

friendship. Marge, Miigwetch—thank you.

PROVIDING FOR VETERANS—AND STILL TRIMMING SPENDING

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

Mr. HULTGREN. Mr. Speaker, I rise today in support of the 2013 Military Construction and Veterans Affairs appropriations bill.

Most of the time, when budgets are cut and cuts are made, someone somewhere is upset about them. But as a wise Governor once said: you'll be amazed how much government you'll never miss.

In the case of this bill, efficiencies were found within programs to trim billions in spending, while still providing for our warfighters and veterans in the most effective and efficient ways. The fact that funding for so many vital programs for our veterans were actually increased is a testament to the significant savings made in other areas of the bill. For example, it will provide disability compensation for almost 4 million veterans and their survivors, and it will provide post-9/11 GI Bill education benefits for more than 600,000 veterans.

I ask my colleagues to join me in voting in favor of this important bill later this week.

STUDYING TOWARD ADJUSTED RESIDENCY STATUS ACT

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

Mr. RIVERA. Mr. Speaker, many young immigrants have found themselves stuck in limbo due to our failure to address immigration reform. Such is the plight of my constituent, Daniela Pelaez, who came here from Colombia with her family when she was four. They overstayed their visas, and she has now been ordered deported. Next week, Daniela, who is here with us today in the gallery, will graduate as valedictorian from North Miami High. Having maintained a 6.7 GPA, she has received a full scholarship to Dartmouth College.

In order to assist students like Daniela today, I am introducing the Studying Toward Adjusted Residency Status, or STARS, Act. The STARS Act would allow undocumented students who arrive here at a young age, graduate from high school, and are accepted into a university to apply for a 5-year conditional nonimmigrant status. During that 5-year period, they can focus on their college education and, once they graduate, have their conditional status extended and work toward achieving residency.

This legislation can make the American Dream a reality for young people like Daniela, who through no fault of their own are prevented from realizing their full potential in this land of opportunity.

I ask my colleagues to join me in supporting this legislation to help Daniela and others like her who are as American as anyone born in the United States and who simply need a chance to continue being productive Americans.

PRENATAL NONDISCRIMINATION ACT

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

Mr. PITTS. Mr. Speaker, today, the House of Representatives will consider the Prenatal Nondiscrimination Act, a bill to ban the practice of sex-selection abortions.

If you talk to most expectant couples, you'll hear a common refrain: we don't care whether it's a boy or a girl; we just want a healthy baby. In fact, even with advanced ultrasound technology, many parents choose to wait until birth to discover the sex of their child. Unfortunately, there are exceptions. Some couples will do anything to choose the sex of their child. In the majority of these cases, boys are favored and girls are aborted.

I know most Americans think this is something that happens overseas in places like China and India. However, a Columbia University study found evidence that sex selection at the prenatal level is happening right here in the United States.

Just yesterday, the group Live Action released undercover video of a Planned Parenthood clinic in Austin, Texas, counseling a woman on how to choose the sex of her child. We shouldn't wait any longer to ban this barbaric and socially unhealthy practice. It's time to pass the bill.

□ 1410

PAT HEAD SUMMITT HONORED WITH THE PRESIDENTIAL MEDAL OF FREEDOM

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

Mr. COHEN. Yesterday, there was a historic program at the White House where 13 great people of the world were recognized with Presidential Medals of Freedom. They ranged from former Supreme Court Justice John Paul Stevens to Bob Dylan to John Glenn and others. But nobody stood out more than Pat Head Summitt, the great athletic coach for the University of Tennessee Lady Vols—greatest basketball coach of all time.

But now, facing her greatest battle, Alzheimer's, she stands as a public statement that a cure must be found, and the caregivers must be recognized and taken care of. She's raising money for Alzheimer's. She's raising money for those that face this problem, like she does, but she's facing it with courage and trying to help others.

This is her greatest battle. She is a great American. I thank the world for Pat Head Summitt, not for her coaching ability but for her courage as a human being.

RECESS

The SPEAKER pro tempore (Mr. BISHOP of Utah). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3:30 p.m. today.

Accordingly (at 2 o'clock and 10 minutes p.m.), the House stood in recess.

□ 1532

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BISHOP of Utah) at 3 o'clock and 32 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

PRENATAL NONDISCRIMINATION ACT (PRENDA) OF 2012

Mr. FRANKS of Arizona. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3541) to prohibit discrimination against the unborn on the basis of sex or race, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3541

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 "Prenatal Nondiscrimination Act (PRENDA) of 2012".

SEC. 2. FINDINGS AND CONSTITUTIONAL AUTHORITY.

(a) FINDINGS.—The Congress makes the following findings:

(1) Women are a vital part of American society and culture and possess the same fundamental human rights and civil rights as men.

(2) United States law prohibits the dissimilar treatment of males and females who are similarly situated and prohibits sex discrimination in various contexts, including the provision of employment, education, housing, health insurance coverage, and athletics.

(3) Sex is an immutable characteristic ascertainable at the earliest stages of human development through existing medical technology and procedures commonly in use, including maternal-fetal bloodstream DNA sampling, amniocentesis, chorionic villus sampling or "CVS", and obstetric ultrasound. In addition to medically assisted

sex determination, a growing sex determination niche industry has developed and is marketing low cost commercial products, widely advertised and available, that aid in the sex determination of an unborn child without the aid of medical professionals. Experts have demonstrated that the sex-selection industry is on the rise and predict that it will continue to be a growing trend in the United States. Sex determination is always a necessary step to the procurement of a sex-selection abortion.

(4) A "sex-selection abortion" is an abortion undertaken for purposes of eliminating an unborn child based on the sex or gender of the child. Sex-selection abortion is barbaric, and described by scholars and civil rights advocates as an act of sex-based or gender-based violence, predicated on sex discrimination. Sex-selection abortions are typically late-term abortions performed in the 2nd or 3rd trimester of pregnancy, after the unborn child has developed sufficiently to feel pain. Substantial medical evidence proves that an unborn child can experience pain at 20 weeks after conception, and perhaps substantially earlier. By definition, sex-selection abortions do not implicate the health of the mother of the unborn, but instead are elective procedures motivated by sex or gender bias.

(5) The targeted victims of sex-selection abortions performed in the United States and worldwide are overwhelmingly female. The selective abortion of females is female infanticide, the intentional killing of unborn females, due to the preference for male offspring or "son preference". Son preference is reinforced by the low value associated, by some segments of the world community, with female offspring. Those segments tend to regard female offspring as financial burdens to a family over their lifetime due to their perceived inability to earn or provide financially for the family unit as can a male. In addition, due to social and legal convention, female offspring are less likely to carry on the family name. "Son preference" is one of the most evident manifestations of sex or gender discrimination in any society, undermining female equality, and fueling the elimination of females' right to exist in instances of sex-selection abortion.

(6) Sex-selection abortions are not expressly prohibited by United States law or the laws of 47 States. Sex-selection abortions are performed in the United States. In a March 2008 report published in the Proceedings of the National Academy of Sciences, Columbia University economists Douglas Almond and Lena Edlund examined the sex ratio of United States-born children and found "evidence of sex selection, most likely at the prenatal stage". The data revealed obvious "son preference" in the form of unnatural sex-ratio imbalances within certain segments of the United States population, primarily those segments tracing their ethnic or cultural origins to countries where sex-selection abortion is prevalent. The evidence strongly suggests that some Americans are exercising sex-selection abortion practices within the United States consistent with discriminatory practices common to their country of origin, or the country to which they trace their ancestry. While sex-selection abortions are more common outside the United States, the evidence reveals that female feticide is also occurring in the United States.

(7) The American public supports a prohibition of sex-selection abortion. In a March 2006 Zogby International poll, 86 percent of Americans agreed that sex-selection abortion should be illegal, yet only 3 States proscribe sex-selection abortion.

(8) Despite the failure of the United States to proscribe sex-selection abortion, the

United States Congress has expressed repeatedly, through Congressional resolution, strong condemnation of policies promoting sex-selection abortion in the "Communist Government of China". Likewise, at the 2007 United Nation's Annual Meeting of the Commission on the Status of Women, 51st Session, the United States delegation spearheaded a resolution calling on countries to condemn sex-selective abortion, a policy directly contradictory to the permissiveness of current United States law, which places no restriction on the practice of sex-selection abortion. The United Nations Commission on the Status of Women has urged governments of all nations "to take necessary measures to prevent . . . prenatal sex selection".

(9) A 1990 report by Harvard University economist Amartya Sen, estimated that more than 100 million women were "demographically missing" from the world as early as 1990 due to sexist practices, including sex-selection abortion. Many experts believe sex-selection abortion is the primary cause. Current estimates of women missing from the world range in the hundreds of millions.

(10) Countries with longstanding experience with sex-selection abortion—such as the Republic of India, the United Kingdom, and the People's Republic of China—have enacted restrictions on sex-selection, and have steadily continued to strengthen prohibitions and penalties. The United States, by contrast, has no law in place to restrict sex-selection abortion, establishing the United States as affording less protection from sex-based feticide than the Republic of India or the People's Republic of China, whose recent practices of sex-selection abortion were vehemently and repeatedly condemned by United States congressional resolutions and by the United States Ambassador to the Commission on the Status of Women. Public statements from within the medical community reveal that citizens of other countries come to the United States for sex-selection procedures that would be criminal in their country of origin. Because the United States permits abortion on the basis of sex, the United States may effectively function as a "safe haven" for those who seek to have American physicians do what would otherwise be criminal in their home countries—a sex-selection abortion, most likely late-term.

(11) The American medical community opposes sex-selection. The American Congress of Obstetricians and Gynecologists, commonly known as "ACOG," stated in its 2007 Ethics Committee Opinion, Number 360, that sex-selection is inappropriate because it "ultimately supports sexist practices." The American Society of Reproductive Medicine (commonly known as "ASRM") 2004 Ethics Committee Opinion on sex-selection notes that central to the controversy of sex-selection is the potential for "inherent gender discrimination", . . . the "risk of psychological harm to sex-selected offspring (i.e., by placing on them expectations that are too high)", . . . and "reinforcement of gender bias in society as a whole." Embryo sex-selection, ASRM notes, remains "vulnerable to the judgment that no matter what its basis, [the method] identifies gender as a reason to value one person over another, and it supports socially constructed stereotypes of what gender means." In doing so, it not only "reinforces possibilities of unfair discrimination, but may trivialize human reproduction by making it depend on the selection of non-essential features of offspring." The ASRM ethics opinion continues, "ongoing problems with the status of women in the United States make it necessary to take account of concerns for the impact of sex-selection on goals of gender equality." The American Association of Pro-Life Obstetricians and Gyn-

ecologists, an organization with hundreds of members - many of whom are former abortionists - makes the following declaration: "Sex selection abortions are more graphic examples of the damage that abortion inflicts on women. In addition to increasing premature labor in subsequent pregnancies, increasing suicide and major depression, and increasing the risk of breast cancer in teens who abort their first pregnancy and delay childbearing, sex selection abortions are often targeted at fetuses simply because the fetus is female. As physicians who care for both the mother and her unborn child, the American Association of Pro-Life Obstetricians and Gynecologists vigorously opposes aborting fetuses because of their gender." The President's Council on Bioethics published a Working Paper stating the council's belief that society's respect for reproductive freedom does not prohibit the regulation or prohibition of "sex control," defined as the use of various medical technologies to choose the sex of one's child. The publication expresses concern that "sex control might lead to . . . dehumanization and a new eugenics."

(12) Sex-selection abortion results in an unnatural sex-ratio imbalance. An unnatural sex-ratio imbalance is undesirable, due to the inability of the numerically predominant sex to find mates. Experts worldwide document that a significant sex-ratio imbalance in which males numerically predominate can be a cause of increased violence and militancy within a society. Likewise, an unnatural sex-ratio imbalance gives rise to the commoditization of humans in the form of human trafficking, and a consequent increase in kidnapping and other violent crime.

(13) Sex-selection abortions have the effect of diminishing the representation of women in the American population, and therefore, the American electorate.

(14) Sex-selection abortion reinforces sex discrimination and has no place in a civilized society.

(15) The history of the United States includes examples of sex discrimination. The people of the United States ultimately responded in the strongest possible legal terms by enacting a constitutional amendment correcting elements of such discrimination. Women, once subjected to sex discrimination that denied them the right to vote, now have suffrage guaranteed by the 19th amendment. The elimination of discriminatory practices has been and is among the highest priorities and greatest achievements of American history.

(16) Implicitly approving the discriminatory practice of sex-selection abortion by choosing not to prohibit them will reinforce these inherently discriminatory practices, and evidence a failure to protect a segment of certain unborn Americans because those unborn are of a sex that is disfavored. Sex-selection abortions trivialize the value of the unborn on the basis of sex, reinforcing sex discrimination, and coarsening society to the humanity of all vulnerable and innocent human life, making it increasingly difficult to protect such life. Thus, Congress has a compelling interest in acting—indeed it must act—to prohibit sex-selection abortion.

(b) CONSTITUTIONAL AUTHORITY.—In accordance with the above findings, Congress enacts the following pursuant to Congress' power under—

(1) the Commerce Clause;

(2) section 5 of the 14th amendment, including the power to enforce the prohibition on government action denying equal protection of the laws; and

(3) section 8 of article I to make all laws necessary and proper for the carrying into

execution of powers vested by the Constitution in the Government of the United States.

SEC. 3. DISCRIMINATION AGAINST THE UNBORN ON THE BASIS OF SEX.

(a) **IN GENERAL.**—Chapter 13 of title 18, United States Code, is amended by adding at the end the following:

“§ 250. Discrimination against the unborn on the basis of sex

“(a) **IN GENERAL.**—Whoever knowingly—
“(1) performs an abortion knowing that such abortion is sought based on the sex or gender of the child;

“(2) uses force or the threat of force to intentionally injure or intimidate any person for the purpose of coercing a sex-selection abortion;

“(3) solicits or accepts funds for the performance of a sex-selection abortion; or

“(4) transports a woman into the United States or across a State line for the purpose of obtaining a sex-selection abortion; or attempts to do so, shall be fined under this title or imprisoned not more than 5 years, or both.

“(b) **CIVIL REMEDIES.**—

“(1) **CIVIL ACTION BY WOMAN ON WHOM ABORTION IS PERFORMED.**—A woman upon whom an abortion has been performed pursuant to a violation of subsection (a)(2) may in a civil action against any person who engaged in a violation of subsection (a) obtain appropriate relief.

“(2) **CIVIL ACTION BY RELATIVES.**—The father of an unborn child who is the subject of an abortion performed or attempted in violation of subsection (a), or a maternal grandparent of the unborn child if the pregnant woman is an unemancipated minor, may in a civil action against any person who engaged in the violation, obtain appropriate relief, unless the pregnancy resulted from the plaintiff's criminal conduct or the plaintiff consented to the abortion.

“(3) **APPROPRIATE RELIEF.**—Appropriate relief in a civil action under this subsection includes—

“(A) objectively verifiable money damages for all injuries, psychological and physical, including loss of companionship and support, occasioned by the violation of this section; and

“(B) punitive damages.

“(4) **INJUNCTIVE RELIEF.**—

“(A) **IN GENERAL.**—A qualified plaintiff may in a civil action obtain injunctive relief to prevent an abortion provider from performing or attempting further abortions in violation of this section.

“(B) **DEFINITION.**—In this paragraph the term ‘qualified plaintiff’ means—

“(i) a woman upon whom an abortion is performed or attempted in violation of this section;

“(ii) any person who is the spouse or parent of a woman upon whom an abortion is performed in violation of this section; or

“(iii) the Attorney General.

“(5) **ATTORNEYS FEES FOR PLAINTIFF.**—The court shall award a reasonable attorney's fee as part of the costs to a prevailing plaintiff in a civil action under this subsection.

“(c) **LOSS OF FEDERAL FUNDING.**—A violation of subsection (a) shall be deemed for the purposes of title VI of the Civil Rights Act of 1964 to be discrimination prohibited by section 601 of that Act.

“(d) **REPORTING REQUIREMENT.**—A physician, physician's assistant, nurse, counselor, or other medical or mental health professional shall report known or suspected violations of any of this section to appropriate law enforcement authorities. Whoever violates this requirement shall be fined under this title or imprisoned not more than 1 year, or both.

“(e) **EXPEDITED CONSIDERATION.**—It shall be the duty of the United States district courts,

United States courts of appeal, and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of any matter brought under this section.

“(f) **EXCEPTION.**—A woman upon whom a sex-selection abortion is performed may not be prosecuted or held civilly liable for any violation of this section, or for a conspiracy to violate this section.

“(g) **PROTECTION OF PRIVACY IN COURT PROCEEDINGS.**—

“(1) **IN GENERAL.**—Except to the extent the Constitution or other similarly compelling reason requires, in every civil or criminal action under this section, the court shall make such orders as are necessary to protect the anonymity of any woman upon whom an abortion has been performed or attempted if she does not give her written consent to such disclosure. Such orders may be made upon motion, but shall be made sua sponte if not otherwise sought by a party.

“(2) **ORDERS TO PARTIES, WITNESSES, AND COUNSEL.**—The court shall issue appropriate orders under paragraph (1) to the parties, witnesses, and counsel and shall direct the sealing of the record and exclusion of individuals from courtrooms or hearing rooms to the extent necessary to safeguard her identity from public disclosure. Each such order shall be accompanied by specific written findings explaining why the anonymity of the woman must be preserved from public disclosure, why the order is essential to that end, how the order is narrowly tailored to serve that interest, and why no reasonable less restrictive alternative exists.

“(3) **PSEUDONYM REQUIRED.**—In the absence of written consent of the woman upon whom an abortion has been performed or attempted, any party, other than a public official, who brings an action under this section shall do so under a pseudonym.

“(4) **LIMITATION.**—This subsection shall not be construed to conceal the identity of the plaintiff or of witnesses from the defendant or from attorneys for the defendant.

“(h) **DEFINITIONS.**—

“(1) The term ‘abortion’ means the act of using or prescribing any instrument, medicine, drug, or any other substance, device, or means with the intent to terminate the clinically diagnosable pregnancy of a woman, with knowledge that the termination by those means will with reasonable likelihood cause the death of the unborn child, unless the act is done with the intent to—

“(A) save the life or preserve the health of the unborn child;

“(B) remove a dead unborn child caused by spontaneous abortion; or

“(C) remove an ectopic pregnancy.

“(2) The term ‘sex-selection abortion’ is an abortion undertaken for purposes of eliminating an unborn child based on the sex or gender of the child.”

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 13 of title 18, United States Code, is amended by adding after the item relating to section 249 the following new item:

“250. Discrimination against the unborn on the basis of sex.”

SEC. 4. SEVERABILITY.

If any portion of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the portions or applications of this Act which can be given effect without the invalid portion or application.

SEC. 5. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed to require that a healthcare provider has an affirmative duty to inquire as to the motivation for the abortion, absent the healthcare

provider having knowledge or information that the abortion is being sought based on the sex or gender of the child.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. **FRANKS**) and the gentleman from Michigan (Mr. **CONYERS**) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. **FRANKS** of Arizona. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 3541, as amended, currently under consideration.

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

There was no objection.

Mr. **FRANKS** of Arizona. I yield myself such time as I may consume.

The Prenatal Nondiscrimination Act we are debating at this moment simply says that an unborn child cannot be discriminated against by subjecting him to an abortion based on the sex of the child. Because between 40 and 50 percent of African American babies—nearly one in two—are killed by abortion, which is five times, Mr. Speaker, the rate of white children, I believe with all of my heart that this bill should also prohibit race-targeted abortion as it did when the bill was first introduced.

It is my hope that by protecting unborn children from being aborted based on their sex that one day very soon we will also recognize the humanity and justice of protecting unborn children regardless of their race or color as well, and simply because we recognize them as fellow human beings.

Mr. Speaker, worldwide sex-selection abortion has now left the human family on Earth with approximately 200 million missing baby girls. Various United Nations organizations have battled sex-selection abortion for years. These agencies routinely refer to sex-selection abortion as “an extreme form of violence against women.”

In the New Atlantis magazine, political economist Nicholas Eberstadt, of the American Enterprise Institute, said:

In terms of its sheer toll in human numbers, sex-selective abortion has assumed a scale tantamount to a global war against baby girls.

In 2007, the United States spearheaded a U.N. resolution to condemn sex-selection abortion worldwide; yet here in the land of the free and the home of the brave, we are the only advanced country left in the world that still doesn't restrict sex-selection abortion in any way.

Mr. Speaker, a number of academic papers have now published evidence that the practice of sex-selection abortion is demonstrably increasing here in the United States, especially, but not exclusively, in the Asian immigrant community.

A study by researchers at the University of Connecticut, which was published in *Prenatal Diagnosis*, found that the male-to-female live birth sex ratio in the United States for Chinese, Asian Indians, and Koreans clearly exceeded biological variation for third births and beyond. Mr. Speaker, deliberate prenatal sex selection is the only plausible explanation.

Dr. Sunita Puri and three other researchers at the University of California interviewed 65 immigrant Indian women in the United States who had sought or were seeking sex-selection abortion. They found that 40 percent of the women interviewed had deliberately aborted unborn baby girls previously and that nearly 90 percent of the women who were currently carrying unborn baby girls were also currently seeking to abort them.

This was an incredibly powerful study, Mr. Speaker. It discussed in detail the multiple forms of pressure and outright coercion to which these women are often subjected. Sixty-two percent of the women described verbal abuse from their husbands or female in-laws, and fully one-third of women described past physical abuse and neglect, all related specifically to their failing to produce a male child. As a result, these women reported aborting multiple unborn baby girls in a row because of the pressure that was put on them to have a male child.

Mr. Speaker, sex-selection abortion is extreme violence against both unborn baby girls and their mothers. It has been a primary enforcement mechanism for China's forced abortion and "one child" policy for many years. It has dramatically increased sex trafficking and violence against women due to the imbalanced sex ratios left in its wake across the world, and we now know that it is a tragic circumstance into which many women are also being coerced. This evil practice has now allowed thousands of little girls in America and millions of little girls across the world to be brutally dismembered, most of them in their second or third trimester and when they are capable of feeling extreme pain, simply because they were little girls instead of little boys, Mr. Speaker.

Sex selection is violence against women, and it is the truest kind of war against women, and it has now brought humanity to a place where the three deadliest words on this Earth are "it's a girl." What in God's name have we come to, Mr. Speaker? I've often asked myself what finally enlightened and changed the hearts of those across history who have either perpetrated or supported or ignored the atrocities and human genocides of their day.

While I probably will never fully understand, I believe I caught a glimpse of the answer from my 3-year-old little girl, Gracie. As I was holding her and we were watching her favorite laughing baby videos on YouTube, I inadvertently clicked on a video that showed a young man from China who was play-

ing poignant and beautiful music on the piano with his feet because both of his arms had been amputated when he was a child.

In trying to seize on a teaching moment, Mr. Speaker, I said, "Look at that, Gracie. He's playing the piano with his feet. Isn't that amazing?"

But with a stricken little look on her face, Gracie said, "But, Daddy, he doesn't have any arms."

I said, "I know, Baby, and that's very sad, isn't it?"

And she said, "Oh, Daddy, it is very sad. We've got to help him. We've just got to. We've got to get some arms and give it to him."

I said, "But, Baby, there aren't any extra arms. They're all hooked onto other people."

And she thought for a moment and looked at me with wet little eyes and pulled up her sleeve and held up her little arm and said, "But, Daddy, can I give him one of my arms if it will fit on him?"

Across human history, the greatest and most loving voices among us have always emphasized the critical responsibility each of us has to recognize and cherish the light of divine, eternal humanity shining in the soul of every last one of our fellow human beings. I believe there is an answer to some of these seemingly unanswerable questions, Mr. Speaker, that face the human families and how we see each other. On that YouTube video, I saw an amazing young man who played heart-stirring music with his feet, but my little girl saw a child of God who had no arms and wanted to give him one of hers.

And how very thankful I am that my little Gracie was not one of the hundreds of millions of little girls whose lives and hearts were torn from this world before they ever saw the light of sunrise simply because they were little girls instead of little boys.

I know that this Congress deals with many controversial issues where it is sometimes difficult for Republicans and Democrats to find common ground, but I refuse to believe that we cannot find enough humanity in this body to conclude together that it is wrong to knowingly kill unborn children because they are baby girls instead of baby boys.

With that, Mr. Speaker, I reserve the balance of my time.

□ 1540

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

Members of the House, I want to thank the leadership on the other side for requiring that the chairman of the Subcommittee on the Constitution, the gentleman from Arizona, drop "race" from this Prenatal Nondiscrimination Act, so-called. So it's now just sex selection.

This is the latest in a long series of measures intended to chip away at a woman's right to seek safe and legal medical care. It tramples the rights of

women under the guise of non-discrimination while doing absolutely nothing to provide women with the needed resources so that their babies—female and male—can come into the world healthy, and so that both mother and child can thrive.

I am grateful that the proponents of this bill have stopped making the ridiculous charge that I used to hear, that reproductive freedom is worse than slavery, and invoking at the same time the name of the great abolitionist leader Frederick Douglass in the service of their cause. It was deeply offensive, and I'm glad that we won't have to listen to that anymore.

Mr. Speaker, at this point, I reserve the balance of my time.

Mr. FRANKS of Arizona. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Florida (Mrs. ADAMS), a member of the Judiciary Committee.

Mrs. ADAMS. Mr. Speaker, I rise today in support of H.R. 3541, the Prenatal Nondiscrimination Act, PRENDA, introduced by Representative TRENT FRANKS.

As the mother of a daughter, I am disturbed by what I am hearing about sex selection occurring in the United States. A 2008 Columbia University report found that there is strong son bias and there is clear evidence of sex selection, most likely at the prenatal stage. The victims of sex-selection abortions are predominantly female and most are later term, which means that these gruesome abortions are occurring after the child becomes pain capable.

In 2007, the United States spearheaded an international resolution to condemn sex selection; however, there are no laws preventing or prohibiting the practice in the United States. And while I stand here, I think about just yesterday as I watched as my little granddaughter—inside her mother's womb—turned towards that ultrasound.

This issue of life is a divisive one in politics, but I think all Americans can agree aborting babies because they are the wrong sex is just plain wrong.

Let's put a stop to this egregious practice, and let's pass this legislation.

Mr. CONYERS. Mr. Speaker, I am pleased now to yield as much time as he may consume to the ranking member of the Constitution Subcommittee, the distinguished gentleman from New York, JERRY NADLER.

Mr. NADLER. I thank the gentleman.

Mr. Speaker, I rise in opposition to the so-called "Prenatal Nondiscrimination Act."

Today, the Republican majority continues its war on women in a new and creative way, by attempting to couch legislation that would destroy women's fundamental constitutional rights as a women's rights law. It is cynical, but creative.

Trying to destroy women's constitutional rights, and pretending that it is somehow being pro-woman, plays well to the far-right wing base, but does nothing to help American families get

on their feet and put people back to work.

This bill criminalizes abortion prior to viability. It makes pre-viability abortions a crime under certain circumstances, a flagrantly unconstitutional provision under *Roe v. Wade*.

Under this bill, a relative who disagreed with a woman's choice would be able to sue a doctor simply by alleging that the woman had an impermissible motive. The doctor would face years of litigation at great expense. A relative could even obtain an injunction blocking an abortion from going forward merely by alleging that the abortion is being done for the purposes of sex selection. While the matter is being litigated, the pregnancy would go forward so that, regardless of the merits, a woman would be compelled by a court injunction to proceed with her pregnancy against her will, perhaps to have an abortion at a much later stage with a much more mature fetus.

Any clinic employee who suspected—merely suspected—that a woman's motives ran afoul of this law would have a legal obligation, under penalty of prison, to report that suspicion to law enforcement.

How would this affect the basic practice of medicine?

H.R. 3541 would force health care providers to inquire into women's reasons for seeking abortion services. Physicians would have to consider whether women seeking routine non-abortion services, such as determining the sex of the fetus, might then use that information in deciding whether to continue a pregnancy.

Given the severe civil and criminal penalties in this bill, doctors would be forced to police their patients, read their minds, and conceal information from them. The failure to do so would put medical professionals at risk of prosecution and lawsuits.

This bill is facially unconstitutional. The Supreme Court has held, beginning with *Roe v. Wade* and in *Casey* and subsequent cases, that the decision of whether to have a child or whether to end a pregnancy is a private one. Up until the point of viability, the government may not make that decision for a woman. Following viability, the government may regulate or bar an abortion, except when the abortion is necessary to protect the life or health of the woman.

The preference for male children is a real, if limited, phenomenon in the United States. Some women face familial and community preference to have male children, and that pressure can increase with each subsequent birth. But this bill does nothing to help those women.

This bill cites the United Nations Commission on the Status of Women as urging governments to prevent sex-selective abortions, but it ignores the concerns of those who work on this problem, such as the U.N. Population Fund, the Office of the U.N. High Commissioner for Human Rights, the U.N.

Children's Fund, the U.N. Women, and the World Health Organization, that abortion restrictions are not the solution because they put women's health and lives in jeopardy and violate women's human and reproductive rights.

Where is the legislation providing women with the means to achieve independence so that they are not subject to community and family pressures? My Republican colleagues opposed the Lilly Ledbetter Fair Pay Act that would have done just that. We all had to watch the charade recently where Republicans pretended they weren't going after the Violence Against Women Act with a meat-ax. Where is the support for family planning services so we have fewer unplanned pregnancies and, therefore, fewer abortions? Where is the commitment to maternal and child health programs?

But all this costs money, it won't do anything to undermine *Roe v. Wade*, and it doesn't play well in the world of abortion politics.

I urge the Members of this House to reject this cynical, dishonest, and hypocritical legislation.

Mr. Speaker, I rise in opposition to the so-called "Prenatal Nondiscrimination Act."

Today, the Republican majority continues the war on women in a new and creative way, by attempting to couch legislation that would destroy women's fundamental constitutional rights as a women's rights law. It is cynical, but creative.

Our nation's economy is struggling to recover. Families are struggling to keep their homes, and provide a better future for their children.

And what is the majority doing about it? Nothing. Today we have yet another radical foray into divisive social issues. Trying to destroy women's constitutional rights, and pretending that it is somehow being "pro-woman," plays well to the far right-wing base, but does nothing to help American families get on their feet, and put people back to work.

This is election-year politics at its absolute worst.

Despite the fact that this bill is couched in the language of civil rights, indeed it amends the civil rights crimes chapter of the federal Criminal Code, it is nothing more than yet another attack on the fundamental constitutional rights of women. It does not improve their ability to choose to have a healthy and successful pregnancy. It does not improve the prospects for their children once those children come into the world. It does nothing to help women who are subject to community pressure to have sons. It does nothing to improve the lot of women who may really need our help.

This bill criminalizes abortion, prior to viability; it makes previability abortions a crime under certain circumstances, a flagrantly unconstitutional provision under *Roe*.

Under this bill, a relative who disagreed with a woman's choice would be able to sue a doctor simply by alleging that the woman had an impermissible reason. The doctor would face years of litigation at great expense.

A relative could even obtain an injunction blocking an abortion from going forward merely by alleging that the abortion is being done for the purposes of sex selection. While the matter is being litigated, the pregnancy would

go forward so that, regardless of the merits, a woman would be compelled by a court injunction to proceed with her pregnancy against her will.

Any clinic employee who suspected—merely suspected—that a woman's motives ran afoul of this law would have a legal obligation, under penalty of prison, to report that suspicion to law enforcement.

How would this affect the basic practice of medicine?

H.R. 3541 would force health care providers to inquire into a woman's reasons for seeking abortion services. Physicians would have to consider whether women seeking routine non-abortion services, such as determining the sex of the fetus, would then use that information in deciding whether to continue a pregnancy.

The more information the doctor has, and the more he shares with his patient, the greater the risk that someone could argue that the abortion was for a prohibited purpose, and that he knew it.

Given the severe civil and criminal penalties in this bill, doctors would be forced to police their patients, read their patients' minds, and conceal information from them. The failure to do so would put medical professionals at risk of prosecution and lawsuits.

Do you want to see defensive medicine? Try making this law.

This bill is facially unconstitutional. The Supreme Court has held, beginning with *Roe v. Wade*, and in *Casey* and subsequent cases, that the decision whether to have a child, or whether to end a pregnancy, is a private one. Up until the point of viability, the government may not make that decision for a woman. Following viability, the government may regulate or bar an abortion, except when the abortion is necessary to protect the life or health of the woman.

This bill would bar a woman from having an abortion at any time on the basis of her motives.

While this bill may be an unconstitutional intrusion into women's private choices, it does nothing to help women or their children. That sort of legislation is not on the agenda here, or in this Republican controlled Congress.

The bill contains flat out lies. For example, it contains a "finding" that a fetus can feel pain after 20 weeks, even though this is a fringe position rejected by the mainstream of medical science. A survey of available research published in the *Journal of the American Medical Association* in 2005 concluded that "[e]vidence regarding the capacity for fetal pain is limited but indicates that fetal perception of pain is unlikely before the third trimester." Similarly, a detailed survey by the Royal Academy of Obstetricians and Gynecologists concluded:

In reviewing the neuroanatomical and physiological evidence in the fetus, it was apparent that connections from the periphery to the cortex are not intact before 24 weeks of gestation and, as most neuroscientists believe that the cortex is necessary for pain perception, it can be concluded that the fetus cannot experience pain in any sense prior to this gestation.

But why let the facts get in the way of some nice rhetoric?

The preference for male children is a real if limited phenomenon in the United States. Some women face familial and community preference to have male children and that pressure can increase with each subsequent birth.

But this bill does nothing to help those women.

While H.R. 3541 cites the United Nations Commission on the Status of Women as urging governments to prevent sex selective abortions, it ignores the concerns expressed by those who work on this problem—such as the United Nations Population Fund, the Office of the United Nations High Commissioner for Human Rights, the United Nations Children's Fund, United Nations Women, and the World Health Organization—that abortion restrictions are not the solution because they put women's health and lives in jeopardy and violate women's human and reproductive rights.

The Judiciary Committee heard from Miriam Yeung, of the National Asian Pacific American Women's Forum, who discussed how Congress could address the male child preference issue in a manner that is effective and that supports women rather than stigmatizing them. She explained:

SON preference is a symptom of deeply rooted social biases and stereotypes about gender. Gender inequity cannot be solved by banning abortion. The real solution is to change the values that create the preference for sons. . . . We are working with members of our own community to empower women and girls, thereby challenging norms and transforming values.

Where is the legislation providing women with the means to achieve independence so that they are not subject to community and familial pressures? My Republican colleagues opposed the Lilly Ledbetter Fair Pay Act that would have done just that. We all had to watch the charade recently where Republicans pretended they weren't going after the Violence Against Women Act with a meat-ax. Where is the support for family planning services so we have fewer unplanned pregnancies and, therefore, fewer abortions? Where is the commitment to maternal and child health programs?

There are many things Congress could do to assist women, including women who are under pressure from their families or communities to terminate a pregnancy—strategies that have worked and that assist women rather than turn them into suspects or pariahs. We can work with their doctors and provide necessary resources to women and their families.

But that costs money, it won't do anything to undermine *Roe v. Wade*, and it doesn't play well in the world of abortion politics.

I urge the members of this House to reject this cynical and destructive legislation.

Mr. FRANKS of Arizona. Mr. Speaker, I yield 1½ minutes to the gentleman from Iowa (Mr. KING), the vice chairman of the Judiciary Immigration Subcommittee.

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman from Arizona for his leadership on this issue and many other issues, and I come to the floor here in strong support of the PRENDA Act.

The very idea of sex-selection abortion, gendercide, as it was so aptly named, brought back to mind for me a story that I heard from a man whom I admired. His name was Gil Copper. Sadly, we lost him back in 2010.

Gil Copper was a World War II veteran who volunteered with Merrill's Marauders in Asia and marched across those areas in India and Burma to take

on the Japanese behind the scenes. Gil Copper picked up and was awarded one Silver Star, two Bronze Stars, one Combat Infantry Badge, and one Purple Heart.

Gil Copper spent his time off in Asia under the bridge in New Delhi, India, standing in the Ganges River listening for the splash. Standing there day or night, any time he had off, he was listening for the splash of a little baby girl that would often and regularly be tossed off the bridge into the river to drown because the culture in India cherished boys and didn't cherish girls. Gil Copper would swim out there and pick up those little girls that were floating then in the filthy Ganges River and swim back with them and dry them off and carry them to the Catholic orphanage in New Delhi. He saved scores of lives during that period of time.

That culture has arrived here in this country, and this bill puts an end to that kind of culture that would select baby girls for death.

Mr. CONYERS. Mr. Speaker, I am pleased now to yield 3 minutes to the gentleman from Georgia, HANK JOHNSON, a distinguished member of the House Judiciary Committee.

Mr. JOHNSON of Georgia. Mr. Speaker, this bill is not about civil rights, but it's simply another attempt to chip away at a woman's right to choose. It's part of the Republican war on women, also known as WOW. I'm like, Wow, why are we continuing to attack women like this? Wow, it's men against women.

What's happening is we're in a political year, ladies and gentlemen, and politics has been good to the Republicans as of late. They have pitted people who favor immigration against those who do not support it. They have divided people on affirmative action from African Americans. They have divided people on the issue of gays living in America. These are all diversionary issues. They've been attacking labor and saying that it is because of labor that you don't have what you should have.

□ 1550

It's a political season, and so this is what they are doing with this bill. It's pitting the men against the women.

This bill seeks to prohibit discrimination against the unborn on the basis of gender, but it's really part of the divide-and-conquer approach that has been hugely successful for these Republicans. It would require doctors to become mind readers, ladies and gentlemen, and require them to determine what the sex of the child is and whether or not that is a factor in a woman's determination to have an abortion. It's ridiculous.

It's shameful many of the supporters of this bill are the same ones who voted to eliminate funding for Planned Parenthood and the Teen Pregnancy Prevention Initiative. That's funding that would have helped prevent unintended

pregnancies. They also voted, ladies and gentlemen, to repeal, and repeatedly they have voted to repeal, the Affordable Care Act, which has improved the health of uninsured women and children. Recently, they supported Rush Limbaugh in his attack on women and access to contraception.

You see, this is part of the war on women. Wow. The record is shameful and it's clear.

Instead of divisive attacks on a woman's right to choose, we should unite behind policies that prevent unintended pregnancies in the first place. I urge a "no" vote.

Mr. FRANKS of Arizona. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Ms. BUERKLE), a member of the Oversight & Government Reform Committee.

Ms. BUERKLE. I thank the gentleman from Arizona for his excellent work on this important bill.

I rise this afternoon in support of H.R. 3541 as a woman, as a mother of four daughters, and as a grandmother of three granddaughters.

Mr. Speaker, there can be no rights for women if we don't allow them the right to life. What we are hearing from the other side this afternoon is about money and about political campaigns and about the rhetoric of the war on women. This is the ultimate war on women, Mr. Speaker. If we don't allow women to be born, we cannot talk about any other rights.

So I stand here today, and I urge all of my female colleagues in this House of Representatives to stand together and support H.R. 3541.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the distinguished physician, the gentleman from Washington, the Honorable Dr. MCDERMOTT.

(Mr. MCDERMOTT asked and was given permission to revise and extend his remarks.)

Mr. MCDERMOTT. Mr. Speaker, as I listen to this debate, I am not sure if we are talking about India or China, but where are we talking about here? The Republicans have set up another straw man.

This bill is another Republican attack on women's rights at the same time it's masquerading as an anti-discrimination bill. It's about as cynical and deceptive as anything I've seen on the floor.

I ask the proponents of this bill: If you care, Mr. Speaker, if they care about discrimination against women, why did they vote in the last Congress against women's rights to challenge gender-based pay discrimination? Why did you also vote to allow health insurers to continue charging women higher premiums based on their sex?

These votes are on the record. That's what you think of women.

My friend, this bill is not what it claims to be. It is not about fighting discrimination against women. It is the opposite. It is another Republican intrusion into a woman's right to choose. Women should be able to make such

sensitive and private decisions with their families, their doctors, and their God, free from the fear of the police.

What are you going to do, set up a registry every time they do a sonogram and they decide what the baby is, girl or boy, they are going to post it and then they are going to follow? If that woman then decides to have an abortion, well, she is getting rid of a girl, so we are going to criminally charge her with making that decision on the basis of the sex of the child. That's what kind of nonsense you are setting up.

For people who don't want government in people's lives, who argue over and over and over about keeping the government—in fact, we don't want ObamaCare. We don't want government in our lives at all. But in this one, you want them to go right into the personal mind of the woman and decide and criminally charge her.

Do you think that's going to do any good? You simply are attacking women's rights.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind Members to speak in the third person, not in the second person, in their remarks on the floor.

Mr. FRANKS of Arizona. Of course, the gentleman knows there's no criminal thing in this bill for the women. That's an unfortunate fallacy.

I yield 1½ minutes to the gentleman from Louisiana, Dr. FLEMING, a member of the Armed Services Committee.

Mr. FLEMING. I want to thank the gentleman, Mr. FRANKS of Arizona, for authoring this fine bill.

You know, I find that gender-oriented abortion is problematic for two reasons. Number one is very obvious. The taking of an innocent life merely because that child happens to be a boy or a girl certainly goes against all the values that we hold true in America. But, secondly, because of the technology requiring that you are well into the second trimester even to determine the gender of the fetus means that we're talking about a mid- to late-term abortion, something that is so brutal.

Mr. Speaker, as a family physician and a father of four, two boys and two girls, I have delivered over 300 babies in my career. Each and every child, regardless of his or her gender, is a unique individual, deserving of equal protection under the law. The American people agree with me on this. In fact, polls show that over two-thirds of Americans are supportive of eliminating abortion practices tailored to destroy babies because of their gender.

Gender aside, which is really what this is, the deliberate annihilation of a particular sex, often unborn female children, as we know, generally occurs midway through pregnancy. These late-term abortions are grisly procedures, where the condemned is often poisoned or dismembered before being extracted from the womb, sometimes in pieces. Medical evidence shows that, at a minimum, unborn babies can experience pain at 20 weeks.

I ask my colleagues to support this bill, H.R. 3541.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the former chair of the Congressional Black Caucus, the gentlewoman from Oakland, California, BARBARA LEE.

Ms. LEE of California. First, let me thank Congressman CONYERS for yielding the time, but also for your very bold and relentless leadership as our ranking member on the House Judiciary Committee.

I rise today as a member of the Congressional Pro-Choice Caucus and also as the Health Care Task Force chair of the Congressional Asian Pacific American Caucus. I rise in strong opposition to this bill.

□ 1600

Supporters of this bill claim that the legislation would combat sex-selection abortion and prevent the United States from becoming a safe haven for women seeking an abortion based on the sex of the pregnancy.

Here we go again. This war on women continues. And this, quite frankly, is a shocking battle in this war. It really is shock and awe.

Don't get me wrong. Of course we all are opposed to sex-selection abortion based on gender. That's not what this is about. This is about women's health care and gender discrimination.

Let me read a paragraph from a letter signed by the American Congress of Obstetricians and Gynecologists and other groups:

If passed into law, this bill would require that medical and mental health professionals violate doctor-patient confidentiality and report known or suspected violations of the law to law enforcement authorities. The penalty for failure to report is a fine or incarceration of up to 1 year.

Shock and awe. This is a continuation of the war on women.

There are those who have been actively working to reverse much of the progress women have made by declaring this war on women that includes stripping reproductive rights for women and cutting critical Title X funding and for the WIC nutrition program for low-income infants and pregnant women. And yes, this war on women continues with slashed funding for food stamps and day care spending.

Let's call it what it is, Mr. Speaker. Supporters of this bill really are exploiting serious issues like racism and sexism in a backdoor attempt to make abortion illegal. It would also lead to further stigmatization of women, especially Asian Pacific American women, who seek their constitutional rights to an abortion.

The ramifications are real, and they are very dangerous. Attempts to restrict or deny access to safe abortions is harmful to women's health and would ultimately take us back to the days of back-alley abortions.

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

Mr. CONYERS. I yield the gentlelady 1 additional minute.

Ms. LEE of California. I thank the gentleman.

If this bill passes, it would forever change the doctor-patient relationship as we know it by casting suspicion on doctors that serve communities facing the greatest health disparities, many of which are minority communities.

As a woman of faith, I have always believed that decisions about whether to choose adoption, end a pregnancy, or raise a child must be left to a woman, her family, and her faith, with the counsel of her doctor or health professional. Politics—government—has no place preventing doctors and other health professionals from informing patients about all their health care options, and doctors should not be criminalized for providing constitutionally protected care.

If supporters are really serious about advancing the real interest of women, I urge them to vote "no" on this bill. We need to work together to ensure that all women have meaningful access to the health care that they need to stay healthy and to improve their own lives and their children's lives.

We need to make sure that women get equal pay for equal jobs.

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

Mr. CONYERS. I yield the gentlewoman an additional 15 seconds.

Ms. LEE of California. I just want to conclude by saying if you really care about women and their children and their families, we need to work to end wage discrimination in this country. We need to work to end domestic violence that's tearing apart families across this country and reauthorize a real Violence Against Women's Act. We need to reject this insidious attack on Roe v. Wade.

Mr. FRANKS of Arizona. Mr. Speaker, I yield 2½ minutes to the gentleman from Florida (Mr. STEARNS), a member of the Energy and Commerce Committee.

Mr. STEARNS. Let me say to the gentlelady and to Mr. JOHNSON and Mr. NADLER: This is a war on ethics or WOE. You talk about a war on women. This is a war on ethics. Woe to you if you vote against this bill.

Mr. NADLER was down here talking about this bill and how he's going to vote against it. But let me ask you: Is there anybody in this Chamber that wants to vote against sex-selection abortion? Is that what you want to do? The coercion of sex-selection abortion, is that what you want to do? The solicitation or acceptance of funds for sex-selection abortion, you want to vote against that? And lastly, the transportation of a woman into the country to obtain a sex-selection abortion, you want to vote against that?

Woe to you. War on ethics. This is wrong for you to do that.

In a recent letter, the Planned Parenthood has once again chosen to put profits before women's well-being and is encouraging Members of Congress to

oppose this legislation, reinforcing sex discrimination and positioning the United States of America as a safe haven for those who cannot legally acquire a sex-selection abortion in their own home countries. But this is not surprising, considering Planned Parenthood's record.

As chairman of the Energy and Commerce Committee's Subcommittee on Oversight and Investigations, I have led an investigation into Planned Parenthood's use of the more than \$1 million of Federal funds they receive every day and their compliance with sexual assault and child abuse reporting laws. This was the first ever such investigation in Planned Parenthood's history.

Planned Parenthood has an extensive and well-documented record of improper Medicaid billing practices—all of you know that; you can go to the State of California and New York and read about those indictments—and violating State sexual assault and child abuse reporting laws and of encouraging young girls to simply lie about their ages to circumvent State reporting laws.

These four things in this bill, woe to you—war on ethics—if you vote against this bill. And I am just amazed that people of strong religious belief would come on this floor and say that you're going to believe that sex-selection abortion is okay. I can't even comprehend what you're doing.

So let me just close by saying I encourage all of my colleagues, both Democrats and Republicans, to support this lifesaving legislation and ban sex-selection abortions and to send a clear message that each and every girl is valued in our society.

My colleagues, with passage of this critical legislation, the United States will finally join the rest of the industrialized world in prohibiting the barbaric practice of using abortion as a method of sex selection. It is astounding that in a country that prohibits discrimination on the basis of sex in various contexts, such as employment, education, and housing, it is legal to abort a child simply because she's a girl.

Pure and simple, these abortions are female infanticide. The victims of sex-selection abortion are overwhelmingly female, and most sex-selection abortions are grisly, later-term abortions, likely occurring after the child becomes capable of feeling pain.

In a recent letter, Planned Parenthood has once again chosen to put profits before women's well-being and is encouraging Members of Congress to oppose this legislation, reinforcing sex discrimination and positioning the U.S. as a safe haven for those who cannot legally acquire a sex-selection abortion in their home countries. But this is not surprising considering Planned Parenthood's record.

A recent undercover investigation by Live Action once again exposed Planned Parenthood's hypocrisy and anti-life ideology by showing a Planned Parenthood facility located in Austin, Texas knowingly facilitating the sex-selective abortion of a baby girl. Even going so far as to coach a late term abortion, in order to confirm that the baby was the unwanted sex. The video also shows the

Planned Parenthood employee instructing a young woman about how to commit Medicaid fraud.

As Chairman of the Energy and Commerce Committee's Subcommittee on Oversight and Investigations, I have led an investigation into Planned Parenthood's use of the more than \$1 million federal dollars they receive every day and their compliance with sexual assault and child abuse reporting laws. This was the first ever such investigation in Planned Parenthood's history. Planned Parenthood has an extensive and well-documented record of improper Medicaid billing practices, violating state sexual assault and child abuse reporting laws, and of encouraging young girls to lie about their ages to circumvent state reporting laws.

I encourage all of my colleagues to support this life-saving legislation and ban sex-selective abortions and to send the clear message that each and every girl is valued in our society.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will again remind all Members to address their remarks to the Chair, not to one another, and to avoid references in the second person.

Mr. CONYERS. I reserve the balance of my time.

Mr. FRANKS of Arizona. Mr. Speaker, can I inquire as to the remainder of the time?

The SPEAKER pro tempore. The gentleman from Arizona has 5 minutes remaining. The gentleman from Michigan has 5¼ minutes remaining.

Mr. FRANKS of Arizona. I yield 2 minutes to the gentlelady from Tennessee (Mrs. BLACKBURN), a member of the Energy and Commerce Committee.

Mrs. BLACKBURN. I rise in support of the Prenatal Nondiscrimination Act, and I thank the gentleman from Arizona for his leadership on the issue.

Simply put, this bill gives baby girls the same chance at life as our baby boys, Mr. Speaker. I think it's hypocrisy to say that one is pro-woman and that it's okay to end the life of an unborn child just because of its gender. Since when did America subscribe to the idea that males are worth more than females?

We know that sex-selection abortions happen all over the world, as was evidenced and certainly brought to light by human rights activists like Mr. Chen, who fled to America this month. But according to at least six academic studies published in the past 4 years, this tragic reality is playing out in our own backyard. Just this week, an undercover video showed a Planned Parenthood employee encouraging a woman to obtain a late-term abortion because she was purportedly carrying a girl, and she wanted to have a boy instead.

A vote against ending sex-selection abortion is a vote in favor of gender bias and female gendercide. A vote against is a vote for organized and systematic subtraction of women in America through targeted abortions. It's sick, it's discriminatory, it's sexist, and it's blatantly antiwoman and antihuman.

It's no surprise that a poll conducted this month by the Charlotte Lozier Institute showed 80 percent of women in this country support a law banning abortion in cases where the sole reason for seeking an abortion is that the developing baby is female.

I support the legislation, and I urge my colleagues to do the same.

□ 1610

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

I would just like to remind my colleagues that from the Leadership Conference on Civil and Human Rights, we have this warning:

We oppose this bill because it does not in any way adjust discrimination on the basis of sex or race. Rather, it is a veiled attempt to restrict health care for women of color under the guise of civil rights.

This is the Leadership Conference on Civil and Human Rights.

This bill tramples the rights of women under the guise of non-discrimination while doing absolutely nothing to provide women with needed resources for their babies, female and male, so they can come into this world healthy and so both the mother and the child can thrive.

This measure before us does absolutely nothing to empower women to make important life choices free from any family or community pressures they now face either to have an abortion, or to carry the pregnancy to term. In fact, it fails to employ the tested solutions that will reduce the pressures brought to bear on women to have sons. Experience around the world has shown that supporting women, providing them with tools to become independent and to be safe from violence, rather than criminal prohibitions, helps them resist the pressures of son preference. International organizations such as the United Nations Population Fund, the Office of the United Nations High Commissioner for Human Rights, the United Nations Children's Fund, United Nations Women, and the World Health Organization have all said that abortion restrictions are not the solution because they put women's health and lives at risk and violate their human and reproductive rights.

Please, join us and these organizations who are familiar with the phenomenon of son preference and oppose H.R. 3541.

I reserve the balance of my time.

Mr. FRANKS of Arizona. Mr. Speaker, I would now yield 2½ minutes to the distinguished gentleman from New Jersey (Mr. SMITH) who is a member of the Foreign Affairs Committee, where he is the chairman of the Africa, Global Health, and Human Rights Subcommittee.

Mr. SMITH of New Jersey. Mr. Speaker, I thank my good friend TRENT FRANKS for his extraordinary leadership and courage. He is a pro-life champion.

Mr. Speaker last year, an undercover videotaped sting operation by Live Action exposed several Planned Parenthood affiliates who are eager, ready,

and willing to facilitate secret abortions for underage sex trafficking victims—some as young or younger than 14.

As the prime sponsor of the Trafficking Victims Protection Act, I found the on-the-record willingness of Planned Parenthood personnel to exploit young girls and partner with sex traffickers to be absolutely appalling.

Now Live Action has released another sting operation video—part of a new series, “Gendercide: Sex Selection in America”—showing Planned Parenthood advising an undercover female investigator how to procure a sex-selection abortion.

Caught on tape, Planned Parenthood tells the investigator to wait until the baby is 5 months along to get an ultrasound that reveals the sex of the child. Then, if it’s a girl, kill it.

Yesterday, The Huffington Post reported: “No Planned Parenthood clinic will deny a woman an abortion based on her reasons for wanting one, except in States that explicitly prohibit sex-selection abortions.”

In other words, Planned Parenthood is okay with exterminating a child in its huge network of clinics simply because she’s a girl. What a dangerous place for little girls. Let’s not forget that Planned Parenthood aborts approximately 330,000 children every year. This, Mr. Speaker, is the real war on women.

For most of us, Mr. Speaker, “it’s a girl” is cause for enormous joy, happiness, and celebration. But in many countries, including our own, it can be a death sentence. Today, the three most dangerous words in China and India are “it’s a girl.” We can’t let that happen here.

In her book “Unnatural Selection,” Mara Hvistendahl traces the sordid history of sex-selection abortion as a means of population control. She writes that by August of 1969, “sex selection had become a pet scheme”—fewer girls, fewer future mothers, fewer future children.

At a 1969 conference, Christopher Tietze co-presented sex-selection abortion as one of the 12 new strategies representing the future of population control. He, by the way, got the Margaret Sanger Award 4 years later.

Sex-selection abortion is cruel, it’s discriminatory, and it’s legal. It is violence against women. Most people in government are unaware that it is part of a deliberate plan of population control. Support the Prenatal Non-discrimination Act, sponsored by Mr. FRANKS.

Last year, an undercover video-taped sting operation by Live Action (liveaction.org) exposed several Planned Parenthood affiliates who were eager, ready and willing to facilitate secret abortions for underage sex trafficking victims—some as young or younger than 14—to get them on the streets again.

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For most of us, Mr. Speaker, “it’s a girl” is cause for enormous joy, happiness and celebration. But in many countries—including our own—it can be a death sentence. Today, the three most dangerous words in China and India are: it’s a girl. We can’t let that happen here.

By now most people know that the killing of baby girls by abortion or at birth is pervasive in China due to the One Child policy and a preference for sons. China and India are “missing” tens of millions of daughters.

In her book, *Unnatural Selection: Choosing Boys Over Girls, and the Consequences of a World Full of Men*, Mara Hvistendahl, traces the sordid history of sex-selection abortion as a means of population control. “By August 1969, when the National Institute of Child Health and Human Development and the Population Council convened another workshop on population control, sex selection had become a pet scheme . . . Sex selection, moreover, had the added advantage of reducing the number of potential mothers . . . if a reliable sex determination technology could be made available to a mass market,” there was “rough consensus” that sex selection abortion “would be an effective, uncontroversial and ethical way of reducing the global population.”

Fewer women, fewer mothers, fewer future children.

At the conference, one abortion zealot, Christopher Tietze co-presented sex selection abortion as one of twelve new strategies representing the future of global birth control. Planned Parenthood honored Tietze four years later with the Margaret Sanger Award.

(I would note parenthetically, in March of 2009, Secretary of State Hillary Clinton also received the Margaret Sanger Award and said in her acceptance speech that she was “in awe” of Margaret Sanger, the founder of Planned Parenthood. To our distinguished Secretary of State, I respectfully ask: Are you kidding? In “awe” of Margaret Sanger, who said in 1921, “Eugenics . . . is the most adequate and thorough avenue to the solution of racial, political, and social problems.” And who also said in 1922, “The most merciful thing that a family does to one of its infant members is to kill it.”

Secretary Clinton in her speech said that Margaret Sanger’s “life and leadership” was “one of the most transformational in the entire history of the human race.” Mr. Speaker,

transformational, yes, but not for the better if one happens to be a woman, poor, disenfranchised, weak, a person of color, vulnerable, or among the many so-called undesirables who Sanger would exclude and exterminate from the human race.)

Mr. Speaker, these cruel, anti-woman policies have had horrific consequences.

Hvistendahl writes that today “there are over 160 million females “missing” from Asia’s population. That’s more than the entire female population of the United States. And gender imbalance—which is mainly the result of sex selective abortion—is no longer strictly an Asian problem. In Azerbaijan and Armenia, in Eastern Europe, and even among some groups in the United States, couples are making sure at least one of their children is a son. So many parents now select for boys that they have skewed the sex ratio at birth of the entire world.”

In the *Global War Against Baby Girls* renowned AEI demographer Nicholas Eberstadt wrote in *The New Atlantis* last Fall; “over the past three decades the world has come to witness an ominous and entirely new form of gender discrimination: sex-selective feticide, implemented through the practice of surgical abortion with the assistance of information gained through prenatal gender determination technology. All around the world, the victims of this new practice are overwhelmingly female—in fact, almost universally female. The practice has become so ruthlessly routine in many contemporary societies that it has impacted their very population structures, warping the balance between male and female births and consequently skewing the sex ratios for the rising generation toward a biologically unnatural excess of males. This still-growing international predilection for sex-selective abortion is by now evident in the demographic contours of dozens of countries around the globe—and it is sufficiently severe that it has come to alter the overall sex ratio at birth of the entire planet, resulting in millions upon millions of new “missing baby girls” each year. In terms of its sheer toll in human numbers, sex-selective abortion has assumed a scale tantamount to a global war against baby girls.”

As far back as 1990, Nobel Prize winner Amartya Sen wrote in *The New York Review of Books* that “More than 100 Million Women are Missing.” In 2003 Sen wrote that sex-selection abortion was the primary cause.

A 2008 study by Douglas Almond and Lena Edlund of Columbia University documented “male-biased sex ratios among U.S. born children of Chinese, Korean and Asian Indian parents in the 2000 U.S. census. The male bias is particularly evident for third children: If there was no previous son, sons outnumbered daughters by 50 percent . . . We interpret the found deviation in favor of sons to be evidence of sex selection, most likely at the prenatal stage.”

A study published in 2011 by Sunita Pun and three other researchers undertook “in-depth interviews with 65 immigrant Indian women in the United States who had pursued fetal sex selection on the East and West Coasts of the United States between September 2004 and December 2009 . . .” and found “that 40% of the women interviewed had terminated prior pregnancies with female fetuses and that 89% of women carrying female fetuses in their current pregnancy pursued an abortion.”

Many European nations including the UK as well as several Asian countries ban sex selection abortion. Only four US states—Arizona, Illinois, Oklahoma and Pennsylvania—proscribe it.

The United States is a destination country for sex selection abortion. According to the House Judiciary Committee Report, “women cross the border from Canada (where it is illegal) to obtain sex selection abortions in the United States.”

The Prenatal Nondiscrimination Act, authored by pro-life champion Congressman TRENT FRANKS, seeks an end to this pernicious form of violence against women by prescribing criminal and civil penalties on abortionists who knowingly perform an abortion based on sex or gender of the child.

If enacted, the Act will also penalize anyone who uses force or the threat of force to intentionally injure or intimidate any person for the purpose of coercing a sex selection abortion. This anti-coercion provision is an extremely important protection for women.

According to the House Judiciary Committee Report; “sex-selection abortions are oftentimes coerced.” The Report notes “women who refuse sex-selection abortions are sometimes physically abused. A woman may be denied food, water, and rest to induce abortion where it is determined that the woman is carrying a female unborn child. Some women described being hit, pushed, choked and kicked in the abdomen in a husband’s attempt to terminate a female unborn child. Pregnancy is already a vulnerable time for women; the most common cause of death for pregnant women in the United States is homicide, often at the hands of the unborn child’s father.”

And the Act will hold accountable anyone who knowingly solicits or accepts funds for the performance of a sex selection abortion or transports a woman into the U.S. or across a state line for a sex selection abortion.

Sex-selection abortion is cruel and discriminatory and legal. It is violence against women. Most people in and out of government remain woefully unaware of the fact that sex-selection abortion was—a violent, nefarious and deliberate policy imposed on the world by the pro-abortion population control movement—it’s not an accident. The Congress can—and must—defend women from this vicious assault today.

Mr. CONYERS. Mr. Speaker, I yield myself the balance of my time.

Ladies and gentlemen of the House, if this measure is passed into law, we would then require that medical and mental health professionals violate doctor-patient confidentiality and report “known or suspected violations” of the law to law enforcement authorities. The penalty for failure to report would be a fine or incarceration.

Now, it is not by accident, Members of the House, that this measure is opposed by these outstanding organizations: the American Congress of Obstetricians and Gynecologists; American Public Health Association; Association of Reproductive Health Professionals; American Society for Reproductive Medicine; Medical Students for Choice; National Abortion Federation; National Association of Nurse Practitioners in Women’s Health; National Family Planning and Reproductive Health Association; Physicians for Re-

productive Health and Choice; and Planned Parenthood Federation of America.

Now, this is something that would chill communications between doctors and patients because doctors might hear something that would put them at risk for criminal prosecution, and patients because they would fear that their conversations with their doctors would not remain private. And so what we’re doing here is taking the most drastic step that would cause these nine organizations to oppose this legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. FRANKS of Arizona. Mr. Speaker, I don’t have time to correct all of the misinformation that my friends on the other side of the aisle have said here today. They’ve talked about everything but what this bill does.

If I thought that America really supported aborting little girls because they were little girls as a people, then I guess I would conclude that the light of human compassion had gone out in our society and it was time to board this place up and go home and be done with it. But, fortunately, Mr. Speaker, I know that 86 percent of the American people favor protecting little girls from sex-selection abortion, and that gives me great hope. I wish I had time to mention all of the groups that are in favor of this bill, but I know that this is going to be the first step, and we’re going to be on the right side of history and the right side of justice, and I urge a “yes” vote on this bill.

I yield back the balance of my time.

Mr. PAUL. Mr. Speaker, as an OB-GYN who has delivered over 4,000 babies, I certainly abhor abortion. And I certainly share my colleagues’ revulsion at the idea that someone would take an innocent unborn life because they prefer to have a child of a different gender.

However, I cannot support H.R. 3541, the Prenatal Nondiscrimination Act, because this bill is unconstitutional. Congress’s jurisdiction is limited to those areas specified in the Constitution. Nowhere in that document is Congress given any authority to address abortion in any manner. Until 1973, when the Supreme Court usurped the authority of the States in the Roe v. Wade decision, no one believed or argued abortion was a Federal issue.

I also cannot support H.R. 3541 because it creates yet another set of Federal criminal laws, even though the Constitution lists only three Federal crimes: piracy, treason, and counterfeiting. All other criminal matters are expressly left to States under the Ninth and Tenth Amendments, and criminal laws relating to abortion certainly should be legislated by States rather than Congress.

I have long believed that abortion opponents make a mistake by spending their energies on a futile quest to make abortion a Federal crime. Instead, pro-life Americans should work to undo Roe v. Wade and give the power to restrict abortion back to the States and the people. It is particularly disappointing to see members supporting this bill who rightfully oppose ludicrous interpretations of the Commerce Clause when it comes to the national

health care law, which also abuses the Commerce Clause to create new Federal crimes.

Pro-life Americans believe all unborn life is precious and should be protected. Therefore we should be troubled by legislation that singles out abortions motivated by a “politically incorrect” reason for special Federal punishment. To my conservative colleagues who support this bill: what is the difference in principle between a Federal law prohibiting “sex selection” abortions and Federal hate crimes laws? After all, hate crime laws also criminalize thoughts by imposing additional stronger penalties when a crime is motivated by the perpetrator’s animus toward a particular race or gender.

I also question whether this bill would reduce the number of abortions. I fear instead that every abortion provider in the Nation would simply place a sign in their waiting room saying “It is a violation of Federal law to perform an abortion because of the fetus’ gender. Here is a list of reasons for which abortion is permissible under Federal law.”

Mr. Speaker, instead of spending time on this unconstitutional, ineffective, and philosophically flawed bill, Congress should use its valid authority to limit the jurisdiction of activist Federal courts and (thereby) protect state laws restoring abortion. This is the constitutional approach to effectively repealing Roe v. Wade. Instead of focusing on gimmicks and piecemeal approaches, true conservatives should address the horror of abortion via the most immediate, practical, and effective manner possible: returning jurisdiction over abortion to the States.

Mr. STARK. Mr. Speaker, I rise in opposition to the so-called Prenatal Non-Discrimination Act, H.R. 3541. This legislation is the latest Republican attack on women’s health and would actually criminalize doctors who provide reproductive health care to women.

Proponents of this bill claim the mantle of civil rights, arguing it will prevent abortions based on the gender of the fetus, particularly when female. We should not be fooled by this claim. The true goal of this legislation is to erode women’s reproductive choices and Constitutional rights while further stigmatizing women who’ve had—or are seeking—an abortion.

Restricting reproductive health services to women will not eliminate or even lessen gender bias. If we truly want to end gender discrimination, there are rational, effective ways to do so: ensuring our communities have the resources they need to address cultural preferences for male children, educating individuals about contraception and family planning, and providing access to quality health care. This bill addresses none of these worthy goals. Not surprisingly, the sponsors of this legislation don’t support funding for family planning, comprehensive sex education, access to affordable birth control, or pay equity.

In addition to undercutting women’s rights, this bill punishes health care providers who perform abortions. Specifically, this legislation imposes criminal penalties on doctors who perform abortions if the sex of the fetus is found to be a factor in a woman’s decision to terminate her pregnancy. Furthermore, abortion providers would receive a one-year prison term and lose Federal funding if they fail to report a “suspected” gender-based abortion. In other words, Republicans want to criminalize health care professionals who cannot guess a

woman's very personal reasons to have an abortion or who refuse to violate the doctor-patient relationship by telling the government about private conversations with patients.

Let's be clear: this bill is not about ending sex selection or protecting women's rights. It is about Republicans trying to take away a woman's right to choose. To claim this legislation is about "civil rights" is reprehensible. I urge my colleagues to join me in opposing this bill and to work toward actual gender equality.

Mr. FARR. Mr. Speaker, the bill we are debating today, the Prenatal Nondiscrimination Act, purports to address gender discrimination by preventing abortions on the basis of sex. While one of the most effective ways to end gender discrimination is to empower women, H.R. 3541 only serves to marginalize women even further. Today, minority women have to overcome additional hurdles to receive the quality healthcare they deserve and this legislation only serves to subject them to even further scrutiny when making healthcare decisions.

This legislation restricts women's access to reproductive healthcare by threatening doctors with up to five years in prison and other penalties if they perform sex selection abortions. If the drafters of H.R. 3541 were really trying to end sex-selective abortions, wouldn't they also be prosecuting those who sought an abortion for these reasons, not only doctors? With doctors fearful of yet even more restrictions to their practice, many will simply refuse to treat women who want to obtain a safe and legal abortion. After all, abortion is still a constitutionally guaranteed right in this country.

In addition, this bill includes language requiring any medical or mental health professional to report known or suspected sex-selective abortions. However, in virtually all circumstances, it would be impossible for reproductive healthcare providers to determine whether a woman seeks a sex-selective abortion, thus amounting to a "witch hunt".

I am lucky enough to be surrounded by women in my family. I have a wife, a sister, a daughter, and a granddaughter. I am deeply troubled by gender discrimination. I support legislation to address the real issues in low-income communities of color, and to promote women's rights, including: S. 1925, the reauthorization of the Violence Against Women Act; H.R. 1519, the Paycheck Fairness Act; and H.J. Res. 69, proposing an amendment to the Constitution on the equal rights for men and women. Since the Majority is so concerned with gender discrimination, I look forward to the day when the Republican leadership decides to bring these bills on the floor for a vote.

Mr. Speaker, I am completely opposed to sex-selective abortions but H.R. 3541 will not prevent these and, in fact, will do far more harm than good.

Mr. DAVIS of Illinois. Mr. Speaker, I cannot support H.R. 3541, the Republican bill that rolls back critical protections for a woman's right to choose under the guise of preventing prenatal discrimination. While the bill's title includes the names of anti-discrimination activists Susan B. Anthony and Frederick Douglass, its anti-discrimination premise is disingenuous—the bill actually reverses the rights that these leaders fought so hard for centuries ago. Rather than protecting women, this bill is just another thinly-veiled attack on women's rights.

H.R. 3541 is legislation for a fictional problem. Statistics demonstrate that sex selection does not happen with regularity in our nation. Specifically, the Centers for Disease Control reported that 91.4% of abortions in 2008 occurred prior to the 13th week of pregnancy, whereas gender identification by the most-common method of ultrasound is not available until between weeks 16 to 20. Further, gender ratios within the U.S. reflect a gender balance consistent with what one would expect it to be. The CIA's World Factbook indicates that the gender ratio at birth 1.05 males to females, which the Guttmacher Institute indicates is "squarely within biologically normal parameters." The United States simply does not have a gender imbalance that would indicate that sex-selection occurs with any regularity. So, if gender selection is not a problem in the United States, one must wonder why the Republican leadership purports it to be one. The answer is that the bill before us simply is a deceptive effort to limit women's choice.

Gender inequity should concern all of us. That we still live in a society that provides preferential treatment to men is deeply disturbing, and Congress should feel compelled to act to correct these inequities. Unfortunately, rather than promoting equal pay for women, advancing protections for all women from domestic violence, increasing access to affordable health care for all women, or addressing racial disparities in health care among women, the Republican leadership offers H.R. 3541 that would undermine the constitutional rights of women under a false cry of gender discrimination. This bill would encourage racial profiling, create additional barriers for women to access comprehensive health care, allow the government to interfere with confidential communications between doctors and their patients, and threaten physicians with criminal penalties for open, honest communication with their patients.

So, I stand with dozens of diverse organizations—including the American Congress of Obstetricians and Gynecologists, American Society for Reproductive Medicine, NAACP, the American Civil Liberties Union, the American Public Health Association, Presbyterian Voices for Justice, and the National Women's Law Center—to strongly oppose House Republican bill H.R. 3541. As twenty-first-century policymakers, we should advance the rights of women and minorities, not weaken them. I vehemently oppose this dangerous and discriminatory bill that would limit women's health care options.

Mr. SMITH of Texas. Mr. Speaker, I would like to thank Chairman FRANKS for introducing the Prenatal Nondiscrimination Act, also called PRENDA. This legislation prohibits abortions based on the sex of the unborn child.

The bill also prohibits the solicitation or acceptance of funds for such purposes and prohibits the federal funding of abortions based on sex.

As the New York Times has reported, "There is evidence that some Americans want to choose their babies' sex" through abortions.

U.S. Census numbers and national vital statistics show that certain communities achieve unnatural sex ratios at birth that are statistically impossible without medically assisted sex-selection, with the cheapest option being abortion.

These sex-selection abortions discriminate strongly against females and are overwhelm-

ingly opposed by the American people. According to a recent Charlotte Lozier Institute poll, 77% of those surveyed support a law that bans abortion in cases where "the fact that the developing baby is a girl is the sole reason for seeking an abortion."

Regardless of one's views on abortion generally, everyone should be able to agree that no abortions should occur based on the sex of the unborn child.

It is time to end the practice of using sex as an excuse for abortion. I thank Chairman FRANKS again for his leadership on this issue.

Ms. RICHARDSON. Mr. Speaker, I rise today in opposition to H.R. 3541, the Prenatal Nondiscrimination Act of 2011. I stand with the more than 200 leading organizations that oppose this bill as an unwanted and punitive burden on American women. I stand with those who are focused on women's empowerment and the protection of their civil liberties.

This bill is a misguided proposal that would put additional barriers between women and their healthcare providers rather than seriously tackling gender discrimination. It is an unworkable bill designed with a purely political agenda that will have a damaging effect on women's health and autonomy.

This legislation imposes criminal penalties on healthcare providers who perform certain abortions and requires them to report suspicions of sex-selective abortion. The bill lacks clear definitions and is so dangerously vague that it will force all healthcare providers to stop offering these services due to fear of jail time and civil damages claims. For instance, prosecutors could use shaky circumstantial evidence to suggest gender bias, including routine ultrasounds or profiling based on race or culture.

There rarely exists evidence strong enough to conclude that an abortion is motivated by the sex or any other singular factor. The World Health Organization has analyzed similar laws around the world that criminalize sex-selective abortions but has found that it is nearly impossible to prosecute such cases. The United Nations has argued that the most effective way to fight a pervasive preference for sons is to instead dedicate ourselves to ending economic and social inequalities. By passing H.R. 3541, we would stand at odds with the international community.

As a representative of the 37th District of California, I am particularly concerned that this bill will unfairly subject Asian American women to additional scrutiny and racial profiling. It is unclear to what extent sex-selection abortions exist in the United States; however, the law specifically targets women of Asian descent and places them under a cloud of suspicion. Minority communities already face difficulties in accessing healthcare, and this bill will cause further marginalization.

We should be uniting around healthcare reform, not legislation that erodes trust on both sides of the patient-doctor relationship. Honest dialogue between women and medical professionals is critical in ensuring safe and appropriate care, and I cannot vote for any bill that does not protect open communication. Medical practices are already governed by strict codes of conduct and regulations. This bill simply adds unnecessary government interference. It puts physicians at risk for criminal penalties while doing absolutely nothing to address root causes of gender biases and inequalities.

There are many proven investments that support women and girls and help them to

lead safe and healthy lives. Those include policies that promote equal pay and employment, access to healthcare, and protection from gender-based violence. Nevertheless, in the 112th Congress, House Republicans have voted in favor of reducing protections against gender-based violence and limiting access to reproductive healthcare and birth control.

H.R. 3541 continues this pattern of perpetuating gender inequalities by allowing the state to scrutinize the private decisions made by women and their doctors, notwithstanding the recent lip service being paid to gender discrimination. Additionally, this legislation will have no effect on the rates of abortions and unwanted pregnancies as long as the House Republican majority continues its unbroken and disturbing record of cutting public funding for sex education, family planning, and maternal health services.

Mr. Speaker, the sponsors of H.R. 3541 are continuing to attack the rights of women, albeit now under the disguise of gender equality. I urge my colleagues to see the hypocrisy of this bill and to join me in voting against this legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. FRANKS) that the House suspend the rules and pass the bill, H.R. 3541, as amended.

The question was taken.

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

Mr. FRANKS of Arizona. Mr. 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.

□ 1620

DIVISIONAL REALIGNMENT ACT OF 2012

Mr. COBLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5512) to amend title 28, United States Code, to realign divisions within two judicial districts, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5512

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 “Divisional Realignment Act of 2012”.

SEC. 2. REALIGNMENT WITHIN THE EASTERN DISTRICT OF MISSOURI.

Section 105(a) of title 28, United States Code, is amended—

(1) in paragraph (1), by striking “Iron,” and “Saint Genevieve,”; and

(2) in paragraph (3)—

(A) by inserting “Iron,” after “Dunklin,”; and

(B) by inserting “Saint Genevieve,” after “Ripley.”

SEC. 3. REALIGNMENT WITHIN THE NORTHERN DISTRICT OF MISSISSIPPI.

Section 104 of title 28, United States Code, is amended by striking subsection (a) and inserting the following:

“(a) The northern district comprises three divisions.

“(1) The Aberdeen Division comprises the counties of Alcorn, Chickasaw, Choctaw, Clay, Itawamba, Lee, Lowndes, Monroe, Oktibbeha, Prentiss, Tishomingo, Webster, and Winston.

“Court for the Aberdeen Division shall be held at Aberdeen, Ackerman, and Corinth.

“(2) The Oxford Division comprises the counties of Benton, Calhoun, DeSoto, Lafayette, Marshall, Panola, Pontotoc, Quitman, Tallahatchie, Tate, Tippah, Tunica, Union, and Yalobusha.

“Court for the Oxford Division shall be held at Oxford.

“(3) The Greenville Division comprises the counties of Attala, Bolivar, Carroll, Coahoma, Grenada, Humphreys, Leflore, Montgomery, Sunflower, and Washington.

“Court for the Greenville Division shall be held at Clarksdale, Cleveland, and Greenville.”

SEC. 4. EFFECTIVE DATE.

The amendments made by this Act take effect on the 60th day after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. COBLE) and the gentleman from Georgia (Mr. JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. COBLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 5512, as amended, currently under consideration.

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

There was no objection.

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

I support H.R. 5512, the Divisional Realignment Act of 2012, sponsored by Representative BENNIE THOMPSON.

On March 13, 2012, the Judicial Conference of the United States adopted a draft bill that realigns divisions within the Eastern District of Missouri and the Northern District of Mississippi. The Divisional Realignment Act of 2012 reflects the draft developed by the Judicial Conference which the Judiciary Committee marked up on May 16. The realignments equalize workloads among divisions, maximize the use of court facilities, and shorten commutes for jurors and attorneys.

The bill is supported by the judges and attorneys from the two judicial districts and affected Members from Missouri and Mississippi.

The Congressional Budget Office states that H.R. 5512 will have “only minimal administrative costs and thus no significant impact on the Federal budget.”

The only changes to the bill subsequent to our markup is the effective date. The local judges and the Judicial Conference asked Representative BENNIE THOMPSON, the bill’s sponsor, and the other members of the committee to include a 60-day delayed effective date. This provides the local judges in Mississippi and Missouri with

more time to adjust their jury wheels to account for the new realignments. This is a good, commonsense change that helps with the administration of justice in the Northern District of Mississippi and the Eastern District of Missouri.

I hope, Mr. Speaker, that the Divisional Realignment Act of 2012 will be adopted by my colleagues, and I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of H.R. 5512, the Divisional Realignment Act of 2012, as amended.

This noncontroversial measure, which the Judiciary Committee ordered reported by voice vote, simply reorganizes divisions within the two Federal judicial districts, namely the Eastern District of Missouri and the Northern District of Mississippi. I hope I pronounced “Missourah” correctly. Some say “Missourah,” some say “Missouri.” I’ll stick with “Missourah” right now—I’m feeling kind of down home.

This divisional realignment is being done at the request of these two districts to improve judicial administration and access to court for jurors and litigants. These proposals were formally adopted by the Judicial Conference of the United States on March 13, 2012, and transmitted to the House Judiciary Committee.

According to the Judicial Conference, these changes are supported by the judicial councils of the circuits in which these districts are located, as well as the United States Attorneys for the affected districts.

Under H.R. 5512, two counties in the Eastern District of Missouri will be shifted from its Eastern Division to its Southeastern Division. The bill also eliminates one of the four divisions within the Northern District of Mississippi and reallocates the counties within the eliminated division among the remaining three divisions.

The Members whose districts would be affected by these divisional changes—that being Representatives BENNIE THOMPSON, GREGG HARPER, ALAN NUNNELEE, JO ANN EMERSON, and RUSS CARNAHAN—have all sponsored or cosponsored this bill. In deference to these Members’ familiarity with local conditions, therefore, we do not oppose these changes.

We have made one revision to H.R. 5512 at the request of the Judicial Conference. To give the judges in the two affected districts some additional time to implement the bill’s new divisional realignments, the version of the bill that we are considering today includes a 60-day delayed effective date.

I thank Chairman LAMAR SMITH and Subcommittee Chairman HOWARD COBLE for their assistance in moving this bipartisan legislation that should improve the administration of justice in these judicial districts.

I reserve the balance of my time.

Mr. COBLE. I thank the gentleman from Georgia for his generous remarks.