

United States Senate

FWPMUN IV: February 1, 2020



Head Chair: Grace Conrad

Assistant Chair: Leilani Kulkarni

Dear delegates,

Welcome to FWPMUN IV. I am so excited for productive debate and tons of fun! This year I am thrilled to be chairing the US Senate. I have a very interesting day of debate planned for all you senators, and cannot wait to see where this committee takes us on February 1st!

My name is Grace and I am a junior here at Parker. I have been competing in Model UN for a few years now and have traveled for conferences as well as attending local conferences here in Chicago. Last year I chaired the UNHRC at FWPMUN and I absolutely loved it. I am so excited to be chairing our US Senate due to its timely topics and interesting senators. Model UN is such an important, educational, and fun community and I cannot wait to hear some great debate in the Senate in February.

During FWPMUN, we will dive into two specific topics as the US Senate: access to abortion and gun control. The debate will surround the prevalent issue of “human life” in two extremely different lenses. Delegates will have the opportunity to choose which topic to debate first at the start of the first committee session. Having said that, I do hope delegates research both topics in-depth because it will be our goal to discuss both. Debate will be the most interesting if we get the chance to compare senators’ opinions of each issue as a whole topic of life. Keep in mind, these are sensitive issues so please debate with courtesy.

Please feel free to contact me through my email gconrad@fwparker.org with any questions or concerns regarding the committee or your research or anything else that comes to mind about the conference

I can’t wait to meet you all in February at FWPMUN! Good luck with your research Senators!

- Grace Conrad

Committee Overview:

The United States Senate is one of the two congressional houses formed under the U.S. Constitution in 1789. The Senate was conceived in order to maintain and work alongside the House of Representatives. In the Senate, each state is represented equally, in contrast to the House of Representatives. Before 1913, state legislatures elected senators to the house, but after the Seventeenth Amendment to the Constitution, voters in each state elect two senators to serve a six-year term. In order for a senator to serve, they must be at least 30 years old and a United States citizen. In addition to citizenship, the senator must also maintain residency in the state they represent. Because new senators come into rotation approximately every 2 years, the House renews itself and is known to be a “house that never dies.”¹ Congress, formed of both houses, holds the responsibility to enact legislature over the United States in a joint effort to pass bills relating to judiciary issues, financial issues, foreign relations, humanitarian issues, and government operations. The power of Congress as a whole also includes nominating ambassadors, access to the expulsion of members, the right to conduct an investigation, and impeachment.² For the legislature to pass the Senate, a two-thirds majority must be present. All senators maintain an equal voice throughout the US Senate, but the Vice President of the United States presides over daily Senate sessions as the President of the Senate.³ The United States Senate will function as a General Assembly, although delegates should note that they are representing a senator instead of a country and should use personal pronouns while in session.

The US Senate’s debate will be centered around the idea of human life. The Senate will be holding hearings on the topics of abortion and the right to bear arms.

¹ Britannica, The Editors of Encyclopaedia. “United States Senate.” *Encyclopædia Britannica*, Encyclopædia Britannica, Inc., 3 Oct. 2019, www.britannica.com/topic/Senate-United-States-government.

² “Powers & Procedures.” *U.S. Senate: Powers & Procedures*, 7 Oct. 2019, www.cop.senate.gov/history/powers.htm.

³ Storey, Tim, and Shannon McNamara. “Roles and Responsibilities of Selected Leadership Positions.” *Leadership Positions: Roles and Responsibilities*, www.ncsl.org/legislators-staff/legislators/legislative-leaders/leadership-positions-roles-and-responsibilities.aspx.

Topic A: Abortion

The first topic the Senate will be discussing is the right to an abortion. Since 1973, abortion has been legal within the United States. The issue has been tackled by specific states and has altered the greater equity of American women for ages and been at the center of vociferous debate. Women have been performing abortions for a long time, although females in America have faced countless acts of discrimination over abortion for religious and moral purposes.

Throughout history, states have taken partisan approaches to limiting access to abortion. Slight changes to a women's right to access an abortion can drastically increase the risk of unsafe procedures. It has come time to develop a secure and nationwide regulation for how we look at the right to an abortion in our country, and this will be done through the United States Senate. As time advances without a clear precedent for abortion, more women will live with inconsistent access to their constitutional rights. In addition, the longer the United States withholds from creating a federally mandated regulation, the faster outside and underground abortion clinics can create gain. Abortion is clearly an urgent issue that the Senate must discuss and quickly as possible.

For much of America's history, abortion has been regulated and labeled as an illegal act. Throughout the 19th century, women of privilege were able to access abortion without issue. Although as the popular technique advanced, the American Medical Association (AMA) created a campaign to deem abortion illegal in 1857.⁴ The AMA recognized criminalization to be lifted if the woman's life was in danger. Restrictions in the 19th century were mostly pushed for religious reasons; however, there were some physicians explaining other reasoning behind the illegality of abortion. Similar to the modern-day argument of anti-abortion individuals, they believed that after fertilization, a new human life was already taking place in the womb, and the idea of ending that life was morally wrong. Lastly, a popular argument in the 19th century was that it was a women's traditional role to raise a family and an abortion would contradict that role. Abortion was also a treat to the 19th-century classism. If wealthy, white women had access to abortion, they would be undermining their genetic stock and therefore the lower class would

⁴ "A Brief History of US Abortion Law, before and after Roe v Wade." *HistoryExtra*, 24 June 2019, www.historyextra.com/period/20th-century/history-abortion-law-america-us-debate-what-roe-v-wade/.

produce more children. The AMA's campaign began something extremely influential. By 1880, every single state in America introduced some type of abortion laws.⁵

Although abortion was illegal, it was not eradicated by any means. Doctors still performed abortions on women with money. Lower-class women sought other dangerous means to perform abortions. These unsupervised means of abortion lead to an influx of illnesses such as hemorrhage, infection, sepsis, genital trauma, and necrotic bowel. In addition, many mothers would end up dying through the process of an illegal abortion.⁶

As women's rights progressed during the 1920s, movements began to loosen the strict abortion laws in America. The improvement of gynecological care was a major element in the loosening of abortion laws due to decreased risk of death caused by abortion procedures. During the 1950's, a large movement for less strict abortion laws began. In 1959, the American Law Institute (ALI) began crafting a proposal to legalize abortion in cases of rape or abnormality in the fetus. Some states began to pick up the ALI's model and granted the right to abortion in specific circumstances. As the feminist movement continued gaining popularity, many members demanded the strict repeal of all restrictions on abortion.

The issue then began to gain more political attention as the Constitution was inserted into debate. Religious anti-abortion advocates were quoting the Constitution and explaining, through a state-by-state campaign, that it defended an individual's right to life. In comparison, pro-choice individuals explained that the Constitution protected an individual's right to choose abortion.⁷

In 1970, a Texas woman named Norma McCorvey (Jane Roe) filed a lawsuit against Henry Wade, a Dallas district attorney. McCorvey was single and pregnant and wanted to terminate her pregnancy, though she was not able to do so due to the criminalization of abortion in Texas. Unfortunately, McCorvey could not get an abortion procedure unless she traveled out of Texas, but she did not have enough money to do so. Her case was brought to court in Texas. McCorvey acted as an example and a representative for many women undergoing difficulties

⁵ Ibid.

⁶ Haddad, Lisa B, and Nawal M Nour. "Unsafe Abortion: Unnecessary Maternal Mortality." *Reviews in Obstetrics & Gynecology*, MedReviews, LLC, 2009, www.ncbi.nlm.nih.gov/pmc/articles/PMC2709326/#_sec2title.

⁷ "A Brief History of US Abortion Law, before and after Roe v Wade." *HistoryExtra*, 24 June 2019, www.historyextra.com/period/20th-century/history-abortion-law-america-us-debate-what-roe-v-wade/.

with the abortion system in America, and her case traveled up the judicial branch. In 1973, McCorvey's case was brought to the Supreme Court. In a 7-2 vote, the Court ruled that state laws banning abortion were unconstitutional. This decision granted constitutional rights for abortion for women, but to this day restrictions remain on such a right.

Since 1973, the United States Senate and House of Representatives have seen many Republican legislators push to pass measures to ban the currently legal procedure of abortion. In October of 2002, George Bush signed the Born-Alive Infants Protection Act into law after an eight-year-long political battle. The act allows a child of a failed abortion attempt equal human rights.⁸ In 2003, the House approved a bill that banned partial-birth abortion. The Partial-Birth Abortion Ban Act "[Amends the Federal criminal code to prohibit any physician or other individuals from knowingly performing a partial-birth abortion, except when necessary to save the life of a mother whose life is endangered by a physical disorder, illness, or injury.](#)"⁹ In this context, a partial-birth abortion involves removing the fetus intact from a woman's cervix and then pulling the fetus out through the birth canal. More recently, Congress introduced the "Pain-capable Unborn Child Protection Act," which banned late-term abortions after 20 weeks of post-fertilization. The bill passed in the House of Representatives many times but has not yet been able to pass in the Senate. State Senators have taken matters into their own hands with current abortion bans, although the federal legislature deems these bans unconstitutional.

As states such as Alabama and Georgia work to limit access to safe abortions, the issue becomes even more pressing for all Americans.¹⁰ Although these limits hinder the availability of abortions to many women seeking them, it is important to note that low-income women, women of color, and non-citizens have particularly significant issues seeking safe abortions even when

⁸ Chabot, Steve. "Text - H.R.2175 - 107th Congress (2001-2002): Born-Alive Infants Protection Act of 2002." *Congress.gov*, 5 Aug. 2002, www.congress.gov/bill/107th-congress/house-bill/2175/text.

⁹ Santorum, Rick. "S.3 - 108th Congress (2003-2004): Partial-Birth Abortion Ban Act of 2003." *Congress.gov*, 5 Nov. 2003, www.congress.gov/bill/108th-congress/senate-bill/3?q=%7B%22search%22%3A%5B%22S%2B3%22%5D%7D.

¹⁰ Al Jazeera. "The Abortion Bans." *USA | Al Jazeera*, Al Jazeera, 13 Nov. 2019, www.aljazeera.com/programmes/faultlines/2019/11/abortion-bans-191112001006272.html.

legality is not debated. Amendments such as the Hyde amendment limit easy access.¹¹ While the US Senate has debated abortion for centuries, women are now turning to current legislation to deem restrictions on abortion either unconstitutional or necessary. The Trump administration has also been vocal in their attempts to restrict a woman's right to an abortion. The Supreme Court has picked up many of these notions and has noted that change might be unconstitutional, although the Court is currently conservative-leaning.

Questions to Consider:

1. Does the senator believe abortion should be restricted? If so, what types of restrictions?
2. What is the senator's stance on the current restrictions to access to abortion? Does it qualify as unconstitutional?
3. When exactly does abortion become illegal?
4. Is the senator representing a state that agrees with their views on their abortion? Are they making sacrifices?
5. Did the senator confirm Brett Kavanaugh and Neil Gorsuch into office?
6. What is your senator's view on whether abortion should be a House issue or a supreme court issue?
7. How does your senator interpret the constitution in terms of abortion?
8. Should doctors and other officials in abortion clinics be granted more security with protesters?

¹¹ "Documenting the Impact of the Hyde Amendment on Low-Income Women and Abortion Providers." *Ibis Reproductive Health*, 26 Oct. 2018, "Documenting the Impact of the Hyde Amendment on Low-Income Women and Abortion Providers." *Ibis Reproductive Health*, 26 Oct. 2018, ibisreproductivehealth.org/projects/documenting-impact-hyde-amendment-low-income-women-and-abortion-providers.

Topic B: Gun Control

The second topic the Senate will be debating is gun control. Currently, gun control is becoming a greater and greater issue in our country in need of efficient and fast solutions. As both society and technology progress, violence due to firearms increases. Each year, 113,108 Americans are physically impacted by gun violence.¹² America is a leading country when it comes to firearms, and it is also one of the few countries in which the right to bear arms is constitutionally included. In addition, compared to other advanced countries, the United States has a very high homicide rate due to easy access to firearms.

Many Americans ask themselves when their government will take action on gun reform. However, many Senators who support gun control are held back from introducing and passing reforms due to the protected right in the Constitution and the difficulty of introducing Constitutional amendments.

Since the ratification of the Second Amendment in 1791, America has been dealing with conflict in its national gun legislature. The Amendment was codified in order to give citizens protection against a rising—and possibly eventually tyrannical—federal government.¹³ In the 19th century, guns continued to act as a form of protection from the government and began to play an important role in civil disorder. As time advanced, firearms separated from the issues of the federal government and slowly began to be used in personal murder. Georgia, in 1837, was the first state to ban firearms. Georgia attempted to ban handguns, but the restriction was deemed unconstitutional by the United States Supreme Court.¹⁴ In 1865, a few southern states adopted the “black codes” which restrict gun ownership for black Americans, but these statutes were removed in 1877. This was the beginning of a very long and still-evident racial conflict and

¹²“Key Gun Violence Statistics.” *Brady*, www.bradyunited.org/key-statistics

¹³“The Second Amendment & the Right to Bear Arms.” *LiveScience*, Purch, www.livescience.com/26485-second-amendment.html.

¹⁴ Longley, Robert. “See a Timeline of Gun Control in the U.S. from 1791 to the Present.” *ThoughtCo*, ThoughtCo, 2 Sept. 2019, www.thoughtco.com/us-gun-control-timeline-3963620.

injustice caused by the Second Amendment. As gun violence continued, especially targeting people of color, legislation was missing to protect these people from harm.

In 1968, the first legislation was created in order to enforce licensing of weapons, titled the “Federal Firearms Act of 1938.” In 1968, the first legislature to begin conducting loose background checks was enacted. The NRA, the National Rifle Association, was organized in 1871.

Around the same time, gang violence in cities progressed and firearms were a key figure in this increased violence. The national legislature failed to confront these issues. The first major mass shooting occurred in 1966 at the University of Texas. Again, the federal legislature ignored these issues. After Texas, mass shootings began to draw political attention, but little action was taken as a result. In 1989, California banned the possession of semiautomatic assault weapons after the shooting of five children at a Stockton, California playground.

As legislation questioned the extent to which background checks should be codified, mass shootings continued and smaller gang violence also increased. A very notable issue of gun violence in America is the use of deadly weapons from police departments. Various states encouraged Congress to compile and conduct statistics of the use of excessive force by police, but neither Congress or the FBI collect this data in an official standard. Not only has gun violence caused extreme trauma and death in the nation, it costs the United States 100 billion dollars, in addition to prevention funds.

In general, the gun violence occurring in America is in need of rapid federally mandated legislation in order to keep as many civilians as safe as possible. However, the issue boils down to whether or not it is constitutional—or “American,” so to speak—to alter our constitution. Some citizens believe when the Constitution was amended to include the Second Amendment, the Founding Fathers could not foresee weapons we have today. Senators, it is our job to work to create a bipartisan approach to limit the amount of casualties in our country due to firearms.

Questions to Consider:

1. How does your senator feel about closing gun-show loopholes?
2. Does the senator believe the NRA should be included in election funds?
3. Should the size of ammunition clips be restricted?
4. Should the Second Amendment be interpreted to only protect only the muskets and rudimentary rifles extant at the time the Constitution was drafted?
5. Should the solution be to pass more gun laws or enforce the gun laws that already exist?
6. How does gun control relate to mental health awareness? Should the two relate?
7. Does your senator believe the Second Amendment should be amended or repealed in any way?

Overall Conclusion

As senators debate both topics of abortion and gun control, the debate over which types of life are protected by the law surfaces. Many senators are called out by members of the opposing party that their views on abortion—whether pro-life or pro-choice—contradict their views on gun control. For example, a democratic, pro-choice politician might get called out on being “anti-life” but still advocating for gun control. Both issues are not only causing political controversy in America, but also bringing extreme health issues and concerns. Congress has debated these issues time and time again, with Senators unable to reach uniform legislation. During FWPMUN, Senators will hopefully pass major legislation in order to combat the controversy.

Works Cited

1. “Abortion Law.” *Wikipedia*, Wikimedia Foundation, 4 Dec. 2019, en.wikipedia.org/wiki/Abortion_law.
2. “A Brief History of US Abortion Law, before and after Roe v Wade.” *HistoryExtra*, 24 June 2019, www.historyextra.com/period/20th-century/history-abortion-law-america-us-debate-what-roe-v-wade/.

3. "A Brief History of US Abortion Law, before and after Roe v Wade." *HistoryExtra*, 24 June 2019,
www.historyextra.com/period/20th-century/history-abortion-law-america-us-debate-what-roe-v-wade/.
4. "A Brief History of US Abortion Law, before and after Roe v Wade." *HistoryExtra*, 24 June 2019,
www.historyextra.com/period/20th-century/history-abortion-law-america-us-debate-what-roe-v-wade/.
5. Chabot, and Steve. "Text - H.R.2175 - 107th Congress (2001-2002): Born-Alive Infants Protection Act of 2002." *Congress.gov*, 5 Aug. 2002,
www.congress.gov/bill/107th-congress/house-bill/2175/text.
6. "Documenting the Impact of the Hyde Amendment on Low-Income Women and Abortion Providers." *Ibis Reproductive Health*, 26 Oct. 2018,
ibisreproductivehealth.org/projects/documenting-impact-hyde-amendment-low-income-women-and-abortion-providers.
7. The Editors of Encyclopædia Britannica. "United States Senate." *Encyclopædia Britannica*, Encyclopædia Britannica, Inc., 3 Oct. 2019,
www.britannica.com/topic/Senate-United-States-government.
8. Haddad, Lisa B, and Nawal M Nour. "Unsafe Abortion: Unnecessary Maternal Mortality." *Reviews in Obstetrics & Gynecology*, MedReviews, LLC, 2009,
www.ncbi.nlm.nih.gov/pmc/articles/PMC2709326/#__sec2title.
9. "Key Gun Violence Statistics." *Brady*, www.bradyunited.org/key-statistics.
10. Longley, Robert. "See a Timeline of Gun Control in the U.S. from 1791 to the Present." *ThoughtCo*, ThoughtCo, 2 Sept. 2019,
www.thoughtco.com/us-gun-control-timeline-3963620.
11. Santorum, Rick. "S.3 - 108th Congress (2003-2004): Partial-Birth Abortion Ban Act of 2003." *Congress.gov*, 5 Nov. 2003,
www.congress.gov/bill/108th-congress/senate-bill/3?q=%7B%22search%22%3A%5B%22S%2B3%22%5D%7D.

12. “The Second Amendment & the Right to Bear Arms.” *LiveScience*, Purch,
www.livescience.com/26485-second-amendment.html.
13. “Senate Floor Activity - Wednesday, July 17, 2019.” *U.S. Senate: Senate Floor Activity - Wednesday, July 17, 2019*, 4 Oct. 2019,
www.senate.gov/legislative/LIS/floor_activity/07_17_2019_Senate_Floor.htm.
14. Storey, Tim, and Shannon McNamara. “Roles and Responsibilities of Selected Leadership Positions.” *Leadership Positions: Roles and Responsibilities*,
www.ncsl.org/legislators-staff/legislators/legislative-leaders/leadership-positions-roles-and-responsibilities.aspx.