

But it will help this small town in northeast Oregon add to its many attractions, natural and other, and tell this unique history about this special logging community that existed just north of Wallowa.

So I thank my colleagues on both sides of the aisle for once again, in a spirit of bipartisanship, actually solving some problems around here that matter to people back home.

Mr. SABLON. Mr. Speaker, we have no objection to S. 271, and I have no further speakers.

I yield back the balance of my time.

Mr. LAMBORN. I, too, yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. LAMBORN) that the House suspend the rules and pass the bill, S. 271.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. LAMBORN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

#### AUTHORIZING ADDITIONAL SANCTIONS WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112-128)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

##### *To the Congress of the United States:*

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (IEEPA), I hereby report that I have issued an Executive Order (the "order") that takes additional steps with respect to the national emergency declared in Executive Order 12957 of March 15, 1995.

In Executive Order 12957, the President found that the actions and policies of the Government of Iran threaten the national security, foreign policy, and economy of the United States. To deal with that threat, the President in Executive Order 12957 declared a national emergency and imposed prohibitions on certain transactions with respect to the development of Iranian petroleum resources. To further respond to that threat, Executive Order 12959 of May 6, 1995, imposed comprehensive trade and financial sanctions on Iran. Executive Order 13059 of August 19, 1997, consolidated and clarified the previous orders. To take additional steps

with respect to the national emergency declared in Executive Order 12957 and to implement section 105(a) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195) (22 U.S.C. 8501 et seq.) (CISADA), I issued Executive Order 13553 on September 28, 2010, to impose sanctions on officials of the Government of Iran and other persons acting on behalf of the Government of Iran determined to be responsible for or complicit in certain serious human rights abuses. To take further additional steps with respect to the threat posed by Iran and to provide implementing authority for a number of the sanctions set forth in the Iran Sanctions Act of 1996 (Public Law 104-172) (50 U.S.C. 1701 note) (ISA), as amended by CISADA, I issued Executive Order 13574 on May 23, 2011, to authorize the Secretary of the Treasury to implement certain sanctions imposed by the Secretary of State pursuant to ISA, as amended by CISADA. I also issued Executive Order 13590 on November 20, 2011, to take additional steps with respect to this emergency by authorizing the Secretary of State to impose sanctions on persons providing certain goods, services, technology, or support that contribute either to Iran's development of petroleum resources or to Iran's production of petrochemicals, and to authorize the Secretary of the Treasury to implement some of those sanctions. On February 5, 2012, in order to take further additional steps pursuant to this emergency, and to implement section 1245(c) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81), I issued Executive Order 13599 blocking the property of the Government of Iran, all Iranian financial institutions, and persons determined to be owned or controlled by, or acting for or on behalf of, such parties. Most recently, on April 22, 2012, and May 1, 2012, I issued Executive Orders 13606 and 13608, respectively. Executive Orders 13606 and 13608 each take additional steps with respect to various emergencies, including the emergency declared in Executive Order 12957 concerning Iran, to address the use of computer and information technology to commit serious human rights abuses and efforts by foreign persons to evade sanctions.

The order takes additional steps with respect to the national emergency declared in Executive Order 12957, particularly in light of the Government of Iran's use of revenues from petroleum, petroleum products, and petrochemicals for illicit purposes; Iran's continued attempts to evade international sanctions through deceptive practices; and the unacceptable risk posed to the international financial system by Iran's activities. Subject to certain exceptions and conditions, the order authorizes the Secretary of the Treasury and the Secretary of State, as set forth in the order, to impose sanctions on persons as described in the order, all as more fully described below.

Section 1 of the order authorizes the Secretary of the Treasury, in consultation with the Secretary of State, to impose financial sanctions on foreign financial institutions determined to have knowingly conducted or facilitated certain significant financial transactions with the National Iranian Oil Company (NIOC) or Naftiran Intertrade Company (NICO), or for the purchase or acquisition of petroleum, petroleum products, or petrochemical products from Iran.

Section 2 of the order authorizes the Secretary of State, in consultation with the Secretary of the Treasury, the Secretary of Commerce, and the United States Trade Representative, and with the President of the Export-Import Bank, the Chairman of the Board of Governors of the Federal Reserve System, and other agencies and officials as appropriate, to impose any of a number of sanctions on a person upon determining that the person:

knowingly engaged in a significant transaction for the purchase or acquisition of petroleum, petroleum products, or petrochemical products from Iran;

is a successor entity to a person determined to meet the criterion above;

owns or controls a person determined to meet the criterion above, and had knowledge that the person engaged in the activities referred to therein; or

is owned or controlled by, or under common ownership or control with, a person determined to meet the criterion above, and knowingly participated in the activities referred to therein.

Sections 3 and 4 of the order provide that, for persons determined to meet any of the criteria specified in section 2 of the order, the heads of the relevant agencies, in consultation with the Secretary of State, shall implement the sanctions imposed by the Secretary of State. The sanctions provided for in sections 3 and 4 of the order include the following actions:

the Board of Directors of the Export-Import Bank shall deny approval of the issuance of any guarantee, insurance, extension of credit, or participation in an extension of credit in connection with the export of any goods or services to the sanctioned person;

agencies shall not issue any specific license or grant any other specific permission or authority under any statute that requires the prior review and approval of the United States Government as a condition for the export or reexport of goods or technology to the sanctioned person;

for a sanctioned person that is a financial institution: the Chairman of the Board of Governors of the Federal Reserve System and the President of the Federal Reserve Bank of New York shall take such actions as they deem appropriate, including denying designation, or terminating the continuation of any prior designation of, the sanctioned person as a primary dealer in United States Government debt instruments; or agencies shall prevent the sanctioned person from serving as

an agent of the United States Government or serving as a repository for United States Government funds;

agencies shall not procure, or enter into a contract for the procurement of, any goods or services from the sanctioned person;

the Secretary of the Treasury shall take actions where necessary to:

prohibit any United States financial institution from making loans or providing credits to the sanctioned person totaling more than \$10,000,000 in any 12-month period unless such person is engaged in activities to relieve human suffering and the loans or credits are provided for such activities;

prohibit any transactions in foreign exchange that are subject to the jurisdiction of the United States and in which the sanctioned person has any interest; or prohibit any transfers of credit or payments between financial institutions or by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve any interest of the sanctioned person;

block all property and interests in property that are in the United States, that come within the United States, or that are or come within the possession or control of any United States person, including any foreign branch, of the sanctioned person, and provide that such property and interests in property may not be transferred, paid, exported, withdrawn, or otherwise dealt in; or

restrict or prohibit imports of goods, technology, or services, directly or indirectly, into the United States from the sanctioned person.

Section 5 of the order authorizes the Secretary of the Treasury, in consultation with the Secretary of State, to block all property and interests in property that are in the United States, that come within the United States, or that are or come within the possession or control of any United States person, including any foreign branch, of any person upon determining that the person has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, NIOC, NICO, or the Central Bank of Iran, or the purchase or acquisition of U.S. bank notes or precious metals by the Government of Iran.

I have delegated to the Secretary of the Treasury the authority, in consultation with the Secretary of State, to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA, as may be necessary to carry out the purposes of sections 1, 4, and 5 of the order.

The order was effective at 12:01 a.m. eastern daylight time on July 31, 2012. All agencies of the United States Government are directed to take all appropriate measures within their authority to carry out the provisions of the order.

I am enclosing a copy of the Executive Order I have issued.

BARACK OBAMA.  
THE WHITE HOUSE, July 30, 2012.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 5 o'clock and 31 minutes p.m.), the House stood in recess.

□ 1745

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at 5 o'clock and 45 minutes p.m.

## DISTRICT OF COLUMBIA PAIN-CAPABLE UNBORN CHILD PROTECTION ACT

Mr. FRANKS of Arizona. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3803) to amend title 18, United States Code, to protect pain-capable unborn children in the District of Columbia, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3803

*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 "District of Columbia Pain-Capable Unborn Child Protection Act".*

### SEC. 2. LEGISLATIVE FINDINGS.

*Congress finds and declares the following:*

(1) Pain receptors (nociceptors) are present throughout the unborn child's entire body and nerves link these receptors to the brain's thalamus and subcortical plate by no later than 20 weeks after fertilization.

(2) By 8 weeks after fertilization, the unborn child reacts to touch. After 20 weeks, the unborn child reacts to stimuli that would be recognized as painful if applied to an adult human, for example, by recoiling.

(3) In the unborn child, application of such painful stimuli is associated with significant increases in stress hormones known as the stress response.

(4) Subjection to such painful stimuli is associated with long-term harmful neurodevelopmental effects, such as altered pain sensitivity and, possibly, emotional, behavioral, and learning disabilities later in life.

(5) For the purposes of surgery on unborn children, fetal anesthesia is routinely administered and is associated with a decrease in stress hormones compared to their level when painful stimuli are applied without such anesthesia.

(6) The position, asserted by some medical experts, that the unborn child is incapable of experiencing pain until a point later in pregnancy than 20 weeks after fertilization predominately rests on the assumption that the ability to experience pain depends on the cerebral cortex and requires nerve connections between the thalamus and the cortex. However, recent medical research and analysis, especially since 2007, provides strong evidence for the conclusion that a functioning cortex is not necessary to experience pain.

(7) Substantial evidence indicates that children born missing the bulk of the cerebral cortex, those with hydranencephaly, nevertheless experience pain.

(8) In adult humans and in animals, stimulation or ablation of the cerebral cortex does not alter pain perception, while stimulation or ablation of the thalamus does.

(9) Substantial evidence indicates that structures used for pain processing in early development differ from those of adults, using different neural elements available at specific times during development, such as the subcortical plate, to fulfill the role of pain processing.

(10) The position, asserted by some commentators, that the unborn child remains in a coma-like sleep state that precludes the unborn child experiencing pain is inconsistent with the documented reaction of unborn children to painful stimuli and with the experience of fetal surgeons who have found it necessary to sedate the unborn child with anesthesia to prevent the unborn child from engaging in vigorous movement in reaction to invasive surgery.

(11) Consequently, there is substantial medical evidence that an unborn child is capable of experiencing pain at least by 20 weeks after fertilization, if not earlier.

(12) It is the purpose of the Congress to assert a compelling governmental interest in protecting the lives of unborn children from the stage at which substantial medical evidence indicates that they are capable of feeling pain.

(13) The compelling governmental interest in protecting the lives of unborn children from the stage at which substantial medical evidence indicates that they are capable of feeling pain is intended to be separate from and independent of the compelling governmental interest in protecting the lives of unborn children from the stage of viability, and neither governmental interest is intended to replace the other.

(14) The District Council of the District of Columbia, operating under authority delegated by Congress, repealed the entire District law limiting abortions, effective April 29, 2004, so that in the District of Columbia, abortion is now legal, for any reason, until the moment of birth.

(15) Article I, section 8 of the Constitution of the United States of America provides that the Congress shall "exercise exclusive Legislation in all Cases whatsoever" over the District established as the seat of government of the United States, now known as the District of Columbia. The constitutional responsibility for the protection of pain-capable unborn children within the Federal District resides with the Congress.

### SEC. 3. DISTRICT OF COLUMBIA PAIN-CAPABLE UNBORN CHILD PROTECTION.

(a) IN GENERAL.—Chapter 74 of title 18, United States Code, is amended by inserting after section 1531 the following:

#### "§ 1532. District of Columbia pain-capable unborn child protection

"(a) UNLAWFUL CONDUCT.—Notwithstanding any other provision of law, including any legislation of the District of Columbia under authority delegated by Congress, it shall be unlawful for any person to perform an abortion within the District of Columbia, or attempt to do so, unless in conformity with the requirements set forth in subsection (b).

"(b) REQUIREMENTS FOR ABORTIONS.—

"(1) The physician performing or attempting the abortion shall first make a determination of the probable post-fertilization age of the unborn child or reasonably rely upon such a determination made by another physician. In making such a determination, the physician shall make such inquiries of the pregnant woman and perform or cause to be performed such medical examinations and tests as a reasonably prudent physician, knowledgeable about the case and the medical conditions involved, would consider necessary to make an accurate determination of post-fertilization age.

"(2)(A) Except as provided in subparagraph (B), the abortion shall not be performed or attempted, if the probable post-fertilization age, as