IA), Mr. Kaine (D-VA), Mr. Scott (R-FL), Ms. Hassan (D-NH), and Mr. Romney (R-UT).

A BILL

To establish federal standards ensuring access to reproductive health services across all states while respecting constitutional boundaries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Reproductive Health Access and Equality Act.”

SEC. 2. FEDERAL PROTECTION STANDARDS

a) The Department of Health and Human Services shall establish minimum federal standards to protect access to reproductive health services across all states;

- i) These standards shall ensure non-discriminatory access regardless of state residency;
- ii) Emergency medical protections shall be guaranteed in all states;
- iii) Federal funding conditions shall require compliance with these standards.

SEC. 3. STATE IMPLEMENTATION AND OVERSIGHT

- a) States shall retain authority to regulate health services, provided such regulations do not violate the minimum federal standards established under this Act;
- b) The Attorney General may review state legislation to ensure compliance with federal protections;
- c) An annual report shall be submitted to Congress evaluating implementation and enforcement.

VI. VOTING PROCEDURE

- 1. Substantive matters require a formal voting procedure.
- 2. Voting shall be conducted by roll call unless stated otherwise.
- 3. A simple majority is required for passage unless specified differently in these Rules.

VII. DECORUM

- 1. Senators shall address one another in the third person.
- 2. All statements must be directed through the Presidency.
- 3. Personal attacks and disruptive behavior are prohibited.
- 4. The Presidency may issue warnings or remove speaking rights if necessary to maintain order.

VEFAMUN'26

U.S. SENATE

STUDY GUIDE

The Protection of Reproductive Rights in Federal and State Law After the
Overturning of Roe v. Wade

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1. Letter from Secretary-General

Most Special Participants of VefaMUN'26,

As the Secretary-General of VefaMUN'26, I'm absolutely thrilled to welcome you to our 6th edition, happening on March 28-29 right here at Vefa High School.

My journey with this club began on day one of my high school career, and it's been a true passion ever since. I started as an Academy Team Member, climbed to Head of Academy, served as the Deputy Secretary-General, and now stand proudly as Secretary-General. Over these years, I've given my all to this club and this family. We've faced endless obstacles together, and turned "an idea that became reality" from our slogan into our living truth. Every challenge we overcame only made us stronger, more united, and ready to deliver something extraordinary.

Our academy and organisation teams have poured relentless effort into this conference. We tackled every hurdle with grit and designed eight dynamic committees to challenge your minds, spark debates, and create unforgettable memories. From crisis simulations to deep policy dives, each one is crafted for maximum engagement and growth.

But here's the heart of it: none of this shines without you, our incredible participants. Your energy, ideas, and passion are what breathe life into VefaMUN. So come join our family, dive into action, and let's make this edition legendary together.

Best Wishes,

Melis Usanır

Secretary-General of VefaMUN'26

2. Letter from Under-Secretary-General

Distinguished Delegates of VEFAMUN'26!

It is a great honor and happiness for me to welcome you to VEFAMUN'26. My name is Nisa Nur Aydın, and I will be serving as your Under-Secretary-General of the United States Senate Committee.

First of all, beyond my mission to serve as your Under Secretary General, I am also one of the academic team members of the VEFAMUN'26 team, and hosting this committee at my own school makes this experience especially meaningful to me. As the whole academic and the organization team of VEFAMUN, we gave our unlimited time and effort to ensure the most stunning Model United Nations Conference for all of you.

The United States Senate is one of the most influential legislative bodies in the world. I personally love this committee so much since it is a chamber where exciting arguments, leadership, and negotiations happen most realistically. You will be discovering the role of real senators, defending your party's position, and taking responsibility for the sake of your country. Our agenda item is complex and crucial; therefore, I strongly expect every delegate to come well-prepared by researching their senator carefully, understanding their ideology, and learning their party's priorities.

At the same time, I truly believe this committee will be an unforgettable and challenging experience since the U.S. Senate is already known for its entertaining debates and intriguing history. My Chairboard and I have worked hard to create a welcoming and academic committee for every one of you, and I am confident you will have your best Model United Nations experience ever. I sincerely look forward to witnessing your determination throughout this conference.

Lastly, I would like to thank our dear Secretary-General, Melis Usanır, for giving me this opportunity, and I would also like to thank my Academic Assistant, Bahar, and my best friends, Hamza and Boray.

I cannot wait to meet you all and share an unforgettable VEFAMUN'26 experience!

If you have further questions regarding the agenda or the flow of the committee, always feel free to contact me via nisnurayd@gmail.com.

Nisa Nur Aydın
Under-Secretary-General of the U.S. Senate

3. Introduction to the Committee: United States Senate

The United States Senate is the upper chamber of the United States Congress, while the House of Representatives is the lower chamber. Together, these two chambers make up the U.S. Legislature.



The Senate plays a significant role in the formulation, approval, and enforcement of federal laws. Each state in the United States is represented by two senators in the Senate, regardless of the state's population. The United States of America consists of 50 states, and each state is represented by two senators, which makes a total of 100 senators in the Senate.

Before the approval of the 17th Amendment in 1913, the senators were elected by the state legislatures, not the general public. However, since then, the people of each state have elected the senators to represent them for a term of six years. Approximately one-third of the Senate comes up for reelection every two years.

All legislative power in the government is granted to Congress, which means that the U.S. Senate and House of Representatives are the only parts of the government that have the power to create new laws or modify existing ones. Executive Branch agencies can only issue regulations with the full force of law under the authority granted by laws passed by Congress. In order to pass legislation and send it to the President for his signature, both the House and the Senate must pass the same bill by majority vote. If the President vetoes the bill, they may override his veto by passing the bill again in each chamber with at least two-thirds of each body voting in favor.

The Senate has the solitary power to confirm the President's appointments that require consent, and to ratify treaties. However, the House also has to approve appointments to the Vice Presidency, and this should be a treaty that involves foreign trade. The Senate also tries impeachment cases for federal officials referred to it by the House. A part of Congress's legislative authority is to establish an annual budget for the government. Besides, Congress holds the solitary power to declare war.

Each member of the Senate holds one vote in legislative proceedings. Most legislative decisions in the Senate are determined by a simple majority, defined as one vote more than half. The Senate ratifies treaties and presidential impeachments by a two-thirds supermajority vote and confirms the appointments of the President by a majority vote. In a tie, the Vice President of the United States serves as President of the Senate and makes the final decision.

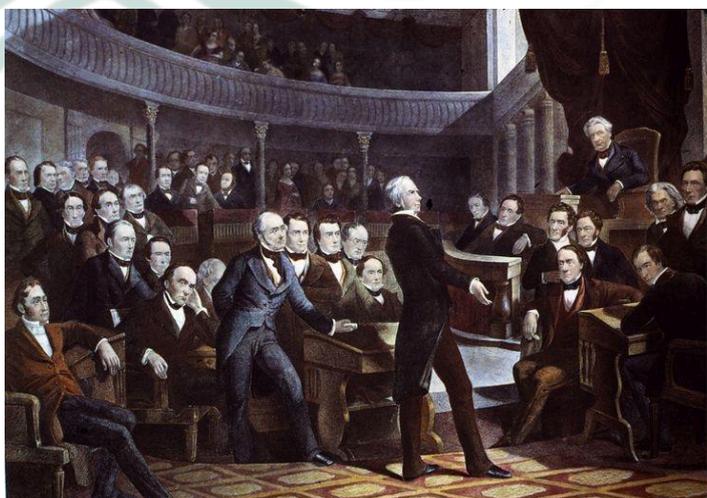
4. Introduction to the Agenda Item: The Protection of Reproductive Rights in Federal and State Law After the Overturning of Roe v. Wade

In 1973, the U.S. Supreme Court's ruling in *Roe v. Wade* recognized that the decision whether to continue or end a pregnancy belongs to the individual, not the government. However, when the U.S. Supreme Court overturned its landmark decision in "*Roe v. Wade*" through its decision in "*Dobbs v. Jackson Women's Health Organization*" in 2022, the legal landscape of reproductive rights in the United States experienced a significant shift.

For almost five decades, the ruling in the case of *Roe vs. Wade* has recognized the right to abortion as a constitutional right based on the right to privacy under the Fourteenth Amendment of the Constitution. However, the ruling in the case of *Dobbs vs. Jackson Women's Health Organization* overturned this ruling and stated that the right to abortion is not provided by the Constitution but by individual states.

Consequently, the issue of abortion in the United States is no longer guided by a federal constitutional standard. Instead, each state now determines the standards for the availability and legality of abortion within its borders. Some states ban abortion at any stage of pregnancy with very few exceptions, while others allow it up to a certain stage of pregnancy. In addition, some states allow abortion throughout the pregnancy. Additionally, many states have various laws regarding the health of the mother, rape/incest, parental consent, counseling, or ultrasound.

These changed laws have led to a complex legal system where the availability of reproductive health care now depends on geographic location. Individuals who live in states with restrictive laws may face substantial legal, financial, and logistical barriers, while those in states protecting abortion rights continue to have broader access.



Reproductive rights are still one of the most controversial political topics in America today. The debates concerning the interpretation of the Fourteenth Amendment and federal-state legislation are still in progress in Congress.

5. Key Terminology

Abortion: A medical procedure that ends a pregnancy when the baby is still too small to live. In legal debates, abortion is often discussed in relation to individual rights, state authority, and constitutional interpretation.

Overturn: To officially change or cancel a previous legal decision. When a Supreme Court decision is overturned, it is no longer considered legally valid and recognized. A decision/conviction/verdict can be overturned.

Supreme Court: The highest court in the United States. It has the final authority to interpret the Constitution and decide whether laws are constitutional. Its decisions are crucial across all states.

Reproductive: Related to pregnancy, childbirth, and the ability to have children. In legal discussions, reproductive issues refer to rights, healthcare access, and personal decisions about pregnancy.

Legislate: To create, debate, and pass laws through a formal legislative process.

Legislatures: The part of the government that has the power to make laws.

Federal Government: A federal government is a system where power is constitutionally shared between a central, national authority and smaller regional units like states or provinces. It shares power with state governments under the system of federalism and has authority over issues listed in the Constitution.

Federalism: A system of government in which power is divided between a central government and state governments. In abortion debates, federalism is central to questions about state authority versus federal power.

Interstate: Involving or occurring between two or more U.S. states. Congress has authority over interstate commerce under the Commerce Clause.

Amendment: An official change in the words of a document or an addition made to a legal document, especially the U.S. Constitution. Constitutional amendments can expand rights, clarify laws, or limit government power.

Constitution: The supreme law of the United States. It is the set of laws and principles that a country's government must obey. It establishes the structure of the federal government and protects fundamental rights and freedoms.

Trimester: One of the three stages of pregnancy, each lasting about three months. In past abortion jurisprudence, legal rules were sometimes based on different trimesters of pregnancy.

Viability: The stage of pregnancy at which a fetus can survive outside the womb with medical support. Viability has played an important role in significant Supreme Court decisions related to abortion rights.

Regulation: An official rule created by a government authority to control or manage certain activities. States often regulate healthcare practices and reproductive services.

Gestational Age: Gestational age is the common term used during pregnancy to describe how far along the pregnancy is. It is measured in weeks, from the first day of the woman's last menstrual cycle to the current date. Many state laws regulate abortion based on gestational age limits.

Distortion: A change or interpretation that misrepresents the original meaning of a law, decision, or statement. In legal debates, distortion refers to incorrect constitutional interpretation.

Trigger Law: A law designed to come into effect automatically in the event of a specific change in circumstances, especially the repeal of existing legislation in the U.S, such as the overturning of a Supreme Court decision. After Dobbs, many states activated trigger laws that restrict abortion.

Due Process: Due process is a fundamental right guaranteed by the U.S. Constitution. It protects people against arbitrary government decisions and ensures fairness in legal matters. Both citizens and non-citizens in the U.S. have the right to due process, which is a chance to defend their rights and to have a fair hearing.

Equal Protection: A principle from the 14th Amendment that requires states to treat people equally under the law. Laws cannot unfairly discriminate against certain groups.

Jurisprudence: The study and theory of law. It refers to how courts interpret legal principles and constitutional rights over time.

Subsequent: Occurring after something else. For instance, subsequent legislation refers to laws passed after a major court decision.

Enact: To officially make and pass a law through a legislative body. Congress enacts federal laws, while state legislatures enact state laws.

Enumerate: To list powers or items clearly and specifically, usually one by one. The Constitution enumerates certain powers granted to Congress.

Polarization: A situation where society becomes deeply divided into two completely opposing political or ideological groups, often making compromise more difficult.

Commerce Clause: A part of the U.S. Constitution that gives Congress the power to regulate economic activities between states. In abortion debates, the question arises of whether Congress can use this power to pass federal laws protecting or restricting abortion access.

6. Background of Roe v. Wade and Subsequent Jurisprudence

Roe v. Wade (1973), which is a revolutionary decision, established abortion as a constitutional right under the concept of the right to privacy. The court derived this right from the due process clause of the 14th Amendment and defended that personal decisions, such as marriage, familial, and reproductive, must take part in a protected special place that is away from government interference.

Before the Roe v. Wade decision, abortion laws were different among states, illustrating that many states considered abortion a crime except in circumstances that put the mother's life in danger. At the end of the 1960s, arguments about women's rights and bodily autonomy led to growing and expanding legal battles.

The 14th Amendment states that “No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of the law; nor deny to any person within its jurisdiction the equal protection of the laws.”

In the case of Roe, the court laid a framework to balance individual liberty with state benefits. During the first three months of pregnancy, the government cannot regulate abortion decisions; during the second three months of pregnancy, the government can bring a few limited regulations which is about mother's health; and the third three months of pregnancy trimester when the fetus become a viable circumstance, the government could regulate abortion or forbid abortion to protect mother's life and health. Additionally, subsequent Jurisprudence re-shaped Roe's basis provision; however could not extinguish it.

In the Planned Parenthood v. Casey (1992) case, the Supreme Court confirmed that the right to abortion is a constitutional right, but changed the trimester framework with the “undue

burden” standard. According to this standard, the legislature cannot make a particular law that is too burdensome or restrictive of one's fundamental rights. For instance, if a law blocks a person from seeking an abortion before the fetus becomes a viable circumstance, that is against the Constitution. This decision provided the states with higher regulatory power while protecting federal protection. After a couple of years, the court kept supporting *Roe v. Casey* while letting the limitations that are at the level, such as waiting period, parental leave, etc. In addition, the concept of viability of the fetus kept an essential role in the following jurisprudence. Consequently, abortion has been increasingly shaped by state amendments and judicial interpretation despite remaining a right that is guarded at the federal level till 2022.

By that time, abortion had become a pretty important matter in the United States of America. Democrats usually supported protecting abortion rights and supporting the access to abortion stay legal. However, the Republicans defended that states must support the right to limit or prohibit abortion while emphasizing the protection of unborn life.

7. The Dobbs v. Jackson Decision

The *Dobbs v. Jackson* case is between Thomas E. Dobbs and Jackson’s Women’s Health Organisation. Thomas E. Dobbs, the State Health Officer of Mississippi, represented the state. Jackson's Women's Health Organisation was a reproductive health clinic in Jackson. Jackson was the only licensed abortion provider in the state.

Dobbs v. Jackson's case requests a determination of whether Mississippi’s ban on all elective abortions that are after 15 weeks of pregnancy is a constitutional right from the Supreme Court. Petitioner Thomas Dobbs pleads that the court has to invalidate the decisions which are in the level of a future beacon (*Roe v. Wade*, *Planned Parenthood of Southeastern Pennsylvania v. Casey*), such as to recognize as a constitutional right that says the abortions which are made before the viability of the baby, or as an alternative, decline the viability as a measurement tool. After all, the defendant Women's Health Organisation defends that the Supreme Court has to approve that the abortion right is a constitutional right because there is no compelling reason to invalidate the precedent decisions that found abortion is a right. The court's decision about that case will bring serious problems about women's rights, the role of the region in legislation, and the loyalty to precedent rights.

In June 2022, in the *Dobbs v. Jackson* case, the Supreme Court overturned the decision that the US Constitution protected the landmark right to abortion, *Roe v. Wade*, and *Planned Parenthood v. Casey*. To illustrate 64 million women as potentially lost to make their own decisions about their own body rights in one night.

The court stated that the Constitution does not confer a right to abortion; therefore, *Roe v. Wade* was overruled. Additionally, they stated they could not say it was not a constitutional

right, which meant it was true to cancel. The majority opinion provided several reasons for overturning Roe and Casey. The reasons are:

- 1) Roe v. Wade short-circuited the democratic process
- 2) Both lack grounding in constitutional text history
- 3) The tests they established were not workable
- 4) They distorted the law in other areas
- 5) Overruling them would not create reliance interests

To clarify, the US Supreme Court removed Roe v. Wade and Planned Parenthood v. Casey's decisions because abortion was not clearly explained in the constitution and it was not a fundamental right that had been protected by history. So they gave back the authority of regulation about abortion to the states.

8. Current Legal Landscape Across the United States

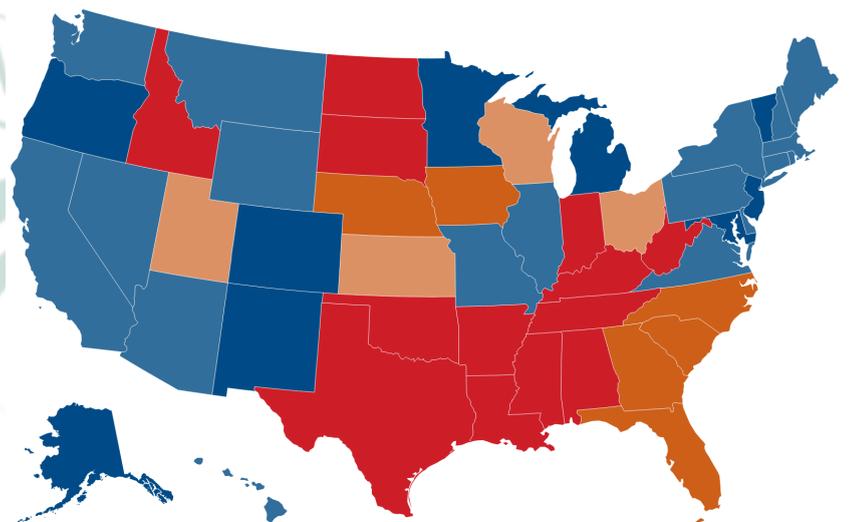
In June 2022, the Supreme Court overturned Roe v. Wade, allowing states to regulate or ban abortion. In particular, abortion access in the U.S. has changed following the decision in Dobbs v. Jackson Women's Health Organisation, which removed federal constitutional protection for abortion rights. Since then, many states brought new abortion restrictions and prohibitions, and also most of them started to apply the prohibitions or limits that were already there. Many state laws provide some exceptions based on gestational age and full prohibitions.

This data demonstrates an important difference in the abortion regulations across the country. Meanwhile, it highlights a transition from federal constitutional protection to a state-based regulatory system. The abortion topic keeps causing a deep political division across the U.S. Additionally, the majority of the Democratic Party believes that abortion must be protected at the federal level, Roe v. Wade must be reinstated, they emphasize reproductive rights and bodily autonomy, and they require that

Status of Abortion Bans in the United States as of January 6, 2026

Hover over state for more details

- Abortion Banned (13 states)
- Gestational limit between 6 and 12 weeks LMP (6 states)
- Gestational limit between 18 and 22 weeks LMP (4 states)
- Gestational limit at or near viability (18 states)
- No gestational limits (9 states & DC)



Note: LMP refers to Last Menstrual Period. *Viability* is the point when a fetus can survive outside the womb and is generally presumed to occur at around 24 weeks gestation. However, viability it has never been properly defined by courts and depends on the individual pregnancy and on various factors, including gestational age, fetal weight and sex, and medical interventions available. For more details please see our trackers on [exceptions to state abortion bans and early gestational limits](#), [abortion-related ballot initiatives](#), [state and federal litigation](#), and our [KFF State Health Facts page on abortion policies](#).

Source: KFF analysis of state policies and court decisions, as of January 6, 2026.

protection must be provided by federal laws. In contrast, Republicans' concerns are that abortion is not clearly defined in the Constitution, they state that the power to regulate abortion should be in the states, they emphasize the “Protection of unborn life,” and lastly, they support most of the prohibitions and limitations at the state level.

Consequently, access to abortion services increasingly depends on geographical location, and that brings new arguments about equal protection and healthcare accessibility.

“We hold that Roe and Casey must be overruled. The Constitution makes no reference to abortion, and no such right is implicitly protected by any constitutional provision, including the one on which the defenders of Roe and Casey now chiefly rely—the Due Process Clause of the Fourteenth Amendment.”

— Justice Samuel Alito (Majority)

9. Key Issues Emerging After Dobbs

The Dobbs decision, which was given in 2022, created many problems in the United States. It not only changed the law, but also changed social and political discussions. Before Dobbs, abortion was protected at the federal level, which means people had a similar right in every state. After the decision, this protection ended, and states started to decide for themselves. This situation caused many different issues that are still continuing today.

9.1. Geographic Differences

One important issue is geographic difference. After Dobbs, abortion laws became different in each state. Some states banned abortion almost fully, while some states protected it strongly. Because of this, rights are not the same in every state. This system, which is different in each place, creates inequality. A person’s rights now depend on where they live, which is creating unfair situations. Many people think rights should not change because of geography.

9.2. Travelling to Other States

Another issue is that people travel to other states for abortion services. Since some states banned abortion, individuals go to states where abortion is still legal. This creates financial and emotional pressure. Not everyone can travel easily. Especially low-income people and people living in rural areas are more affected. This situation increases social inequality, which already existed before Dobbs.

9.3. Healthcare Problems

Dobbs also caused health care problems. In some states, doctors are not fully sure about the limits of the law. The exceptions, which are about medical emergencies, are sometimes not clearly explained. Therefore, doctors may hesitate before providing certain treatments. This confusion may delay medical care in urgent situations, such as severe pregnancy difficulties and miscarriages.

In addition, some hospitals demand legal consultation before doctors can act, which can slow down medical decisions. Healthcare providers may fear legal consequences and criminal charges if their actions are later interpreted as violating state law. As a result, medical professionals may prioritize legal safety over immediate medical judgment.

Some experts argue that unclear laws can affect patient safety and create stress for patients and healthcare workers. Differences between state laws mean that the level of care a patient receives may depend on where they live. This has increased concerns about equal access to reproductive healthcare across the country.

9.4. Political Division

Dobbs increased political division in the country. Democrats mostly support protecting abortion at the federal level, which is that they focus on reproductive rights and personal freedom. Republicans usually declare that abortion is not clearly written in the Constitution, and states are the ones that should decide. Because of this strong division, it is very difficult to pass a national law on abortion.

In conclusion, the Dobbs decision created many new discussions and challenges. It changed how abortion is regulated and made rights depend on state laws. These issues, which are still developing, continue to affect legal and social debates in the United States.

10. Federal Government Involvement & Limitations

Following the Dobbs decision, the role of the federal government in abortion is limited significantly. While the states now determine the abortion policy, the federal government still maintains certain powers and responsibilities within constitutional boundaries.

10.1. Federal Government Authority and Limitations

10.1.1. Congress's Constitutional Authority to Legislate Federal Legislation

Article I, Section 8, Clause 18 states that:

“[The Congress shall have Power . . .] To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.”

In summary, Article I, Section 8, Clause 18 emphasises Congress's constitutional power to make all laws which shall be necessary and suitable for carrying into Execution. This clause, known as the necessary and suitable, provides flexibility in the exercise of Congress's powers. Theoretically, Congress can legislate by this constitutional power.

10.1.2. Regulatory Power on Federal Military Bases

Article IV, Section 3, Clause 2.2 states that:

“The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State. The Property Clause provides(...) disposition of title to its lands. The states are powerless to place any limitation or restriction on that control. Wilcox v. McConnell, 38 U.S. (13 Pet.) 498, 517 (1839). Oklahoma v. Texas, 258 U.S. 574, 595 (1922) (if its i.e., a federal treaty or statute conveying federal property, intention be not otherwise shown, it will be taken to have assented that its conveyance should be construed and given effect.”

Besides being known as the Property Clause, it gives the authority of “make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States,” to Congress. Article IV, Section 3, Clause 2 of the United States Constitution, commonly known as the Property Clause, gives the authority to congress which is “make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.” This provision establishes federal supremacy over federal lands and properties, including military bases. With this clause, Congress has a large regulatory power, and it cannot impose limitations or restrictions. Therefore, the federal military bases, which are property of the United States, are thoroughly under the control of congress regulative power, and this also

limits the scope of state interference in matters concerning governance, jurisdiction, and operational control within those bases. In addition to the Property Clause, the Supremacy Clause of Article VI reinforces federal authority by establishing which federal law prevails over conflicting state regulations. Additionally, Article I, Section 8, Clause 17 (the Enclave Clause) grants Congress exclusive legislative authority over military installations purchased with state consent, further limiting state jurisdiction.

10.1.3. Equal Protection–Based Judicial Challenges

Under the Equal Protection Clause of the 14th Amendment, the Federal Government may object to particular abortion laws, which are argued to violate the right to equal protection under the law. For instance, the Department of Justice could sue the states if they are believed to be imposing certain abortion restrictions that are believed to discriminate or create unconstitutional inequalities. Nevertheless, the success of such objections depends on judicial interpretation and the constitutional standard that is established by the Supreme Court.

Legal Debates often focus on whether restrictive abortion laws affect certain groups in a disproportionate way or not. Additionally, the Supreme Court raises certain questions that are about equal protection and constitutional fairness. Courts could apply at different levels of investigation, which depend on when evaluating Equal Protection claims, depending on whether the law affects a fundamental right or targets a specific group. However, after Dobbs' decision, since abortion was not identified as a constitutional right, Equal Protection arguments remain legally debated. In the U.S. Constitution, the Equal Protection Clause provides a constitutional basis for challenging state laws that create unjustified inequalities.

In conclusion, although the Dobbs decision limited the federal government's role in abortion regulation, it did not completely remove federal involvement. Congress still has certain constitutional powers, especially regarding federal legislation and federal property. However, these powers are limited by federalism principles and Supreme Court interpretation. Therefore, the federal government's influence remains legally possible but practically restricted in the post-Dobbs period.

10.2. Federal Government Powers and Limitations

10.2.1. 10th Amendment

“The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.”

The 10th Amendment to the United States Constitution states that all authority which is not transferred to the Federal Government by the Constitution, or powers that are forbidden to states, belong to the states. This clause is the base of federalism and limits federal authority's

extension. Following the Supreme Court's decision in Jackson Women's Health Organisation, abortion was not recognised as a constitutional right, which has been prosecuted at the federal level. In the Constitution, abortion was not stated clearly; due to that, the court ruled that regulatory authority returned to the states under the 10th Amendment.

Consequently, while the Congress does not legislate a new federal law that is based on constitutional powers, the federal government cannot invalidate a state's abortion policies and prohibitions. Even if such a law is based on constitutional powers, it might be faced with some constitutional objections that depend on federalism principles.

Therefore, the abortion policy after the Dobbs decision has become a matter of state sovereignty instead of federal constitutional protection.

In conclusion, although the Dobbs decision limited the federal government's role in abortion regulation, it did not completely remove federal involvement. Congress still has certain constitutional powers, especially regarding federal legislation and federal property. However, these powers are limited by federalism principles and Supreme Court interpretation. Therefore, the federal government's influence remains legally possible but practically restricted in the post-Dobbs period.

10.2.2. Commerce Clause

The Commerce Clause is written in Article I, Section 8 of the U.S. Constitution. It gives Congress the authority to regulate commerce among the several states. This means Congress can make laws about economic activities that cross state borders, which gives Congress the power to regulate trade and economic activities between different states. If something affects more than one state economically, Congress may have the authority to regulate it.

Initially, this clause was about trade between states. However, over time, the Supreme Court allowed Congress to use this power more broadly. Because of this, Congress has regulated many national issues, such as labor laws, civil rights, environmental protection, and healthcare. In the abortion issue, the Commerce Clause becomes important because abortion services are part of the healthcare system. Healthcare involves hospitals, insurance companies, medical equipment, medications, and patients traveling from one state to another. All of these create economic activity between states.

On the one hand, some people argue that abortion services affect interstate economic activity; therefore, Congress can pass federal laws to protect or restrict abortion access under the Commerce Clause. They see it as part of Congress's broader power to manage national economic systems. On the other hand, opponents argue that abortion is mainly a state matter and is a social, ethical, and public health issue that should remain under state control. Therefore, using the Commerce Clause for this issue would give too much power to the federal government. In their view, expanding the Commerce Clause to cover abortion policy,

it may increase the power of the federal system indefinitely, weakening the federalism principle at the same time.

Hence, the Commerce Clause is essential in discussions about the balance of power between the federal government and the states. It is one of the main constitutional arguments that could allow Congress to take action on abortion at the national level. It also serves as the main constitutional argument that could justify federal involvement in abortion regulation.

10.2.3. Federalism as a Structural Limitation

First of all, federalism is a system of government in which the same territory is controlled by two levels of government. Usually, while one of the systems, which has a higher status than the other system, manages certain areas that are in a bigger area, the other system, which has a lower status, manages the issues in smaller areas, such as states and cities.

The 10th keeps certain authorities reserved with a condition. The constitution is to not delegate to the federal government these authorities. Among other powers, this includes creating school systems, overseeing state courts, creating public safety systems, managing business and trade within the state, and managing local government. These powers are referred to as reserved powers.

The Court's decision about *Dobbs v. Jackson Women's Health Organization*, which built upon this constitutional framework, reaffirmed the structural principle by returning the regulative power on abortion.

The United States Constitution establishes a system in which the powers are enumerated, which means the government has just the powers that are clearly given by the Constitution. Article 1 section 8 outlines the powers of congress such as the trade among the states, levy taxes, declare war, and establish federal courts. These authorities are specifically listed to prevent unlimited federal power, and their scopes are limited. This structure reflects that Congress has not had the power to exercise general legislative authority. Rather, they might legislate on the powers clearly granted to them. All remaining powers are reserved to the states under the 10th Amendment.

Building upon this constitutional power allocation, it is important to investigate the term of state police powers. There is no exact definition of police powers; however, it is a fundamental factor that the government enacts laws to coerce its citizenry for the public good. This term does not directly relate to the common connotation of police as officers charged with maintaining public order, but rather to broad governmental regulatory power. The division of the police powers is determined by the 10th Amendment. It states that:

“The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.”

In other words, in the United States of America, the federal government does not have general police power; it just might take action under the circumstances that the Constitution authorizes. Hence, the general police power belongs to the states. This is a fundamental principle in the federalism system that is embodied by the US.

Constitution. Therefore, the regulatory power of a state is significant. Since the regulation of medical practice has traditionally fallen within the scope of state police powers, abortion policy, especially after the Dobbs decision, has largely been accepted as a matter of state authority.

In conclusion, although the Dobbs decision limited the federal government’s role in abortion regulation, it did not completely remove federal involvement. Congress still has certain constitutional powers, especially regarding federal legislation and federal property. However, these powers are limited by federalism principles and Supreme Court interpretation. Therefore, the federal government’s influence remains legally possible but practically restricted in the post-Dobbs period.

11. State Government Approaches

The first two years (2023 and 2024) after the Dobbs decision, the restrictive states' policies primarily focused on the limitations of access to abortion through certain prohibitions on care services. In the year 2025, while some states are reaffirming their abortion bans, ceasing and restarting care services, and redefining the exceptions related to abortion bans forestalled the previous year’s legislative activity models. Especially, the focus of anti- SHRH policymakers shifted to cutting off the ways that the people were able to reach, despite these restrictions. For instance, the anti-SHRH movement increased the attacks on the telehealth services in the scope of state protection and the remaining avenues through which young people can access information and care.

After the Dobbs decision, certain states prohibited abortion fully; since June 24, 2022, several states have banned abortion across the United States, largely concentrated in the South. The United States of America enacted trigger laws that would automatically ban abortion in the first and second trimesters if the landmark case *Roe v. Wade* were overturned. Trigger laws are currently unenforceable laws that, upon the occurrence of an event (such as a court decision) becomes enforceable. Following the overturn of *Roe v. Wade*, the abortion laws permit limited exceptions, such as those of rape or incest, which have been reported to law enforcement authorities. Some states impose early gestational limits, usually restricting abortion between five and six weeks of pregnancy. Additionally, some states adopted the “fetal heartbeat” which prohibits abortion at early stages.

After the overturning of the Roe v. Wade decision and prohibitions in many states, the other states adopted the laws, which are called “shield laws”. These laws are aimed at protecting the people who are helpers in adoption care, doctors, and patients from out-of-state investigations, prosecutions, or extradition requests. While access to abortion becomes increasingly difficult to access geographically, the shield laws have also addressed the people who travel across state lines.

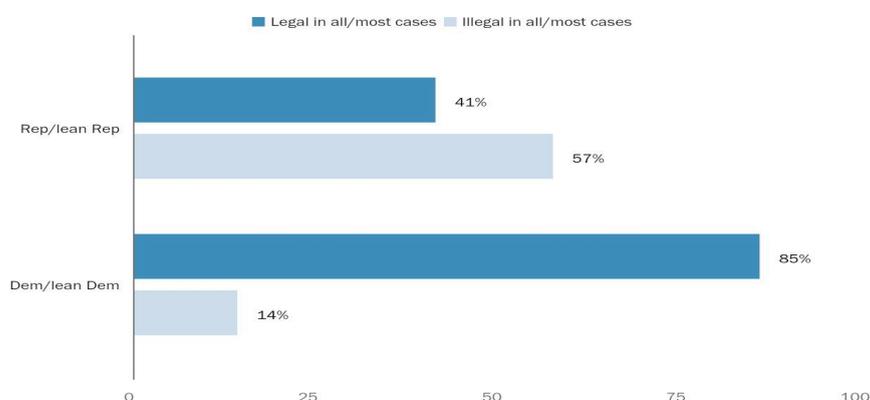
In conclusion, state government approaches after Dobbs show a clear division across the United States. Some states strengthened abortion bans, while others adopted protective laws such as shield laws. This situation reflects the shift of abortion regulation to the state level and has resulted in geographically unequal access. Therefore, the post-Dobbs period emphasizes the increasing role of state authority within the federal system.

12. Challenges in Achieving Legislative Consensus

12.1. Political Polarisation

One of the primary obstacles to achieving legislative consensus is political polarisation. While Democrats generally support abortion rights, Republicans support restrictions. To illustrate, among Republicans and independents who lean toward the Republican Party, 57% state that abortion should be illegal in all or most cases. In contrast, 85% of Democrats and Democratic leaners state that abortion should be legal in all cases or most cases. To illustrate, there is a deep partisan divide between Democrats and Republicans that is the reason for challenges in federal agreements.

% who say abortion should be __, by party identification (2024)



Source: Survey of U.S. adults conducted April 8-14, 2024.

12.2. Institutional Barriers

The challenges stem not only from political polarisation, but also from disagreements over institutional rules within the legislative process. In particular, the structure of the Senate and its procedural rules create significant obstacles to passing controversial legislation. One of the most notable procedural obstacles is the filibuster, which requires sixty votes to advance most legislation. This method limits the prospects of federal abortion reform as it requires bipartisan support in a polarised political environment. In practice, even if one party has a majority in the Senate, it would not be enough to be able to overcome procedural barriers. As a result, controversial legislation such as abortion regulation faces institutional constraints.

Beyond institutional obstacles, the deep divisions in the public are also a challenge to agree in legislative procedure. Abortion keeps being an ethical and sensitive political topic, and voters have sharply different views. As elected representatives often reflect the preferences of their constituencies, this societal division reinforces partisan rigidity within Congress. Consequently, the prospects for stable and comprehensive federal abortion legislation remain limited.

13. Policy Options Available to the Senate

After the Supreme Court's decision in *Dobbs v. Jackson Women's Health Organization*, the regulatory control over abortion has returned to the states. However, this shift does not eliminate the role of the United States Senate. The Senate has several legislative rights that may influence the protection and limitation of reproductive rights at the federal level.

13.1. Passing Federal Legislation to Protect Abortion Rights

The Senate may aim to pass abortion protections into federal law. Such legislation could aim to establish nationwide standards preventing states from imposing specific restrictions that limit access to reproductive healthcare.

To protect abortion rights nationwide, Congress may rely on the Commerce Clause, which allows Congress to regulate activities affecting interstate commerce and healthcare services. It may also rely on the Fourteenth Amendment, which guarantees equal protection under the laws, to discuss how certain state restrictions violate individual rights. However, this kind of legislation could face constitutional challenges and political obstacles, such as the filibuster in the Senate.

13.2. Nationwide Federal Standards on Abortion

The Senate may also try to pass a federal law that sets the same abortion rules for the whole country, such as a nationwide pregnancy time limit. Supporters believe Congress has the

power to regulate healthcare that affects more than one state. However, opponents argue that the Supreme Court's decision in Dobbs returned the authority to the states; therefore, the federal government should not set national rules. This shows the difference between those who want one national standard and those who believe each state should decide its own laws.

13.3. Use of the Spending Power

The Senate can also use its spending power to influence abortion policy. Congress has the authority to decide how federal money is given to states. It can attach certain conditions to this funding. For instance, it may limit or expand rules like the Hyde Amendment, which restricts the use of federal funds for abortion, or it may require states to follow particular reproductive health standards to receive Medicaid or other public health funding. In this manner, the federal government can affect state policies without directly passing a law about abortion.

13.4. Oversight of Federal Agencies

The Senate may influence reproductive rights by managing federal agencies. It has the power to hold hearings, ask questions, and review the actions of government departments. For instance, the Senate can inspect how the Food and Drug Administration (FDA) regulates abortion medication, how the Department of Defense handles abortion access on military bases, and how the Department of Health & Human Services (DHHS) manages public health programs related to reproductive care. Eventually, the Senate can indirectly shape how abortion policies are implemented at the federal level through investigations into federal budgets.

13.5. Equal Protection and Civil Rights Legislation

Even though the Dobbs decision removed abortion as a constitutionally recognized fundamental right, the Senate may still try to pass laws based on the notion of due process and equal protection. The Equal Protection Clause of the Fourteenth Amendment requires states to treat people equally under the law. If abortion restrictions affect certain groups more than others, such as women with low incomes or people in certain states, Congress may argue that this creates unfair inequality. However, this type of law would probably face serious constitutional arguments and would depend on how the Supreme Court interprets equal protection.

13.6. Constitutional Amendment

Also, the Senate may pursue a constitutional amendment as a long-term solution to clearly protect or restrict abortion rights nationwide. Under the United States Constitution, the amendment process requires a two-thirds majority vote in both chambers of Congress, which means strong support would be necessary in the Senate. After congressional approval, the

proposed amendment must be approved by three-fourths of the states. Although this process is politically difficult and demands a high level of agreement, it is the most permanent solution.

Even though the Supreme Court gave most of the power over abortion laws back to the states, the Senate still has important ways to influence the issue. It can pass federal laws, control federal funding, and control government agencies. However, the main discussion is how the Senate will use this power. The Senate must decide how to balance federal authority with constitutional limits and the rights of states. This balance is crucial because abortion is one of the most controversial political issues in the United States.

14. Questions to be Answered

1. How should reproductive rights be protected in federal and state law after the overturning of *Roe v. Wade*?
2. Should abortion regulation remain under state authority, or should Congress establish nationwide standards?
3. How can Congress act within constitutional limits to create a national framework on abortion policy after the *Dobbs* decision?
4. Can the Commerce Clause be used to justify federal laws that protect or restrict abortion access?
5. How should the due process and equal protection principles of the Fourteenth Amendment be applied to abortion laws today?
6. Should the Senate use the spending power to influence state abortion policies with federal funding conditions?
7. What limitations and involvements can be added to the Tenth Amendment to the U.S. Federal system in reproductive rights? Or is it enough?
8. How can equal protection ideas be effectively used to challenge restrictive state abortion laws?
9. Would a constitutional amendment provide a realistic and effective long-term solution to the abortion discussion? If so, how can it be more effective?
10. What type of federal mechanisms can be developed to ensure equal access to reproductive health services in all states, while following constitutional limitations after the *Dobbs* decision?

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