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## Debate fact check: Biden did back going beyond Roe and legal late-term abortion - Washington Examiner

Gabrielle M. Etzel : 3-3 minutes : 6/27/2024

President [Joe Biden](#) denied supporting [late-term abortion](#) and said he merely wanted to go back to the standard of *Roe v. Wade* during the first [2024 general election](#) debate, but he has supported legislation that would go beyond *Roe* and allow for abortions late in pregnancy.

Biden, when asked whether he would support any gestational age limits on abortion, responded, “I support *Roe v. Wade*, which had three trimesters.”

At another point, when former President [Donald Trump](#) said Democrats support laws that allow doctors to “take the life of the baby in the ninth month and even after birth,” Biden vehemently disagreed.

“That is simply not true,” Biden said. “*Roe v. Wade* does not provide for that. That’s not the circumstance. Only woman’s life is in danger. She’s going to die. That’s the only circumstance which that can happen. But we are not for late-term abortion, period.”

But the [Women’s Health Protection Act](#), legislation supported by Biden following the leak of the [Dobbs v. Jackson Women’s Health Organization](#) decision in May 2022, [would have liberalized](#) abortion beyond *Roe*.

The bill would have created a statutory right to the procedure up until the point of viability and beyond that point if the doctor, using “good-faith medical judgment,” determined that the procedure is necessary “for the preservation of the life or health of the person who is pregnant.”

The bill’s chief sponsor, Sen. Tim Kaine (D-VA), [said](#) of the bill that there was a blurry line between the physical and mental health of the mother in the context of abortion.

Supreme Court precedent also has a liberal interpretation of what constitutes a health exception from the case *Doe v. Bolton*, which says health can include “physical, emotional, psychological, familial, and the woman’s age.”

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Many conservatives at the time denounced the WHPA on the grounds that it would be too broad and essentially allow abortion on demand.

“Under *Roe v. Wade*, you have late-term abortion. You can do whatever you want, depending on the state,” Trump said. “We don’t think that’s a good thing. We think it’s a radical thing. We think the Democrats are the radicals, not the Republicans.”