

From the numerous conversations I've had with doctors, including my own sister who is an OB/GYN, I believe in the importance of encouraging access to basic preventative care.

Since 1970, the title X family planning program has been a component of our Nation's health care infrastructure and has been an essential element in providing contraception and education to millions of Americans.

Today, title X family planning services over 5 million low-income individuals each and every year. Through a recent study, we learned that for every dollar invested in family planning approximately \$3.74 is saved in Medicaid-related costs.

Title X funding provides critical preventative health care, including annual exams, cancer screenings, HIV testing, and family planning.

□ 2150

While we must always ensure that funds are applied properly, completely prohibiting any funds from going to the main provider of title X family planning services I believe would be shortsighted and would negatively impact the lives of women who depend on these health care services.

I yield back the balance of my time.

Mr. NADLER. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New York is recognized for 5 minutes.

Mr. NADLER. Madam Chairman, I am not going to repeat all of what has been said about the Republican war on women, about the fact that the Republican majority was elected pledging jobs and all we see is a war on various social services and women and nothing about jobs, but I am going to say this: I have been listening very carefully to the supporters of this amendment, to Mr. PENCE and others, and what do I hear? I hear that we must punish Planned Parenthood by defunding them because they have committed a number of sins.

Sin Number 1, they perform abortions. They are a very large abortion provider, and even though none of those abortions are paid for with Federal funds, that is prohibited under the Hyde amendment however you read it, we don't like Planned Parenthood because they are a large abortion provider.

Number two, we don't like Planned Parenthood because they have committed allegedly various terrible things. Some provocateurs went into their offices and said that they were representing sex workers and they were offered services, and any organization that is willing to do this should not get Federal funds.

We are going to punish Planned Parenthood, number one, because they are a large abortion provider and we don't like abortion providers; and, number two, because they do other things, which if in fact they do, which I don't think they do, but if in fact they do, they are bad things.

There is a major problem with this. There is a major problem with this rhetoric and with this reasoning. And, by the way, the CR to which this is an amendment eliminates title X family planning funding anyway, so it will eliminate most of the funds that go to Planned Parenthood. But whatever funds that are available, they can go to other people to provide those services, not Planned Parenthood, because we don't like Planned Parenthood for various reasons.

A bill that punishes someone, some person or organization who is named or is identifiable, by legislative action is called a bill of attainder. That is the definition of a bill of attainder: A legislative punishment, penalty, a legislative penalty, a legislative-enacted penalty—in this case, no funding—directed at some identifiable person or organization to punish them for something.

Article I, Section 9 says, "No bill of attainder or ex post facto law shall be passed"; a fundamental foundation of constitutional law.

If Planned Parenthood or anybody else is doing terrible things and ought to be punished, that is up to the courts. If, indeed, Planned Parenthood is trafficking with sex traffickers, let them be prosecuted. If, indeed, Planned Parenthood is doing anything illegal, let them be prosecuted. Let the organization be prosecuted. Let the individual employees who are doing these things be prosecuted at law. That is our system. But you don't punish an organization because they are doing something of which you don't approve.

Now, if you want to say we don't think that there ought to be any contraceptive services in the United States and therefore we are going to have no title X funding, the CR does say that. I don't agree with it, but it is constitutional. But to say that if we have title X funding, if we have maternal services funding, none of it can go to Planned Parenthood, it can go to somebody else, but not Planned Parenthood, that is a legislatively enacted punishment because Planned Parenthood is or is allegedly doing things of which you don't approve.

Now, I heard a lot at the beginning of this Congress about we have to make sure that we adhere to the Constitution. This is a bill of attainder, because it is a legislatively enacted punishment of a named organization because that organization is doing things or is allegedly doing things of which we don't approve.

So I submit that in addition to all the other reasons why this shouldn't be done that have been enacted here, this is flatly unconstitutional, and I challenge anyone to say how this is not a bill of attainder. Again, the black letter definition of a bill of attainder is a legislatively enacted penalty aimed at some person or organization that is identifiable, named right here, for some reason, that they have done various things, provided abortions, done illegal things or otherwise.

So in addition to all the other problems, this amendment is unconstitutional and will be struck down by the courts if it should pass.

I yield back the balance of my time.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. BROWN of Georgia) assumed the chair.

MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 17. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 514. An act to extend expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and Intelligence Reform and Terrorism Prevention Act of 2004 relating to access to business records, individual terrorists as agents of foreign powers, and roving wiretaps until December 8, 2011.

The SPEAKER pro tempore. The Committee will resume its sitting.

FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2011

The Committee resumed its sitting.

Mr. BUCSHON. Madam Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from Indiana is recognized for 5 minutes.

Mr. BUCSHON. Madam Chairman, I rise today in support of the Pence amendment that prohibits any funds from the underlying bill going to Planned Parenthood of America. I want to start with a personal story as a physician.

I performed lifesaving surgery on infants as young as 22 weeks' gestation at birth. Madam Chairman, I have held these lives in my own hands. They are viable human lives at birth and, unfortunately, Planned Parenthood uses taxpayer funds to cut these lives short; tragically, sometimes within weeks of medically proven viability outside the womb. Again, I have held these lives in my hands.

Abortion, of course, for any reason is wrong, but this situation I have personal experience with is particularly distressing for me because I am a physician and also I am a father of four.

I want to reiterate that Planned Parenthood has received \$363.2 million in taxpayer funding as of its 2009 annual report, one-third of their \$1 billion income. During that same time period,