

GOVERNMENT SHUTDOWN

□ 0915

(Mrs. BUSTOS asked and was given permission to address the House for 1 minute.)

Mrs. BUSTOS. Madam Speaker, last night, nearly 80 of my colleagues joined me in sending a letter to Speaker BOEHNER urging him to keep the House in session every day until we reach a solution that prevents a government shutdown.

In 2013, we saw how badly a shutdown damaged our economy: \$24 billion in lost economic activity, 120,000 fewer private sector jobs created during the shutdown, and 20,000 veterans disabilities claims per week that were stalled. And yet even though we have nearly 2 weeks left before a shutdown would happen, there are only 5 days of scheduled activity in this House Chamber.

The American people can't afford another self-inflicted Washington wound on our economy. The stakes are just too high to take even a day off. We owe it to working families, seniors, and veterans across our Nation to get the job done right now.

JUSTICE FOR VICTIMS OF IRANIAN TERRORISM ACT

(Mr. MEEHAN asked and was given permission to address the House for 1 minute.)

Mr. MEEHAN. Madam Speaker, I rise to seek justice for victims of Iran's state-sponsored terror.

One of those victims is Chief Petty Officer Robert Stethem. In June 1985, Petty Officer Stethem, 23 years old, was murdered by Hezbollah terrorists aboard hijacked TWA Flight 847 in Beirut. He was executed when the hijackers realized he was a United States servicemember. They tortured him, and then they murdered him in cold blood before leaving his body on the tarmac below the plane.

Madam Speaker, Hezbollah is one of Iran's most lethal terrorist proxies. In 2002, a Federal judge ordered Iran to pay more than \$320 million to Stethem's family and other victims of Flight 847's hijacking. It is one of the more than 80 judgments that require Iran to pay \$43 billion to victims of its radical allies. Not one dime has been paid.

Despite Iran's refusal to compensate its victims, it will soon get a \$150 billion windfall from the end of the sanctions under the proposed nuclear deal. In short, Iran's hardliners will get a payday while their victims await billions of dollars in compensation.

Madam Speaker, I have introduced legislation, the Justice for Victims of Iranian Terrorism Act, which prohibits the removal of sanctions until Iran pays every penny it owes. It is the least we can do for victims like Chief Petty Officer Stethem and the families that suffered at Iran's hands, and I urge my colleagues to support it.

GOVERNMENT SHUTDOWN

(Mr. GALLEGO asked and was given permission to address the House for 1 minute.)

Mr. GALLEGO. Madam Speaker, the GOP's dysfunction has real consequences for the hard-working Americans who elected us and who are trying to make ends meet for their families.

Rather than pass a long-term highway bill that invests in our crumbling infrastructure and creates jobs, Republicans instead keep catering to the most radical elements of their base.

Madam Speaker, this is irresponsible. The American people deserve better. It is time for the Republican Congress to come to its senses and for this Congress to come together for the good of the people who elected us.

BORN-ALIVE ABORTION SURVIVORS PROTECTION ACT

Mr. GOODLATTE. Madam Speaker, pursuant to House Resolution 421, I call up the bill (H.R. 3504) to amend title 18, United States Code, to prohibit a healthcare practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 421, the bill is considered read.

The text of the bill is as follows:

H.R. 3504

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 "Born-Alive Abortion Survivors Protection Act".

SEC. 2. FINDINGS.

Congress finds as follows:

(1) If an abortion results in the live birth of an infant, the infant is a legal person for all purposes under the laws of the United States, and entitled to all the protections of such laws.

(2) Any infant born alive after an abortion or within a hospital, clinic, or other facility has the same claim to the protection of the law that would arise for any newborn, or for any person who comes to a hospital, clinic, or other facility for screening and treatment or otherwise becomes a patient within its care.

SEC. 3. BORN-ALIVE INFANTS PROTECTION.

(a) REQUIREMENTS PERTAINING TO BORN-ALIVE ABORTION SURVIVORS.—Chapter 74 of title 18, United States Code, is amended by inserting after section 1531 the following:

"§ 1532. Requirements pertaining to born-alive abortion survivors

"(a) REQUIREMENTS FOR HEALTH CARE PRACTITIONERS.—In the case of an abortion or attempted abortion that results in a child born alive (as defined in section 8 of title 1, United States Code (commonly known as the 'Born-Alive Infants Protection Act')):

"(1) DEGREE OF CARE REQUIRED; IMMEDIATE ADMISSION TO A HOSPITAL.—Any health care practitioner present at the time the child is born alive shall—

"(A) exercise the same degree of professional skill, care, and diligence to preserve

the life and health of the child as a reasonably diligent and conscientious health care practitioner would render to any other child born alive at the same gestational age; and

"(B) following the exercise of skill, care, and diligence required under subparagraph (A), ensure that the child born alive is immediately transported and admitted to a hospital.

"(2) MANDATORY REPORTING OF VIOLATIONS.—A health care practitioner or any employee of a hospital, a physician's office, or an abortion clinic who has knowledge of a failure to comply with the requirements of paragraph (1) shall immediately report the failure to an appropriate State or Federal law enforcement agency, or to both.

"(b) PENALTIES.—

"(1) IN GENERAL.—Whoever violates subsection (a) shall be fined under this title or imprisoned for not more than 5 years, or both.

"(2) INTENTIONAL KILLING OF CHILD BORN ALIVE.—Whoever intentionally performs or attempts to perform an overt act that kills a child born alive described under subsection (a), shall be punished as under section 1111 of this title for intentionally killing or attempting to kill a human being.

"(c) BAR TO PROSECUTION.—The mother of a child born alive described under subsection (a) may not be prosecuted under this section, for conspiracy to violate this section, or for an offense under section 3 or 4 of this title based on such a violation.

"(d) CIVIL REMEDIES.—

"(1) CIVIL ACTION BY A WOMAN ON WHOM AN ABORTION IS PERFORMED.—If a child is born alive and there is a violation of subsection (a), the woman upon whom the abortion was performed or attempted may, in a civil action against any person who committed the violation, obtain appropriate relief.

"(2) APPROPRIATE RELIEF.—Appropriate relief in a civil action under this subsection includes—

"(A) objectively verifiable money damage for all injuries, psychological and physical, occasioned by the violation of subsection (a);

"(B) statutory damages equal to 3 times the cost of the abortion or attempted abortion; and

"(C) punitive damages.

"(3) ATTORNEY'S FEE FOR PLAINTIFF.—The court shall award a reasonable attorney's fee to a prevailing plaintiff in a civil action under this subsection.

"(4) ATTORNEY'S FEE FOR DEFENDANT.—If a defendant in a civil action under this subsection prevails and the court finds that the plaintiff's suit was frivolous, the court shall award a reasonable attorney's fee in favor of the defendant against the plaintiff.

"(e) DEFINITIONS.—In this section the following definitions apply:

"(1) ABORTION.—The term 'abortion' means the use or prescription of any instrument, medicine, drug, or any other substance or device—

"(A) to intentionally kill the unborn child of a woman known to be pregnant; or

"(B) to intentionally terminate the pregnancy of a woman known to be pregnant, with an intention other than—

"(i) after viability, to produce a live birth and preserve the life and health of the child born alive; or

"(ii) to remove a dead unborn child.

"(2) ATTEMPT.—The term 'attempt', with respect to an abortion, means conduct that, under the circumstances as the actor believes them to be, constitutes a substantial step in a course of conduct planned to culminate in performing an abortion."

(b) CLERICAL AMENDMENT.—The table of sections for chapter 74 of title 18, United States Code, is amended by inserting after

the item pertaining to section 1531 the following:

“1532. Requirements pertaining to born-alive abortion survivors.”.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees.

The gentleman from Virginia (Mr. GOODLATTE) and the gentlewoman from California (Ms. JUDY CHU) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous materials on H.R. 3504, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Madam Speaker, I yield myself such time as I may consume.

Millions of people have viewed videos of representatives of the organization Planned Parenthood, which performs some 40 percent of all abortions each year. Those videos, recorded undercover, include discussions of instances in which during the course of an attempted abortion a baby is born “intact.”

As one doctor caught on tape said: “Sometimes . . . if someone delivers before we get to see them for a procedure, then they”—the babies—“are intact. But that’s not what we go for.”

Another business executive said: “If you had intact cases, which we’ve done a lot, we sometimes ship those back to our lab in its entirety.”

A procurement manager says on a video: “I literally have had women come in and they’ll go in the OR”—the operating room—“and they’re back out in 3 minutes, and I’m going, ‘What’s going on?’ ‘Oh, yeah. The fetus was already in the vaginal canal whenever we put her in the stirrups. It just fell out.’”

A former employee of the same company told investigators that she was shown the results of one abortion by a doctor, and she recalls: “This is the most gestated fetus and the closest thing to a baby I’ve seen . . . and she”—the doctor—“taps the heart and it starts beating . . . The nodes were still firing and I don’t know if that means it’s technically dead or it’s alive. It had a face. It wasn’t completely torn up. Its nose was very pronounced. It had eyelids . . . Since the fetus was so intact, she said, ‘Ok. Well, this is a really good fetus and it looks like we can procure a lot from it. We’re going to procure a brain . . . That means we’re going to have to cut the head open.’ She takes a scissors and she makes a small incision right

here”—at the chin—“and goes, I would say, maybe a little bit through the mouth, and she’s like, ‘Ok. Can you go the rest of the way?’ . . . And so she gave me the scissors and told me that I have to cut down the middle of the face. And I can’t even describe what that feels like.”

The House Judiciary Committee, which I chair, is undergoing a comprehensive investigation of the issues raised by these videos. But as that and other investigations continue, Congress must move immediately to protect any children born alive during the course of a failed abortion.

The bill before us today is simple, yet profound, insofar as it might be a reflection of the Nation’s conscience.

Its operative provisions provide that, in the case of an abortion that results in a child’s being born alive, any healthcare practitioner present must exercise the same degree of professional care to preserve the life of the child as he or she would render to any other child born alive at the same gestational age. The bill also provides that the child must be immediately transported and admitted to a hospital.

If a baby born alive is left to die, the penalty can be up to 5 years in jail. If the child is cut open for its body parts or some other overt act is taken, the punishment is that for first degree murder, which can include life in prison or the death penalty.

Babies are born alive during failed abortions. Just last week, the committee heard direct testimony by two grown women who, as babies, survived attempted abortions. The mother of one of them, Gianna Jessen, was advised by Planned Parenthood to have an abortion.

But, as Ms. Jessen testified, “Instead of dying, after 18 hours of being burned in my mother’s womb, I was delivered alive in an abortion clinic in Los Angeles.” Her medical records state clearly that she was “born alive” during an abortion.

She continued: “Thankfully, the abortionist was not at work yet. Had he been there, he would have ended my life with strangulation, suffocation, or leaving me there to die. Instead, a nurse called an ambulance, and I was rushed to a hospital. Doctors did not expect me to live. I did. I was later diagnosed with cerebral palsy, which was caused by a lack of oxygen to my brain while surviving the abortion. I was never supposed to hold my head up or walk. I do. And cerebral palsy is a great gift to me.”

Just think of that for a moment. Ms. Jessen says cerebral palsy is a gift to her because it came with the gift of life. Ms. Jessen presented a picture at the hearing, showing the results of the sort of abortion she survived.

Today, I ask the Nation to see in its collective mind the body of a baby, much like this one, on the floor, born alive during a failed abortion. I ask that we collectively reach down into our hearts and, also, reach down to the floor.

As we vote today, I ask that we, as a nation, grasp the value of life and, also, grasp that baby’s back, lift its tiny body off the ground, and take it to a hospital—and not leave her with the abortionist.

I reserve the balance of my time.

Ms. JUDY CHU of California. Madam Speaker, I yield myself such time as I may consume.

Contrary to its misleading title, this bill is not about protecting children born alive. Its real intent is to further undermine a woman’s right to choose, a right that has been constitutionally guaranteed for more than 42 years by *Roe v. Wade*.

Not only does this bill attempt to politicize women’s health and to limit women’s access to abortion, it would interfere with the sacred doctor-patient relationship and substitute a physician’s best judgment with the judgment of a handful of politicians’.

We must not forget that this bill has come to the floor at the same time as the push to defund Planned Parenthood.

This attack on a venerable and respected provider of high-quality health care would have a devastating impact on women, especially women in rural communities, low-income women, and women of color, and it would deny women access to preventive care, life-saving cancer screenings, and family planning services.

Approximately one woman in five has relied on Planned Parenthood for health care at some point in her lifetime. It is a blatant attack on women and families to defund an organization that uses Federal funds to prevent abortions and to help families stay healthy and cannot even use Federal funding for abortion.

It would be the saddest of ironies that, by defunding Planned Parenthood’s critical contraception and other reproductive health services in the name of opposing abortion, we would see more unintended pregnancies and, therefore, more abortions.

Among its flaws, H.R. 3504 proposes a standard of care for abortion providers that could interfere with the ability of physicians to make medical decisions for their patients.

In doing so, the bill represents an unprecedented level of intrusion by the government into medical decisions.

For instance, the bill requires an abortion provider to immediately transport a fetus to a hospital in some cases even if the fetus is not viable under existing law and under the standards of care applicable to neonatal physicians.

This requirement is so broad and the penalties so severe—up to 5 years in prison—that one can only conclude that the real purpose of the bill is to intimidate abortion providers out of service.

The bill also requires doctors and employees of hospitals and clinics that provide abortion services to report any violations of the bill’s standard of care

to State or Federal law enforcement authorities.

Any person who fails to comply with these requirements is threatened with fines and up to 5 years in prison. This is not just the doctors but the cleaning crew and the receptionists.

On top of this, the language in this bill completely fails to distinguish between a viable and non-viable fetus, which is the constitutional line that separates abortions that may be performed without restrictions from those that may be regulated or prohibited.

The bill's vague and broad mandates, combined with severe penalties, will effectively intimidate doctors and ultimately drive them away from the abortion practice, which appears to be the true intent of this troubling bill.

This is why so many organizations are opposed to this bill, those like the National Women's Law Center, the AAUW, the ACLU, and Physicians for Reproductive Choice and Health.

In fact, the American Congress of Obstetricians and Gynecologists, which represents 58,000 physicians, opposes H.R. 3504 because it represents a gross interference in the practice of medicine, inserting a politician between a woman and her doctor.

By intimidating doctors and thereby making abortion unavailable as a practical matter, abortion opponents seek to accomplish, in fact, what they have not accomplished in the courts or in public opinion. Simply put, H.R. 3504 is yet another attack on women's health and rights.

When the Born-Alive Infant Protection Act, or BAIPA, became law 13 years ago, the bill's sponsors clarified that the law was not intended to affect abortion practice or a woman's right to choose.

We did not want to constrain or chill medical decisions regarding patient care. That is why Judiciary Committee Democrats voted to support it.

The bill before us today appears to directly contradict those assurances. Let's not forget that politicians are not doctors.

We should be concerned about doing our jobs and fully funding high-quality women's health care instead of trying to keep doctors from doing theirs. I strongly urge my colleagues to oppose this dangerous bill.

I reserve the balance of my time.

Mr. GOODLATTE. Madam Speaker, I yield 5 minutes to the gentleman from Arizona (Mr. FRANKS), the chairman of the Constitution and Civil Justice Subcommittee and the author of this legislation.

Mr. FRANKS of Arizona. I thank the gentleman. I also thank the gentleman for his commitment to protecting these little babies.

Madam Speaker, the United States of America is an exceptional nation, whose unique core premise is that declared conviction that we are all created equal and that each of us is endowed by our Creator with the inalienable right to live.

Abraham Lincoln called upon all of us in this Chamber to remember those words of America's Founding Fathers and "their enlightened belief that nothing stamped with the divine image and likeness was sent into the world to be trodden on or degraded and imbruted by its fellows."

He reminded those he called posterity that "when in the distant future some man, some factions, some interests should set up a doctrine that some were not entitled to life, liberty, and the pursuit of happiness that 'their posterity'"—that is us, Madam Speaker—"might look up again to the Declaration of Independence and take courage to renew the battle which their fathers began."

□ 0930

Madam Speaker, the sincerest purpose of the Born-Alive Abortion Survivors Protection Act is to renew that noble battle to respect and protect those little fellow human beings among us who are this moment being trodden on and degraded and imbruted by their fellows.

Not long ago, in the land of the free and the home of the brave, authorities entered the clinic of Dr. Kermit Gosnell and found a torture chamber for little born-alive babies that defies description within the constraints of the English language.

The grand jury report at that time said, "Dr. Kermit Gosnell had a simple solution for unwanted babies: he killed them. He didn't call it that. He called it 'ensuring fetal demise.' The way he ensured fetal demise was by sticking scissors in the back of the baby's neck and cutting the spinal cord. He called it 'snipping.' Over the years there were hundreds of 'snippings'."

Ashley Baldwin, one of Dr. Gosnell's employees, said she saw babies breathing, and she described one as 2 feet long that no longer had eyes or a mouth, but, in her words, was making like this screeching noise and it "sounded like a little alien."

And now, in recent days, Madam Speaker, numerous video recordings have been released that demonstrate that Kermit Gosnell was just the tip of the iceberg of the abortion industry's unspeakable cruelty to these little children of God.

The veil has now been pulled back, and all of us now see the walls behind the abortion industry and the horrifying plight of its little human victims, who we must not forget, are also the least of these, our little brothers and sisters.

Our response, as a people and a Nation, to these horrors shown in these videos is vital to everything those lying out in Arlington National Cemetery died to save.

The Born-Alive Abortion Survivors Protection Act, Madam Speaker, protects little children who have been born alive. No one in this body can obscure the humanity and the personhood of these little born-alive babies, nor

can they take refuge within the schizophrenic paradox *Roe v. Wade* has subjected this country to, for now, more than 40 years.

The abortion industry has labored all these decades to convince the world that unborn children and born children should be completely separated in our minds, that while born children are persons worthy of protection, unborn children are not persons and are not worthy of protection.

But, Madam Speaker, those who oppose this bill to protect born-alive babies now have the impossible task of trying to join born children and unborn children back together again and then trying to convince all of us to condemn them both as inhuman and not worthy of protection after all.

To anyone who has not invincibly hardened their heart and soul, Madam Speaker, an honest consideration of this absurd inconsistency is profoundly enlightening.

Because, you see, this country has faced such paradox and self-imposed blindness before. There was a time that our own House rules banned any discussion or debate in this Chamber about the effort to end human slavery in America.

But, Madam Speaker, that debate did come and with it came a time when the humanity of the victims and the inhumanity of what was being done to them became so glaring even to the hardest of hearts that it moved an entire nation of people to find the compassion and the courage in their own souls to change their position.

Now, to this generation, Madam Speaker, that time has come again.

Ms. JUDY CHU of California. Madam Speaker, I yield 3 minutes to the gentleman from New York (Mr. NADLER), an outstanding and leading member of our Judiciary Committee.

Mr. NADLER. Madam Speaker, God bless the United States Supreme Court for its *Roe v. Wade* decision that liberated the women of this country to make their own decisions, to exercise their own consciences in the most intensely private matter of whether they should carry a pregnancy to term.

Now, I recognize, of course, that there are those who hold the religious conviction that a one-celled organism—one cell, two cells—is a fully formed human being.

They are entitled to religious conviction. They are not entitled to impose that religious conviction on all the women of this country who may not share it. That is essentially the abortion debate.

We are not debating abortion today, although some people would like to. We are debating this ridiculous Born-Alive Survivors Protection Act.

Fifteen years ago, I stood on this floor and supported the Born-Alive Infants Protection Act. I said it was unnecessary. It simply repeated existing law.

It has always been the law that, if an infant is born, whether that birth was

intentional or not is irrelevant, that that is a person. If you kill that infant, you are guilty of murder or manslaughter, as the case may be. You certainly may not do so intentionally.

The Born-Alive Infant Protection Act did not change that. It just added superfluous language to the law. Its only purpose was to try to paint people who support the right to choose and supporters of infanticide.

So we said, no, it is silly because it doesn't add anything to the law. It simply duplicates the existing law, but we will support it so we cannot be slandered that way.

Now we have this bill, which does essentially two things. One, it repeats, in different language, exactly the same provisions from 15 years ago.

It doesn't change the law that we enacted 15 years ago, and it doesn't change the law that preexisted in every State of the Union. If you kill a child, it is murder, period.

Dr. Gosnell, I would point out, is in jail for life because he committed multiple murders. Nobody, but nobody, supports what he does and nobody, except in some of their fantasies that Mr. FRANKS says, thinks that Planned Parenthood or anybody else supports such actions.

This bill, however, cannot be supported because it does one harmful thing. This bill says that the born-alive child must be given the same standard of care whether he is born alive in an attempted abortion or from a regular birth.

That is already the law. Of course, it is the law. It ought to be the law. It must be the law. It always has been the law.

What it also does is it says that, as soon as the doctor has given that child the proper standard of care, he must rush him to the hospital, regardless of whether that might be good or bad for the child, regardless of the standard of care, regardless of whether the nearby hospital has neonatal intensive care units.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. JUDY CHU of California. I yield an additional 1 minute to the gentleman.

Mr. NADLER. Of course, everybody associated with the doctor, under existing law, has the duty of giving the best possible medical care under any circumstances. That may be to transport the baby to the hospital. It may be that the baby is too frail to transport.

But along comes this bill that says: We don't care about the real situation that doctor faces with that infant. We know how to practice medicine in every situation—we, in Congress—so we are going to say it must be brought to the hospital even if that might kill the child.

It is just stupid, and that is why this bill must be opposed, not because it changes the standard of law or has anything to do with born-alive infants, but because it mandates that a child be

brought to the hospital when medical care might indicate that that child in that situation should not be brought to the hospital. It may kill children. That is why we must oppose this bill.

Mr. GOODLATTE. Madam Speaker, I yield 1 minute to the gentleman from Louisiana (Mr. FLEMING).

Mr. FLEMING. Madam Speaker, as a physician, a father and a grandfather, let me first respond and say that, in the process of a birth, an abortion, there is no way one can tell whether that child is viable until you actually apply health-saving tools and techniques to that baby. So that argument that viability and all of that made in advance really makes no sense whatsoever.

Look, committing abortions is not health care for women. The baby dies a horrifically painful and ghastly death. Her tiny hands and feet, brain, and spinal tissues are dissected and sold to the highest bidder, and her mother is agonizing over the loss of a child.

What happens if a child survives this barbaric and inhumane murder attempt? Abortionists have been known to snip babies' spines, throw children into plastic bags, or leave the infant to die, away from a human touch and healing care.

Today's bill, however, will put a stop to the double murder attempt on a baby's life. It will protect children, infants, who are born alive, affording these tiny patients immediate medical attention.

Ms. JUDY CHU of California. I yield 2 minutes to the gentleman from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Madam Speaker, I stand in strong opposition to this punitive and intrusive bill. I am both disturbed and offended that this latest attempt to restrict women's access to reproductive health care is based on a series of videos that have been found to be grotesquely deceptive and purposefully misleading.

This is politics at its most manipulative, and politics should never be permitted to come between a patient and her doctor.

This bill attempts to criminalize legal medical care and punish millions of women by rolling back reproductive choices. It wages a kind of guerilla warfare against Roe v. Wade by threatening doctors with jail time for providing care to their patients.

The American Congress of Obstetricians and Gynecologists calls the vague requirements and drastic penalties—unnecessary requirements like going to the hospital—scare tactics that are unnecessary and wrong.

This bill would have the Federal Government threaten doctors who do their job taking care of their patients with up to 5 years' imprisonment.

To make it all even more outrageous, this bill is based on a series of unsupported allegations and it ignores the fact that there has been no evidence of wrongdoing by Planned Parenthood.

In fact, five States have now conducted their own investigations into the charges against Planned Parenthood and have found that no laws have been broken.

Instead, the backers of this bill rely on misleading, badly doctored videos released by an extreme antichoice group as the basis for a slew of legislation to decrease access to care for women in this country who can least afford it. Millions of women rely on Planned Parenthood for their basic health care.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. JUDY CHU of California. I yield an additional 30 seconds to the gentlewoman.

Mrs. CAROLYN B. MALONEY of New York. There is no choice in this country which has been guaranteed by our Supreme Court without access to choice. This bill attempts to stop the access to choice by putting doctors in jail by absurd requirements.

I urge my colleagues to respect the relationship between women and their doctors, respect their need for affordable and available health care, and vote "no" on this punitive and intrusive bill.

Mr. GOODLATTE. Madam Speaker, I yield 1 minute to the gentleman from Illinois (Mr. ROSKAM).

Mr. ROSKAM. Madam Speaker, my heart is heavy with this debate. My heart becomes very heavy when I hear the descriptions of this awful procedure.

My heart becomes even heavier, Madam Speaker, when I listen to the twisted logic and the distortions of people who find themselves implicitly defending this.

President Obama has said that he will veto this because it is related to abortion services. Yet, Mr. NADLER moments ago said this has nothing to do with abortion, that everybody agrees that these babies are born and deserve the protections of the law. He says, basically, it is a sideshow. It is either one or the other, Madam Speaker, and they don't get to argue it both ways.

But I think we ought to be able to agree on this, that we are talking about people who are born, who are breathing, whose hearts are pumping, whose fingers are twitching, who have full feeling and deserve every benefit of the doubt and every protection of the law.

□ 0945

Ms. JUDY CHU of California. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. RUIZ), a leading physician in our Congress.

Mr. RUIZ. Madam Speaker, as an emergency physician I am deeply disturbed by the provisions in this legislation. The Born-Alive Infants Protection Act was signed into law in 2002. The pro-choice community did not oppose it, and it passed the House by a voice vote under suspension of the rules. It was consistent with the already high medical and ethical standards within the physician community.

This new bill, however, is unnecessary and dangerous. It criminalizes physicians who make serious and compassionate decisions based on their deep desire to do what is best for the mother, her health, and life. It creates a police state and forces healthcare staffs that do not have medical training to inform law enforcement of their nonmedical questioning of a physician's sound judgment under the threat of prosecution and imprisonment. This also gives anti-choice lawyers the ability to bully, threaten, and harm a physician's reputation and practice.

Infanticide is already illegal in this country. This bill is highly intrusive to the patient-doctor relationship. Let's be clear. This is yet another attempt by anti-choice bully politicians to restrict a woman's right to choose and doctors' ability to provide sound, compassionate, and safe care for women. It is an aggressive, bullish scare tactic that puts the relationship of the woman and her physician in jeopardy and forces politicians in the middle of decisions that they have no business being involved in.

I agree with the American College of Obstetricians and Gynecologists and other physician groups in opposing this legislation. I stand with the women across this great country that have continued to fight for decades to defend their legal right to choose.

Mr. GOODLATTE. Madam Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. SMITH), a champion of this cause.

Mr. SMITH of New Jersey. Madam Speaker, undercover videos by The Center for Medical Progress have again brought into sharp focus that some babies actually survive abortion.

Dr. Ginde, medical director of Planned Parenthood Rocky Mountains, says: "sometimes we get—if somebody delivers before we see them for a procedure that they are intact . . ." That is, Madam Speaker, born alive, breathing, crying, gasping for air. One fetal tissue broker describes in the video watching a fetus that just "fell out" and was left to die.

We have a duty to protect these vulnerable children from violence, exploitation, and death. Humanitarian due diligence requires that born-alive babies be taken to a hospital to obtain care and enhance his or her prospects of survival. Abortion clinics, to the contrary, do not have neonatal intensive care units. They are not equipped to protect those children. They are in the business of killing those children—not saving them.

The grand jury in the abortionist Kermit Gosnell case said: "Gosnell had a simple solution for unwanted babies. He killed them." He euphemistically called "snipping" the born-alive baby's spinal cord "ensuring fetal demise."

Last week, Gianna Jessen, as BOB GOODLATTE noted earlier, an abortion survivor, told his Committee on the Judiciary she had survived a Planned Parenthood late-term, multihour abor-

tion because "the abortionist had not yet begun the work. Had he been there, he would have ended my life with strangulation, suffocation, or leaving me there to die."

The Born Alive Abortion Survivors Protection Act, authored by pro-life champion TRENT FRANKS, simply says any child who survives an abortion must be given the same care as any other premature baby born at the same gestational age. This legislation builds on the landmark Born-Alive Infants Protection Act of 2002, authored by STEVE CHABOT, by adding important enforcement provisions.

Tragically, President Obama, the abortion President, has vowed to veto this pro-child, human rights legislation, a position that is extreme, antichild, inhumane, and indefensible.

Ms. JUDY CHU of California. Madam Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. COHEN), the ranking member of our Subcommittee on the Constitution and Civil Justice.

Mr. COHEN. Madam Speaker, these are very important bills—this bill and the next bill—to the women of this Nation and to the people in America because these are rights that are being under attack. There is this Born-Alive bill, which came to the floor through the Committee on Rules, and the next bill, which stops funding of Planned Parenthood, but they are all part of the same thing. They are the same bill. They are the same message. Because what we are doing here in this Congress is messaging, and the message is the Republican Party wants to defeat *Roe v. Wade*. They think that that was a bad bill and that it is wrong to have legalized, in America, for women to have choice. Most of the Democrats don't think that.

Neither of these bills went through the committee process, which is really abhorrent. In fact, yesterday, we passed a bill about new and novel ideas, saying that you get sanctions, you would be sanctioned as a lawyer, if you brought some case that was frivolous and didn't really come through the proper procedures.

If we had that kind of rule in Congress, these bills wouldn't be allowed to be on the floor, because they are supposed to go through committee where the public has notice, the public has an opportunity to have a witness. The majority side has three witnesses; the minority side has one witness. There is a discussion; there are questions; there are answers; there are statements; there is thought; there is input; there is due process; there is petitioning grievances.

All of this has been abrogated—no due process, no regular order. These come straight to the floor because these are messaging bills for the American public. The Republican Party and parts of the Republican Party often say: We want our country back. What they want back is a country that is pre-1971, before *Roe v. Wade*. What they

want is a country that is pre-Brown v. Board of Education. What they want is a country that is pre-Voting Rights Act, which has been limited by the Supreme Court and which has not been renewed by this Congress, nor has it gotten a vote. What they want is a country that is free of many of the immigrants who have come to this country and made it great, particularly from South America, the Caribbean—and that country is not going to come back.

In my State of Tennessee, the Republicans have filed a bill to declare the Supreme Court decision on same-sex marriage as illegal in Tennessee, nullification dripping from their lips, as George Wallace would say, in the courthouse door.

It is the same thing today: Take our country back—no Hispanics, no women's choice, no civil rights, no voting rights, Dwight D. Eisenhower's 1950 America. And Dwight D. Eisenhower wasn't at fault. He tried to bring us forward.

These bills are part of that same attack on the progress that we have made in America. They have not gone through the proper process, and they are attempts to change America in a way that would affect American women adversely. This bill has a definition of abortion that is new, shouldn't be done.

I oppose both bills and the rule.

Mr. GOODLATTE. Madam Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. CHABOT), a member of the Committee on the Judiciary.

Mr. CHABOT. Madam Speaker, a few years ago, a so-called doctor in Philadelphia by the name of Kermit Gosnell was killing babies—literally. He ran an abortion clinic there, and as can happen in these houses of horror, some of these innocent, unborn children were actually born alive before they could be exterminated in the womb.

So there you have a little now-born baby squirming, kicking, sometimes crying right there in front of you on the table. So what did Gosnell do? He would take a pair of scissors, plunge them into the baby, and sever his or her spinal cord. No care whatsoever about the pain involved. One of Gosnell's employees who witnessed this barbarism described the baby's scream as follows: "I can't describe it. It sounded like a little alien."

Well, this wasn't an alien. It was a human being, just like you and me, although in an earlier form of development. Gosnell, thank God, is in prison. But we have now learned that the largest abortion provider in this country, Planned Parenthood, is not only destroying the lives of little unborn children, but selling their body parts for profit.

I might add that Planned Parenthood aborts more babies each year in this country than the population of the city of Cincinnati that I represent. That is every single year, the population of a city, Cincinnati.

We have got to stop this slaughter. I introduced a bill called the Born-Alive Infants Protection Act, which was passed by the House and by the Senate and signed into law by President Bush back in 2002. It helped. The legislation before us today, introduced by Congressman TRENT FRANKS, improves that law and will protect more innocent babies.

Please, for God's sake, let's pass it today and protect those among us who cannot protect themselves.

Ms. JUDY CHU of California. Madam Speaker, I yield myself such time as I may consume.

I would like to reiterate, this is a bill that has been introduced with virtually no process. This was introduced less than 48 hours ago, with no hearings and no expert testimony. In fact, those on the other side of the aisle are citing, as evidence, videos that have been shown to be highly edited, that are misleading and fraudulently obtained. There were 47 edits in the video that are shown. Even though Planned Parenthood doctors said 10 times that such procedures were not done for profit, that was all edited out.

This is legislation based on sound bites and anti-choice rhetoric and not on facts.

I continue to reserve the balance of my time.

Mr. GOODLATTE. Madam Speaker, I yield 1 minute to the gentleman from Kansas (Mr. HUELSKAMP).

Mr. HUELSKAMP. Madam Speaker, earlier this year, many of my colleagues and I stood on this floor condemning abortionist Kermit Gosnell for his barbaric murder of babies born alive during attempted abortions. Instead of providing compassionate care for these precious little babies, Gosnell muffled their cries by snipping the back of their necks with scissors, and we have people on the floor today defending that.

No child should be treated with such violence, and no man or woman should be free to perform such heinous acts of murder.

As an adoptive parent of four incredible children, I cannot help but think of the countless couples across America who would have given anything to care for these babies.

This bill rightly affirms the humanity of all babies born alive, rightly affords them the full protection of the law, and punishes any abortionist who denies these infants their dignity and right to life.

Ms. JUDY CHU of California. Madam Speaker, I continue to reserve the balance of my time.

Mr. GOODLATTE. Madam Speaker, may I inquire how much time is remaining on each side?

The SPEAKER pro tempore. The gentleman from Virginia has 12½ minutes remaining. The gentlewoman from California has 12½ minutes remaining.

Mr. GOODLATTE. Madam Speaker, I yield 1 minute to the gentleman from Indiana (Mr. STUTZMAN).

Mr. STUTZMAN. Madam Speaker, what does it say about this Congress that today we are here on the House floor debating the killing and harvesting of aborted babies? How can there possibly be two sides to this? I don't understand. How can we not take a step back and look at this objectively?

The gentlewoman from California mentioned that these videos were highly edited. I don't know if they have watched the videos, but if you watch the videos, how can you say that the doctor who is pulling salad from a salad bowl and mentions that she can take the babies and crush the top and the bottom parts of the babies and harvest the body parts in between is highly edited? This is not. These are not. This information on these videos shows the barbaric activity.

These bills before us today deal with this problem. Madam Speaker, I implore that this Chamber take a step back and look at what is on these videos and the information that we have on these videos and realize that we must move forward on these two bills and stop this barbaric action.

□ 1000

Ms. JUDY CHU of California. Madam Speaker, I continue to reserve the balance of my time.

Mr. GOODLATTE. Madam Speaker, it is my pleasure to yield 1 minute to the gentleman from Alabama (Mr. PALMER).

Mr. PALMER. Madam Speaker, this is a fundamental American value. For our Founders, life was the first right. They understood that there is an order to things that even nature teaches us. They understood and fully embraced that the first and foremost right is life because, without life, there is no liberty; without life, there is no pursuit of happiness; without life, there is no discussion of a right to privacy or a right to choose; because, without life, there is nothing to choose.

Life presupposes and precedes all other rights. Our Founders understood this, but somewhere along the way to where we are now, we have gone from protecting the right that is the basis of all rights to deciding that unborn children and even children born alive can have their lives taken because their organs and tissues are more valuable than they are.

It is inconceivable that a nation founded on the idea that life is the indispensable right, the indisputable right, could be at this place in our history when living children in their mother's womb—and even some who have been born alive—can be killed with the callousness and cold-bloodedness that none of our forefathers would have dreamed could exist in America.

This decision whether to continue funding this barbaric practice is really about exposing the charade of the Federal Government supporting women's health care, when in fact it is really

about subsidizing the killing and mutilation of babies with taxpayers' money. This has to stop.

Ms. JUDY CHU of California. Madam Speaker, I yield 3 minutes to the gentleman from California (Mr. BERA), an outstanding doctor.

Mr. BERA. Madam Speaker, as a doctor, I find these bills troubling. The oath I took is to do what is best for my patients.

One of these bills that is coming up today criminalizes the practice of medicine and questions doctors' judgments. It attempts to intimidate doctors from providing safe, evidence-based medicine and from doing our job, which is to sit with our patients, answer their questions, and give them the best medical advice and let them make the decisions that affect their lives.

This is unprecedented. It sets a precedent where those without any medical training can dictate medical practice and make choices for patients. This definitely oversteps any legal bounds. These are choices that should be made between doctors and patients.

Congressional interference into how we practice is overreach. It is a dramatic overreach, and it is dangerous because it sets a dangerous legislative precedent.

What makes the healthcare delivery system in America so great is that it is accessible to folks and that we understand and protect the doctor-patient privilege. That is at the very foundation of the oath we take when we enter the profession of medicine.

Now, the other bill that we are voting on today also dramatically restricts access. If you think about the number of women in America who get their care from Planned Parenthood, the preventive health services that Planned Parenthood provides is remarkable.

One in five women in this country have used a Planned Parenthood facility. It is a remarkably effective way for women to get their health care—and it is not just women; many men also use Planned Parenthood.

We should be having the exact opposite debate. We should be talking about how we can improve access to care, how we can make sure every American has access to all of their reproductive options. We should want to be talking about how we strengthen the doctor-patient relationship, how we take the government out of the exam room, how we leave some of the most intimate choices to the doctor and the patient.

Again, the oath that I took when I entered the profession was to sit with my patients, answer their questions, but then empower them to make the choices that fit their life circumstances. That is what we should be fighting for. Those are our principles. That is who we are as Americans with those freedoms.

Madam Speaker, let's talk about how we improve access to care. Let's talk about how we strengthen the doctor-patient relationship. This is about protecting people.

Mr. GOODLATTE. Madam Speaker, it is my pleasure to yield 1 minute to the gentleman from California (Mr. MCCARTHY), the majority leader.

Mr. MCCARTHY. Madam Speaker, last week, the Judiciary Committee heard testimony from people who had survived abortions. They spoke as part of the House's ongoing investigation into the practices depicted in the horrific videos that we have all seen.

One of these people who spoke was Gianna Jessen. She told the committee that, when her biological mother was 7½ months pregnant, she went to Planned Parenthood, where they advised her mother to have an abortion. That is what her mother did.

By a miracle—and despite the best efforts to end her life—Gianna was born alive; and because she was born before the abortionist had gotten into work, a nurse called an ambulance. Gianna was rushed to the hospital—and she lived—though she suffers from cerebral palsy because of the attempted abortion.

There are so many others who aren't as lucky as Gianna. The Born-Alive Survivors Protection Act—that is what we are voting on today—will help save the lives of those children. It would impose criminal penalties on any medical professional who fails to give the same medical attention to children born after an abortion as they would to any other premature newborn baby.

The simple fact is that, when a baby is born alive, it doesn't matter how he or she was born. They are living human beings who deserve our care.

We are also here today, Madam Speaker, to talk in particular about Planned Parenthood, the organization that tried to take Gianna's life. I think, for the purpose of this debate, it is very important to understand what this organization is.

Many on the other side say that they are just devoted to women's health. The facts say something different. In the last year on record, they performed 327,653 abortions. That was in 1 year. Anyone who tells you that they are not in the abortion business doesn't know that number.

Some defend them because they provide women's health services, but they don't have a monopoly on women's health. There are tens of thousands of alternatives all across the country for women, from community health centers to pregnancy health centers to maternity homes, medical clinics, and more. Community health clinics actually outnumber Planned Parenthood clinics by the thousands, and they offer the same health services to women, if not more.

If we know that this organization performs hundreds of thousands of abortions per year and we know that women have access to other sources for care, the question is: Should we force taxpayers to fund a business that spends its money aborting 372,653 children per year? Should we force taxpayers to fund an organization whose barbaric practices, as vividly shown in

those videos, disregard and devalue the sanctity of the most innocent human lives?

The gruesome videos that we have seen opened the eyes of America. As we struggle to understand how something so barbaric could happen in this country, we need to get all the facts. Are patients giving sufficient informed consent? Were the body parts of babies sold for profit?

These—and more—are the questions we need to answer. While we find those answers, we have a moral responsibility to put a moratorium on the funding. There is no reason the American people should be forced to give their money to such an organization. There is no reason—absolutely no reason—that we must choose between funding women's health and compelling taxpayers to support abortion.

As we approach this vote, I want every Member to ask themselves a simple question: In the face of these videos and with all the alternatives women have for health, why would you want to force your constituents to pay for something so evil?

Ms. JUDY CHU of California. Madam Speaker, I continue to reserve the balance of my time.

Mr. GOODLATTE. Madam Speaker, it is my pleasure to yield 1 minute to the gentleman from Pennsylvania (Mr. ROTHFUS).

Mr. ROTHFUS. Madam Speaker, to reflect on what the gentleman from California was saying, recalling the testimony last week of survivors of abortion, their stories are remarkable. They show the deep appreciation that they have for their lives, and they are so grateful to have survived the attacks on their life. So many others who did not survive will never have the chance to express such gratitude.

We also know that ultrasound technology allows us to see how unborn children grow and develop; their humanity is abundantly clear and so should be their right to life.

Our Declaration of Independence recognizes that the right to life is inalienable. It is given by our Creator. Indeed, President Kennedy, 54 years ago, pushed back against those who would undermine this fundamental precept of our Nation when he recognized that “the same revolutionary beliefs for which our forebears fought are still at issue around the globe—the belief that the rights of man come not from the generosity of the state but from the hand of God.”

Giving abortion survivors the same care and legal protection that any other child born at the same level of gestation would receive at birth is humane and essential. It also complies with the equal protection bedrock of our country.

Ms. JUDY CHU of California. Madam Speaker, I continue to reserve the balance of my time.

Mr. GOODLATTE. Madam Speaker, I yield 1 minute to the gentleman from Indiana (Mr. MESSER), the chairman of

the House Republican Policy Committee.

Mr. MESSER. Madam Speaker, Provverbs 31:8 calls us all to speak for those who can't speak for themselves. That is why I am here today.

I refuse to say nothing while Planned Parenthood executives are revealed casually putting a price tag on human life and haggling over the dollar value of an aborted child's lungs, kidneys, and heart. These actions are unthinkable.

This legislation is actually a modest proposal that would place an immediate 1-year moratorium on all Federal funding of Planned Parenthood. It also funds women's health by taking the half-billion dollars that taxpayers send to Planned Parenthood every year and putting it instead in the hands of community organizations and health clinics that focus on saving lives, not ending them.

Madam Speaker, no matter where you fall on the abortion debate, we can all agree that no unborn child should be dismembered and sold part by part. Where that is happening, let's stop it and join together to speak for those who can't speak for themselves.

Ms. JUDY CHU of California. I yield 3 minutes to the gentleman from Florida (Mr. DEUTCH).

Mr. DEUTCH. Madam Speaker, I rise today to urge my colleagues to reject these bills and to get to work. The U.S. Federal Government is set to shut down in a matter of days. Shouldn't we be working together to stop a preventable crisis that will hurt our economy and tarnish our Nation's image? It is our job. That is what we are here to do.

Instead, we are debating a bill that is based on a false premise. I am not talking about some debunked and discredited viral videos on the Internet, nor am I talking about the lie that defunding Planned Parenthood will prevent Federal dollars from funding abortion.

□ 1015

As many of my colleagues have already pointed out, our laws have long prohibited Federal dollars from being used to pay for abortion.

What I am talking about, Madam Speaker, is the 28 men who wrote Speaker BOEHNER this summer demanding—demanding—that we either defund Planned Parenthood or stop funding the Federal Government: 28 men who, I guarantee you, have never relied on just one health provider in their community to get a Pap smear; 28 men who, I guarantee you, have never had to end a sentence about their educational goals or their financial or career aspirations with the phrase, “unless I get pregnant”; 28 men who hatched this plan to deny basic health care to millions of women—millions of women, I might add, that have been marginalized by this Congress. Their voices are not being heard today nor are they being represented, not in these bills.

Why?

Because Speaker BOEHNER would rather let 28 men set the agenda for this entire House than seek out bipartisan support needed to fund education programs, health care, veterans programs, and services for our seniors. That is what we should be doing.

Madam Speaker, these bills defund access to health care that has nothing—absolutely nothing—to do with abortion unless, Madam Speaker, I should say that we are talking about the more than 350,000 abortions that Planned Parenthood prevents every year by providing contraception and health care and education.

I understand that my colleagues don't recognize the reproductive rights of women. I understand that is their view. I, Madam Speaker, recognize that women have those rights, and I urge my colleagues to reject these bills.

Mr. GOODLATTE. Madam Speaker, I yield 1 minute to the gentleman from Texas (Mr. BABIN).

Mr. BABIN. Madam Speaker, we must pass this bill today, the Born-Alive Abortion Survivors Protection Act.

We have seen the gruesome videos. They are not doctored.

I dare say, none of these folks that we are hearing from the other side of the aisle have watched them all. How can they make a recommendation or an appraisal?

They show senior Planned Parenthood officials, former employees, and a tissue procurement company discussing the sale of "intact" unborn baby parts. This is disgusting. It is inhumane.

A society and culture that refuses to stand up and say this will not be tolerated is a society that is in grave danger.

A child born alive during an abortion procedure is the most vulnerable living human being on Earth, and they should be granted full legal protections. Medical practitioners who fail to provide necessary care for that baby must be prosecuted to the fullest extent of the law, and this bill does just that.

While it is so sad that an act of Congress is required to ensure such compassionate care, we must do all we can to provide for the safety of babies that are born alive as a result of failed abortion procedures. It is absolutely necessary that we end this inhumane practice today.

Ms. JUDY CHU of California. Madam Speaker, I reserve the balance of my time.

Mr. GOODLATTE. Madam Speaker, I yield 1 minute to the gentleman from Virginia (Mr. WITTMAN).

Mr. WITTMAN. Madam Speaker, I rise in support today of the Born-Alive Abortion Survivors Protection Act. I would like to thank the chairman and Mr. FRANKS for their leadership on this issue.

This issue is very personal to me. My mother chose life, and I was adopted as a newborn.

When a baby is born alive after an abortion, healthcare professionals only have seconds to react. These children deserve the same level of commitment and care as a child facing any other medical emergency.

This bill holds healthcare professionals accountable for making the health and well-being of a baby who survives an abortion their first priority and for making every effort to provide the resources needed to keep that child alive.

This bill should not divide us. It is about saving lives. We all talk about giving voice to the most vulnerable children in our communities and to the elderly with disabilities. Who is more vulnerable than a child whose life begins just as someone tries to end it?

My mother gave me the gift of life, and I believe every child should receive that same gift.

This is not about the "Wizard of Oz" strategy the other side wants to portray and that doesn't pay any attention to the man behind the curtain. This is about the true sense of protecting life.

I urge my colleagues to vote in favor of this bill.

Ms. JUDY CHU of California. Madam Speaker, I reserve the balance of my time.

Mr. GOODLATTE. Madam Speaker, may I inquire how much time is remaining on each side?

The SPEAKER pro tempore (Ms. FOXX). The gentleman from Virginia has 5½ minutes remaining. The gentleman from California has 7 minutes remaining.

Mr. GOODLATTE. Madam Speaker, I yield 1 minute to the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. Madam Speaker, my wife and I are adoptive parents. We have a family only because two women in very difficult situations chose life. So this issue of protecting the unborn is dear to me and my family, which is why, whether you are pro-choice or strongly pro-life, as I am, I think Americans can agree, we should never use taxpayer dollars to fund these abortions, and we should never use taxpayer dollars to reward organizations that harvest the unborn lives or tissues for profit or compensation. These are gruesome practices.

It is time to defund any organization, Planned Parenthood or others, and to begin to seek criminal penalties against those who profited from the sale of body parts of unborn children. This is the true human rights issue of our time, and those who defend this funding or these gruesome practices are on the wrong side of history.

Ms. JUDY CHU of California. Madam Speaker, I continue to reserve the balance of my time.

Mr. GOODLATTE. Madam Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Madam Speaker, I do thank the distinguished gentleman for yielding and, again, I

want to thank Chairman BOB GOODLATTE for doing such an extraordinarily effective job as chairman of the Judiciary Committee, a true human rights champion and a man who really understands these issues.

Last week's hearing with Gianna Jessen and another abortion survivor underscores the fact that there are abortion survivors. I remember, years ago, there was a Philadelphia Inquirer article, called, "The Dreaded Complication," and it was all about all of the children who survived later-term abortions.

And do you know what the response of the abortion lobby was? We need a better death ensuring method of abortion, a more effective and efficacious method, to destroy those babies. That was part of the genesis of the hideous partial-birth abortion method—a method that actually suctions out the brain tissue of a child before birth, thus ensuring there won't be a child born alive.

Let me also say, people on the other side were talking earlier about the relationship between doctor and patient. What about the new patient, that unborn child who is now a newly born child? Where is the doctor-patient relationship to help that child?

Abortion clinics are in the business of exterminating children through dismemberment and chemical poisoning. That is what abortionists do. Getting this child to a hospital ensures that lifesaving care will be provided. Healers have a mindset that says we need to save these children, the means to do so, including intensive care capability. Abortionists believe abortion means dead baby—born or newly born.

Ms. JUDY CHU of California. Madam Speaker, I reserve the balance of my time.

Mr. GOODLATTE. Madam Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. ROE).

Mr. ROE of Tennessee. I thank the chairman for yielding.

Madam Speaker, I rise today with a heavy heart. Having spent over 30 years as a practicing OB/GYN physician, delivering almost 5,000 babies and trying to save every life of every mother and every baby, I don't see why this is not something that brings us all together.

Whether you are pro-life or pro-choice, if a baby survives an abortion, we should do everything we can to save that baby's life and to give it the same chance that everybody else has.

I am getting emotional here because it is an emotional issue for me. I cannot imagine, as a physician, standing beside a baby that has been delivered—no one in this room can; I don't believe there is another person in this room that has done what I have—and not try to save that baby's life.

I strongly support this bill. It should pass overwhelmingly, and it should be the law of the land.

Ms. JUDY CHU of California. Madam Speaker, I continue to reserve the balance of my time.

Mr. GOODLATTE. Madam Speaker, I have just one speaker remaining, and I believe I have the right to close.

Ms. JUDY CHU of California. Madam Speaker, I have one speaker remaining, and then I will be prepared to close.

Madam Speaker, I yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. I thank the gentlewoman for yielding to me.

Madam Speaker, I just want to say that there is the implication in the testimony and in the speeches that are made here that the other side of the aisle is somehow more concerned about the life of a child born alive, that somehow Democrats just don't care about that, and I just want to tell you I resent that so very, very much.

We unanimously voted to protect that life. And if, in fact, a baby is born into this world and can survive and is alive, it is considered homicide to kill that baby. There are laws. There are laws that would protect the life of an infant, a real child that is born that can sustain life.

I just want to tell you that somehow making this division about people who really care about a living person that is born is just false. And I think I am speaking for all people, for all Democrats and, clearly, for all Republicans, that we need to make sure that we protect that life. But I believe that we have every law in place.

What this bill does is go further and create fear among physicians, healers, people who are educated and committed to health and life, and put fear into them that if they don't provide for the exact procedures that you are talking about, that they could spend 5 years in jail for providing the healthcare services that a woman needs. That is, I believe, part of this ongoing effort to say that we should end the full range of health services that are available to women. This is a further attack on women's health.

We all agree on what the outcome should be, and let's not get into this ongoing fight against women's health.

□ 1030

Ms. JUDY CHU of California. I yield myself such time as I may consume.

Madam Speaker, this bill politicizes women's health and limits women's access to abortion. It interferes with the sacred doctor-patient relationship and substitutes a physician's best judgment with the judgment of a handful of politicians—and, in fact, male politicians. I would note that not a single woman on the other side of the aisle has spoken on this bill.

Let me note, it is already illegal to fail to provide care to an infant born alive. There was a bill passed 13 years ago, the Born-Alive Infants Protection Act, and that bill was not intended to affect abortion practices or a woman's right to choose. In fact, that is why Judiciary Committee Democrats voted to support it.

But what this bill does is to vilify abortion providers. This bill is so broad

and the penalties are so severe—up to 5 years in prison—that one can only conclude that the real purpose of this bill is to intimidate abortion providers out of practice.

This bill requires doctors and employees of hospitals and clinics that provide abortion services to report any violation of the bill's standard of care to State or Federal law enforcement authorities, and any person—remember, we are talking doctors, cleaning crew, receptionists—that fails to comply with these requirements is threatened with fines and up to 5 years in prison.

That is why the 58,000 physicians of the American Congress of Obstetricians and Gynecologists oppose this bill and says: "This legislation represents gross interference in the practice of medicine, inserting a politician between a woman and her trusted doctor."

Let us not forget, politicians are not doctors. We should be concerned about doing our jobs and fully fund high-quality women's health care instead of trying to keep doctors from doing theirs.

I strongly urge my colleagues to oppose this dangerous bill.

I yield back the balance of my time.

Mr. GOODLATTE. Madam Speaker, I yield such time as he may consume to the gentleman from Louisiana (Mr. SCALISE), the House majority whip for the purpose of closing our debate.

Mr. SCALISE. I thank the gentleman from Virginia for yielding.

Madam Speaker, I rise in strong support of the Born-Alive Abortion Survivors Protection Act offered by my friend and colleague from Arizona, TRENT FRANKS.

Madam Speaker, this bill is about standing up for the sanctity of life. Specifically, this bill deals with babies that are born alive.

Whether it was the result of an abortion or a normal birth, all people in this country deserve that same protection. Madam Speaker, why should a baby that is born alive be denied that same right?

Our Founding Fathers, in the Declaration of Independence, made it crystal clear: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness."

Madam Speaker, the first unalienable right mentioned by our Founders—and these were not rights given to us by our Founders; they were given to us by our Creator—that first right is life.

If a baby is born alive, they ought to have that protection. That is what this bill is about. It is about giving that protection that is enumerated in the Constitution and in the Declaration of Independence itself to say they ought to have that protection in law, that if they are born alive, that they ought to have that same medical protection.

So, Madam Speaker, when you saw the President come out yesterday and

say that he would veto this bill, how extreme can somebody be to say they would not stand up for a baby that is born alive to have the same protection that the Declaration of Independence enumerates as an "unalienable right"?

This should be a place where we can all come together, a place where we can all agree that we, as a House, can come together and stand up and give that protection in law to those babies that are born alive.

I would hope that all of my colleagues would join in, that we could send this bill over to the Senate, that they can have the same debate and agree to pass that on, and that, ultimately, the President would recognize that this is a bill that ought to become law.

Mr. GOODLATTE. I yield back the balance of my time.

Mr. CONYERS. Madam Speaker, I rise in strong opposition to H.R. 3504, the "Born-Alive Abortion Survivors Protection Act."

Contrary to its misleading title, H.R. 3504 is not about protecting children born alive. Its real intent is to further undermine a woman's right to choose, a right that has been constitutionally guaranteed for more than 42 years by *Roe v. Wade*.

H.R. 3504 constitutes an unprecedented level of intrusion by the government into medical decision making.

It also completely fails to distinguish between a viable and a non-viable fetus, which is the constitutional line that separates abortions that may be performed without restriction from those that may be regulated or prohibited.

These restrictions, in conjunction with the bill's draconian criminal penalties, will effectively intimidate doctors, thereby making abortion services unavailable as a practical matter.

Further yet, there is absolutely no need for this legislation. No evidence has been uncovered that necessitates congressional interference in the doctor-patient relationship.

Even if wrongdoing were to occur, many federal and state laws already protect babies "born alive."

In truth, abortion practice is safe, legal, and humane and any evidence of wrongdoing can and should be handled under existing law. For example, the criminal Kermit Gosnell, who ran an illegal abortion front in Philadelphia, was prosecuted under existing law and is rightfully in prison serving multiple life sentences.

In sum, the bill's vague and broad mandates, combined with its severe penalties, will undermine the ability of women to access safe affordable abortion services, which unfortunately appears to be the underlying intent of this flawed legislation.

As the Administration, in its Statement of Administration Policy, warns "H.R. 3504 would impose new legal requirements related to the provision of abortion services in certain circumstances, which would likely have a chilling effect, reducing access to care."

In addition, this legislation is opposed by Planned Parenthood, which states that H.R. 3504 would "add new criminal penalties against doctors and clinicians as a scare tactic that serves the sole purpose of scaring women away from seeking safe, legal, abortion."

Further, NARAL Pro-Choice America correctly observes that H.R. 3504 is "part of an unprecedented assault on reproductive rights."

And, the American Congress of Obstetricians and Gynecologists explains that this "legislation represents gross interference in the practice of medicine, inserting a politician in between a woman and her trusted doctor."

Accordingly, I urge my colleagues to join me in opposing H.R. 3504, an anti-choice, anti-woman, and thoroughly unnecessary measure.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 421, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. JUDY CHU of California. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

DEFUND PLANNED PARENTHOOD ACT OF 2015

Mrs. BLACKBURN. Madam Speaker, pursuant to House Resolution 421, I call up the bill (H.R. 3134) to provide for a moratorium on Federal funding to Planned Parenthood Federation of America, Inc., and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 421, the amendment printed in House Report 114-262 is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 3134

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 "Defund Planned Parenthood Act of 2015".

SEC. 2. FINDINGS.

Congress finds the following:

(1) State and county health departments, community health centers, hospitals, physicians offices, and other entities currently provide, and will continue to provide, health services to women. Such health services include relevant diagnostic laboratory and radiology services, well-child care, prenatal and postpartum care, immunization, family planning services (including contraception), cervical and breast cancer screenings and referrals, and sexually transmitted disease testing.

(2) Many such entities provide services to all persons, regardless of the person's ability to pay, and provide services in medically underserved areas and to medically underserved populations.

(3) All funds that are no longer available to Planned Parenthood Federation of America, Inc. and its affiliates and clinics pursuant to this Act will continue to be made available

to other eligible entities to provide women's health care services.

(4) Funds authorized to be appropriated, and appropriated, by section 4 are offset by the funding limitation under section 3(a).

SEC. 3. MORATORIUM ON FEDERAL FUNDING TO PLANNED PARENTHOOD FEDERATION OF AMERICA, INC.

(a) IN GENERAL.—For the one-year period beginning on the date of the enactment of this Act, subject to subsection (b), no funds authorized or appropriated by Federal law may be made available for any purpose to Planned Parenthood Federation of America, Inc., or any affiliate or clinic of Planned Parenthood Federation of America, Inc., unless such entities certify that Planned Parenthood Federation of America affiliates and clinics will not perform, and will not provide any funds to any other entity that performs, an abortion during such period.

(b) EXCEPTION.—Subsection (a) shall not apply to an abortion—

(1) if the pregnancy is the result of an act of rape or incest; or

(2) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself.

(c) REPAYMENT.—The Secretary of Health and Human Services and the Secretary of Agriculture shall seek repayment of any Federal assistance received by Planned Parenthood Federation of America, Inc., or any affiliate or clinic of Planned Parenthood Federation of America, Inc., if it violates the terms of the certification required by subsection (a) during the period specified in subsection (a).

SEC. 4. FUNDING FOR COMMUNITY HEALTH PROGRAM.

(a) IN GENERAL.—There is authorized to be appropriated, and appropriated, \$235,000,000 for the community health center program under section 330 of the Public Health Service Act (42 U.S.C. 254b), in addition to any other funds made available to such program, for the period for which the funding limitation under section 3(a) applies.

(b) LIMITATION.—None of the funds authorized or appropriated pursuant to subsection (a) may be expended for an abortion other than as described in section 3(b).

SEC. 5. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed to reduce overall Federal funding available in support of women's health.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce or their designee.

The gentlewoman from Tennessee (Mrs. BLACKBURN) and the gentlewoman from Florida (Ms. CASTOR) each will control 30 minutes.

The Chair recognizes the gentlewoman from Tennessee.

GENERAL LEAVE

Mrs. BLACKBURN. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 3134.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Tennessee?

There was no objection.

Mrs. BLACKBURN. Madam Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 3134, the Defund Planned Parenthood Act of 2015.

Madam Speaker, we all remember the images of Kermit Gosnell killing babies who were born alive after a botched abortion.

We know that those are sickening, and we know that they have renewed the demand for accountability from the American people. That is why we come before you today with H.R. 3134, the Defund Planned Parenthood Act of 2015.

New documentation of these heinous practices that we have seen in videos, videos that have come out of Planned Parenthood abortion clinics of harvesting the body parts of babies as part of the abortion process, have raised serious questions about the possible systematic and repeated violation of State and Federal laws.

H.R. 3134 provides a 1-year moratorium, a freezing—a freezing—on the Federal funding to Planned Parenthood Federation of America and all of its affiliates while investigations are ongoing regarding the practices of the abortion industry.

Madam Speaker, most people think that is common sense. If there is reason to investigate, then there is reason to withhold taxpayer dollars during that period of time. Those dollars would be given to other facilities that provide women's health services.

The American taxpayer has been very clear for a long time that they do not want taxpayer money spent on abortion; 68 percent of Americans oppose it. What is so interesting to me is that we know that 71 percent of all millennials oppose this.

I would remind my colleagues, Madam Speaker, there is no difference between men and women on this. There is bipartisan opposition from men and women to this practice. Additionally, the majority of Americans are opposed to the sale of body parts of babies obtained after abortion.

So the discussion today is not about videos or women's health access. We know there are other ways to get that access. It is about our most basic right. It is about the right to life.

It is also about doing what the taxpayers sent us to D.C. to do. It is also about continuing the process to protect our most vulnerable citizens, innocent little babies.

I reserve the balance of my time.

Ms. CASTOR of Florida. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in strong opposition to the "Deny Women Health Care Act."

Madam Speaker, congressional approval ratings are at an all-time low, and here is another example of why:

Republicans in Congress have failed to fulfill their fundamental responsibility to our great Nation again.

Republicans have pushed America to the brink of another government shutdown, and we are a mere 5 legislative days away.