

is this is the way the process works. A filibuster means you can't even get a vote on the bill. That is being done by the Democratic Party in the Senate right now. They have done it all year. It is dysfunctional. It needs to stop.

#### RECOGNIZING McClymonds High School Football Team

(Ms. LEE asked and was given permission to address the House for 1 minute.)

Ms. LEE. Madam Speaker, I rise today to recognize the remarkable accomplishment of the McClymonds High School football team located in my congressional district.

McClymonds High School capped off a 14-0 season on December 10, 2017, with its second consecutive 5AA championship, after defeating Visalia's Golden West 42-12.

By winning two State championships in consecutive years, McClymonds became the first team in the Oakland Athletic League to achieve this impressive feat.

Now, McClymonds High School is a historic public high school in the West Oakland community of my district, with a strong history of athletic excellence. NBA legend Bill Russell and Major League Baseball Hall of Famer Frank Robinson have graced the halls of McClymonds High School.

Coach Michael Peters has carried forth the same tradition of excellence since 1992 and has continuously worked to ensure that his athletes succeed on the field but, most importantly, succeed in the classroom.

These young athletes represent the spirit, the resilience, and the passion of Oakland. Please join me in congratulating their historic championship win.

□ 0915

#### CONSCIENCE AND RELIGIOUS FREEDOM DIVISION

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Madam Speaker, I rise today to thank the Department of Health and Human Services under this new administration for doing something that should have been done a long time ago.

The agency is now opening a Conscience and Religious Freedom Division within its Office for Civil Rights. This new office will be devoted solely to treating people fairly, regardless of race, religion, or creed.

It is part of a broader theme in America where people, lately, from all religions and walks of life have been persecuted for their views and for not conforming to the views of others. How is that in the name of tolerance?

For example, I recently led an amicus brief on behalf of 144 Representatives and Senators for a Supreme Court case involving pregnancy clinics in

California who, under California law, are being forced to violate their own faith and effectively advertise for abortions, against their own will.

This is wrong, and it is evidence of the religious persecution in America today, religion being one of the founding cornerstones that have formed this country by our Founders.

This new DHS office is a positive sign for people of all faiths who are being bullied into adhering to a leftist agenda and are essentially being told their beliefs don't matter because they disagree with a conservative viewpoint.

#### REACH ACROSS THE AISLE TO FIND LONG-TERM FUNDING SOLUTION

(Mr. SCHNEIDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHNEIDER. Madam Speaker, we are 111 days into the current budget year and yet no closer to a budget than we were 4 months ago. We face a long to-do list, including funding our military, funding the Children's Health Insurance Program and community health centers, protecting DREAMers, repealing the medical device tax, supporting disaster relief, and the list goes on.

We simply can't continue kicking the can down the road with irresponsible temporary fixes like the ones this House passed last night. They hamper rather than help our military and other government agencies by forcing them to function in uncertainty, unable to make key strategic decisions and investments. This is no way to run our government.

Three times in the past year I crossed the aisle to vote for these short-term extensions, but I have seen no willingness to work with Democrats, no evidence of progress, and no reason to believe we won't be in the exact same position 1 month from now after yet another CR.

Enough is enough. That is why last night I voted "no." It is not too late. I urge my Republican colleagues to reach across the aisle and work with Democrats to find a long-term funding solution that addresses our country's needs.

Madam Speaker, I am committed and ready to work with my colleagues as long as it takes to achieve that responsible resolution.

#### NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. AL GREEN of Texas. Madam Speaker, pursuant to clause 2(a)(1) of rule IX, I rise to give notice of my intent to raise a question of the privileges of the House.

The form of the resolution is as follows:

Resolution, impeaching Donald John Trump, President of the United States, of high misdemeanors.

Resolved, that Donald John Trump, President of the United States, is unfit to be President, unfit to represent the American values of decency and morality, respectability and civility, honesty and propriety, reputability and integrity, is unfit to defend the ideals that have made America great, unfit to defend liberty and justice for all as extolled in the Pledge of Allegiance, is unfit to defend the American ideal of all persons being created equal as extolled in the Declaration of Independence, is unfit to ensure domestic tranquility, promote the general welfare and secure the blessings of liberty to ourselves and our posterity as lauded in the preamble to the United States Constitution, is unfit to protect government of the people, by the people, for the people as elucidated in the Gettysburg Address, and is impeached for high misdemeanors, and that the following Article of Impeachment be exhibited to the Senate:

Article of Impeachment exhibited by the House of Representatives of the United States, in the name of itself and of the people of the United States, against Donald John Trump, President of the United States, in maintenance and support of its impeachment against him for high misdemeanors committed as President constituting harm to American society to the manifest injury of the people of the United States:

#### Article I

In his capacity as President of the United States, unmindful of the high duties of his high office, of the dignity and proprieties thereof, and of the harmony, and respect necessary for stability within the society of the United States, Donald John Trump has with his bigoted statements done more than simply insult individuals and groups of Americans, he has harmed the American society by attempting to convert his bigoted statements into United States policy and by associating the Presidency and the people of the United States with bigotry on one or more of the following occasions:

On January 27, 2017, Donald John Trump issued Executive Order 13769 providing for a partial shutdown of immigration from mainly Muslim countries to fulfill a bigoted campaign promise that read as follows: "DONALD J. TRUMP STATEMENT ON PREVENTING MUSLIM IMMIGRATION (New York, NY) December 7th, 2015—Donald J. Trump is calling for a total and complete shutdown of Muslims entering the United States until our country's representatives can figure out what's going on," thereby attempting to convert a bigoted campaign promise into United States policy, associating the presidency and the people of the United States with bigotry, thereby casting contempt upon Muslims, inciting hate and hostility, and sowing discord among the people of the United States on the basis of religion.

On July 26, 2017, Donald John Trump made a public statement substantially

as follows: After consulting with my generals and military experts, please be advised that the United States Government will not accept or allow transgender individuals to serve in any capacity in the U.S. military. Our military must be focused on decisive and overwhelming victory and cannot be burdened with the tremendous medical costs and disruption that transgender in the military would entail, thereby attempting to convert his bigoted statement into United States policy, associating the Presidency and the people of the United States with bigotry, thereby casting contempt on transgender individuals, inciting hate and hostility, and sowing discord among the people of the United States on the basis of gender.

On August 15, 2017, Donald John Trump made a widely published statement characterizing a group of anti-Semites, bigots, racists, White nationalists, and Ku Klux Klansmen who rallied in Charlottesville, Virginia, as “very fine people,” thereby associating the Presidency and the people of the United States with bigotry.

On October 7, 2017, hate groups returned to Charlottesville, Virginia, at the statue of Robert E. Lee, the Confederate general, chanting, “You will not replace us!” after having chanted in their August Charlottesville rally that “Jews will not replace us!”. Since this event on October 7, the President has made widely published statements about many issues, including the National Football League, but has not made one widely published statement condemning the hate groups for returning to the place where an innocent person lost her life at the hands of hate.

On January 11, 2018, Donald John Trump held a meeting with a bipartisan group of congressional leaders that focused primarily on legislation that would provide a statutory protected status for individuals brought to the United States without documentation. At this meeting, as has been widely published, Donald John Trump made references to people from s-h-i-t-h-o-l-e (or s-h-i-t-h-o-u-s-e) countries. He also questioned why we need more Haitians or people from African countries, proclaiming that we should take them out. Donald John Trump then suggested that Norwegians were better suited to be immigrants to this country, thereby casting contempt on citizens and noncitizens who were welcomed here by previous Presidents due to natural disaster and civil unrest, thereby attempting to convert his bigoted statements into United States policy, associating the Presidency and the people of the United States with bigotry, inciting hate and hostility, and sowing discord among the people of the United States on the basis of national origin.

In all of this, the aforementioned Donald John Trump has, by his statements, brought the high office of President of the United States in contempt, ridicule, disgrace and disrepute, has

sown discord among the people of the United States, has demonstrated that he is unfit to be President, and has betrayed his trust as President of the United States to the manifest injury of the people of the United States, and has committed a high misdemeanor in office.

Therefore, Donald John Trump by causing such harm to the society of the United States is unfit to be President and warrants impeachment, trial, and removal from office.

The SPEAKER pro tempore. Under rule IX, a resolution offered from the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Texas will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

□ 0930

#### BORN-ALIVE ABORTION SURVIVORS PROTECTION ACT

Mrs. ROBY. Madam Speaker, pursuant to House Resolution 694, I call up the bill (H.R. 4712) to amend title 18, United States Code, to prohibit a health care 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 694, the bill is considered read.

The text of the bill is as follows:

H.R. 4712

*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—