

SENATE RESOLUTION 133—EX-PRESSING THE SENSE OF THE SENATE THAT CONGRESS AND THE STATES SHOULD INVESTIGATE AND CORRECT ABUSIVE, UNSANITARY, AND ILLEGAL ABORTION PRACTICES

Mr. LEE (for himself, Mr. TOOMEY, Mr. RUBIO, Mr. SCOTT, Mr. CRUZ, Mr. INHOFE, Mr. BURR, Mr. VITTER, Mr. BOOZMAN, Mr. BLUNT, Mrs. FISCHER, Mr. THUNE, Mr. JOHANNES, Mr. PAUL, Mr. MCCONNELL, Mr. COATS, Mr. CORNYN, Mr. COCHRAN, Mr. CHAMBLISS, Ms. AYOTTE, Mr. ISAKSON, and Mr. GRAHAM) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 133

Whereas the Declaration of Independence sets forth the principle that all people are created equal and are endowed by their Creator with certain unalienable rights, and that among these rights are life, liberty, and the pursuit of happiness;

Whereas the dedication of the people of the United States to this principle, though at times tragically marred by institutions such as slavery and practices such as segregation and the denial of the right to vote, has summoned the people of the United States time and again to fight for human dignity and the common good;

Whereas the people of the United States believe that every human life is precious from its very beginning, and that every individual, regardless of age, health, or condition of dependency, deserves the respect and protection of society;

Whereas the people of the United States believe that early and consistent care for mothers, with due regard both for the well-being of expectant mothers and for the children they carry, is a primary goal of any sound health care policy in the United States;

Whereas no woman should ever be abandoned, by policy or practice, to the depredations of an unlicensed, unregulated, or uninspected clinic operating outside of the law with no regard for the mothers or children ostensibly under its care;

Whereas the Report of the Grand Jury in the Court of Common Pleas of the First Judicial District of Pennsylvania, certified on January 14, 2011, contains the results of a thorough investigation of the policies and practices of Dr. Kermit Gosnell and the Women's Medical Society of Philadelphia, which found multiple violations of law and public policy relating to abortion clinics, and recommended to the Pennsylvania Department of Health that these abortion clinics "be explicitly regulated as ambulatory surgical facilities, so that they are inspected annually and held to the same standards as all other outpatient procedure centers";

Whereas the Report of the Grand Jury documented a pattern, over a period of 2 decades, at the Women's Medical Society of Philadelphia of untrained and uncertified personnel performing abortions, non-medical personnel administering medications, grossly unsanitary and dangerous conditions, violations of law regarding storage of human remains, and, above all, instances of willful murder of infants born alive by severing their spinal cords;

Whereas the violations of law and human dignity documented at the Women's Medical Society of Philadelphia involved women referred to the facility by abortion facilities in a number of surrounding States, including

Virginia, Maryland, North Carolina, and Delaware;

Whereas abortion clinics in a number of States, particularly Michigan and Maryland, and including 2 clinics at which Dr. Kermit Gosnell performed or initiated abortions and 2 Planned Parenthood facilities in Delaware, have been closed temporarily or permanently due to unsanitary conditions, and the Planned Parenthood facilities in Delaware have been described by former employees as resembling a "meat market";

Whereas the imposition of criminal and civil penalties on individuals and corporations involved in the deplorable practices described in this preamble is appropriate, but is not the only necessary response to such practices;

Whereas it is essential that the Federal Government and State and local governments take action to prevent dangerous conditions at abortion clinics;

Whereas government accountability means that officials whose duty it is to protect the safety and well-being of mothers accessing health care clinics must have their actions made public and their failures redressed;

Whereas the extent of, and purported justification for, legal and illegal abortions in the United States performed late in the second trimester of pregnancy and into and throughout the third trimester of pregnancy are not routinely reported by all States or by the Centers for Disease Control, and are therefore unknown;

Whereas women and children in the United States deserve better than the 56,145,920 abortions that have been performed in the United States since the Supreme Court rulings in *Roe v. Wade*, 410 U.S. 113, and *Doe v. Bolton*, 410 U.S. 179, in 1973; and

Whereas there is substantial medical evidence that an unborn child is capable of experiencing pain at 20 weeks after fertilization, or earlier: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) Congress and States should gather information about and correct—

(A) abusive, unsanitary, and illegal abortion practices; and

(B) the interstate referral of women and girls to facilities engaged in dangerous or illegal second- and third-trimester procedures;

(2) Congress has the responsibility to—

(A) investigate and conduct hearings on—

(i) abortions performed near, at, or after viability in the United States; and

(ii) public policies regarding such abortions; and

(B) evaluate the extent to which such abortions involve violations of the natural right to life of infants who are born alive or are capable of being born alive, and therefore are entitled to equal protection under the law;

(3) there is a compelling governmental interest in protecting the lives of unborn children beginning at least from the stage at which substantial medical evidence indicates that they are capable of feeling pain, which is separate from and independent of the compelling governmental interest in protecting the lives of unborn children beginning at the stage of viability, and neither governmental interest is intended to replace the other; and

(4) governmental review of public policies and outcomes relating to the issues described in paragraphs (1) through (4) is long overdue and is an urgent priority that must be addressed for the sake of women, children, families, and future generations.

SENATE RESOLUTION 134—EX-PRESSING THE SENSE OF THE SENATE THAT ALL INCIDENTS OF ABUSIVE, UNSANITARY, OR ILLEGAL HEALTH CARE PRACTICES SHOULD BE CONDEMNED AND PREVENTED AND THE PERPETRATORS SHOULD BE PROSECUTED TO THE FULL EXTENT OF THE LAW

Mr. BLUMENTHAL (for himself, Mrs. BOXER, Mrs. SHAHEEN, and Mr. FRANKEN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 134

Whereas in recent years there have been rare and tragic incidents of willful violations of law, human dignity, and standards of care across a variety of health care settings that have exposed trusting patients to death and disease, and shocked the conscience of the United States, including—

(1) a physician at the Women's Medical Society of Philadelphia who is rightfully facing multiple criminal charges related to horrific practices;

(2) health care practitioners at the Endoscopy Center of Southern Nevada who exposed 40,000 patients to hepatitis C through unsanitary practices;

(3) an Oklahoma dentist who exposed as many as 7,000 patients to HIV and hepatitis B and C through unsanitary practices; and

(4) a nursing director at Kern Valley nursing home in California who, for her own convenience, inappropriately medicated patients using antipsychotic drugs, resulting in the death of at least 1 patient: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that all incidents of abusive, unsanitary, or illegal health care practices should be condemned and prevented and the perpetrators should be prosecuted to the full extent of the law.

AMENDMENTS SUBMITTED AND PROPOSED

SA 814. Mr. COBURN (for himself, Mr. FLAKE, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table.

SA 815. Mr. COBURN (for himself, Mr. MCCAIN, and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 816. Mr. COBURN (for himself, Mrs. MCCASKILL, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 817. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 818. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 819. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 820. Mr. SESSIONS submitted an amendment intended to be proposed by him

to the bill S. 601, supra; which was ordered to lie on the table.

SA 821. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 822. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 823. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 824. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 825. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 826. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 827. Mr. COCHRAN submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 828. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 829. Mr. WICKER (for himself and Mr. SESSIONS) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 830. Mr. WICKER (for himself and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 831. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 832. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 601, supra.

SA 833. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 601, supra.

SA 834. Mr. BARRASSO (for himself, Mr. ISAKSON, and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 835. Mr. INHOFE (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill S. 601, supra.

SA 836. Mr. REED (for himself and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 837. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 601, supra; which was ordered to lie on the table.

SA 838. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 601, supra; which was ordered to lie on the table.

SA 839. Mrs. GILLIBRAND (for herself and Mr. WICKER) submitted an amendment intended to be proposed by her to the bill S. 601, supra; which was ordered to lie on the table.

SA 840. Mr. WARNER (for himself and Mr. Kaine) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 841. Mr. GRAHAM (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 842. Mr. GRAHAM (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 843. Mr. GRAHAM (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 844. Mr. GRAHAM (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 845. Mr. GRAHAM (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 846. Mr. MANCHIN (for himself, Mr. PORTMAN, Mr. ROCKEFELLER, and Mr. HOEVEN) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 847. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 848. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 849. Mr. RUBIO (for himself, Mr. SESSIONS, Mr. SHELBY, and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 850. Mr. MANCHIN (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 851. Mr. UDALL, of New Mexico (for himself, Mr. CARDIN, Mr. HEINRICH, and Mr. COWAN) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 852. Mr. UDALL, of New Mexico (for himself, Mr. GRAHAM, Mr. HEINRICH, and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 853. Mr. UDALL, of New Mexico (for himself, Mr. COWAN, Mr. HEINRICH, Ms. WARREN, Mr. CARDIN, Mr. BENNET, Mr. ROCKEFELLER, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Mr. LAUTENBERG, Mr. LEAHY, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 854. Mr. CASEY (for himself, Mr. ALEXANDER, Mr. BLUNT, Mrs. MCCASKILL, Ms. LANDRIEU, Ms. STABENOW, Mr. FRANKEN, and Mr. HARKIN) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 855. Mr. Kaine (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 856. Mr. BROWN (for himself, Mr. GRAHAM, Mr. UDALL of New Mexico, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

SA 857. Mr. LEVIN (for himself, Mr. SCHUMER, Ms. BALDWIN, and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill S. 601, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 814.** Mr. COBURN (for himself, Mr. FLAKE, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes;

which was ordered to lie on the table; as follows:

At the end of title II, add the following:

#### **SEC. 2. PERIODIC BEACH RENOURISHMENT.**

Section 103(d)(2) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(d)(2)) is amended by striking subparagraph (A) and inserting the following:

“(A) IN GENERAL.—Notwithstanding subsection (e)(1), the non-Federal cost of the periodic nourishment of the project, or any measure for shore protection or beach erosion control for the project, that is authorized for construction before, on, or after the date of enactment of the Water Resources Development Act of 2013 shall be 65 percent.”.

**SA 815.** Mr. COBURN (for himself, Mr. MCCAIN, and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2030.

**SA 816.** Mr. COBURN (for himself, Mrs. MCCASKILL, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

In section 2049(b)(5), strike subparagraph (C).

**SA 817.** Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike title I.

**SA 818.** Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 601, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1001 and insert the following:

#### **SEC. 1001. PURPOSES; SENSE OF CONGRESS.**

(a) PURPOSES.—The purposes of this title are—

(1) to authorize projects that—

(A) are the subject of a completed report of the Chief of Engineers containing a determination that the relevant project—