



Written by [Rebecca Terrell](#) on September 12, 2023

## VP Harris Dodges Question on Abortion Limits

Vice President Kamala Harris has an uncanny knack for unintelligible talk and side-stepping dodges. She displayed those talents on this week's *Face the Nation* in an interview with Margaret Brennan.

The CBS host tried her hardest to nail down the loquacious VP about specifics concerning a federal law to codify abortion. All Brennan wanted to know was whether Harris believes there should be limits on the murder of babies in the womb. But she could never quite pry the information out.

Watch their interchange, beginning at 28:00 in the following video:



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**Brennan:** What is it that you believe? I mean, what week of pregnancy should abortion access be cut off?

**Harris:** We need to restore the protections of *Roe v. Wade*. We're not trying to do something new.

**Brennan:** Well that was nebulous, because it was about viability, which could be anywhere between 20 to 24 weeks, and so...

**Harris:** No, no, no, no, no, let, let, let me, let me be very clear.

**Brennan:** That was in the Women's Health Protection Act.

**Harris:** Let me be, let me be very clear. From day one, the president has been clear, I have been clear. We need to put back the protections that are *Roe v. Wade* into law. Since the Supreme Court took it, Congress has the power and ability to pass legislation to put those protections back in law. And Joe Biden will sign that bill. So, that is what we want.

**Brennan:** But does it need to be specific in terms of defining, and where that guarantee goes up to, and where it does not? Which week of pregnancy?

**Harris:** We need to put back in place the protections of *Roe v. Wade*. We are not...

**Brennan:** You know why I'm asking you this question, though, because...

**Harris:** But I... but... We're not trying... but... We're not trying to do anything that did not exist before June of last year... We are saying... no... but...

**Brennan:** But it wasn't crafted into law, and that's why I'm asking you for the specifics though, because Republicans say the lack of a precise date in cutting it off. You know this. They say that allows Democrats to perform abortions up until, you know, birth.

**Harris:** Which is ridiculous... which is...

**Brennan:** Which is statistically not accurate at...



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**Harris:** Which is... And it's ridiculous!

**Brennan:** I understand that.

**Harris:** And it's a mischaracterization...

**Brennan:** So...

**Harris:** ... of the point. No, the point is...

**Brennan:** But...

**Harris:** ... the point is we have to...

**Brennan:** But do you need to be more precise?

**Harris:** I am being precise. We need to put into law the protections of *Roe v. Wade*, and that is about going back to where we were before the *Dobbs* decision.

Even then, Brennan didn't let up. She continued drilling for two more minutes, citing South Carolina Republican Senator Lindsey Graham's proposal for a ban past 15 weeks' gestation and hoping for an equally exact number from the vice president. But Harris wouldn't budge. Her trite answer was to reinstate the so-called "protections" of *Roe v. Wade*.

All Brennan was asking for was a simple fill-in-the-blank answer. "I support abortion up until \_\_\_\_\_. " But Harris left the blank empty. In this pass or fail test, Harris got an F.

She also earned an F back in 2020 from the Susan B. Anthony List [National Pro-Life Scorecard](#), issued while Harris was stumping on the campaign trail. Citing the voting record of then-Senator Harris, SBA List president Marjorie Dannenfelser accused her of "pro-abortion extremism" and said the California Democrat consistently supported "late-term abortion, taxpayer-funded abortion, and even infanticide."

But to be fair, was Harris' repeated "restore *Roe*" argument actually a precise (albeit veiled) answer? It was, in a way. Brennan evinced an erroneous understanding when she mentioned the changeable "age of viability."

[Roe](#) only prevented state governments from interfering in abortion decisions in the first trimester of pregnancy — up to and including 13 weeks. States still exercised regulatory authority over abortion in the second and third trimesters, as long as their rules made provisions for the life and health of the mother. Here is the specific text from the final ruling:

(a) For the stage prior to approximately the end of the first trimester, the abortion decision and its effectuation must be left to the medical judgment of the pregnant woman's attending physician. Pp. 163, 164.

(b) For the stage subsequent to approximately the end of the first trimester, the State, in promoting its interest in the health of the mother, may, if it chooses, regulate the abortion procedure in ways that are reasonably related to maternal health. Pp. 163, 164.

(c) For the stage subsequent to viability the State, in promoting its interest in the potentiality of human life, may, if it chooses, regulate, and even proscribe, abortion except where necessary, in appropriate medical judgment, for the preservation of the life or health of the mother. Pp. 163-164; 164-165.



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The opinion of the Court mentioned the age of viability, defining it as between 24 and 28 weeks (but failing to note that future advances in medical science could decrease that number over time — and, in fact, have done so). However, *Roe* did not allow or restrict abortion based upon that less-certain age.

Nevertheless, confusion crept in with a companion ruling that SCOTUS handed down the same day as it imposed *Roe* on our country. [Doe v. Bolton](#) redefined how a pregnancy could be detrimental to a mother's health. *Doe* and similar rulings from subsequent abortion cases granted practical carte blanche, so women could abort their babies for nearly any reason, such as mental health.

Enter SCOTUS's 1992 ruling in [Planned Parenthood of Southeastern Pennsylvania v. Casey](#), the other judgment overturned by last year's *Dobbs* decision. It scrapped the trimester framework and applied a new standard of how states could restrict abortion. If their laws did not place "undue burden" on the mother — and that would be up to judges to determine — then states could pass restrictive laws. It explains why, even before *Dobbs*, some states were already abortion promoters while others became relatively safe havens for the unborn with rules for parental consent, 24-hour waiting periods, heartbeat conditions, and the like.

However, Vice President Harris did not cite *Doe*, *Casey*, or any other abortion cases. She only invoked *Roe v. Wade*, which — again — restricted state abortion bans through 13 weeks' gestation.

Does that mean that Harris wants a federal ban on abortions in the second and third trimesters? Hardly. Remember that *Roe* only imposed a ban on state abortion bans. It left the door wide open for states to legalize the murderous practice up until birth.

That might explain why Harris never answered Brennan's question.



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