

## HR 3541

Prenatal Nondiscrimination Act (PRENDA) of 2012

**Congress:** 112 (2011–2013, Ended)

**Chamber:** House

**Policy Area:** Crime and Law Enforcement

**Introduced:** Dec 1, 2011

**Current Status:** On motion to suspend the rules and pass the bill, as amended Failed by the Yeas and Nays: (2/3 requi

**Latest Action:** On motion to suspend the rules and pass the bill, as amended Failed by the Yeas and Nays: (2/3 required): 246 - 168 (Roll no. 299). (May 31, 2012)

**Official Text:** <https://www.congress.gov/bill/112th-congress/house-bill/3541>

### Sponsor

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**Name:** Rep. Franks, Trent [R-AZ-2]

**Party:** Republican • **State:** AZ • **Chamber:** House

**Cosponsors** (98 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Akin, W. Todd [R-MO-2]	R · MO		Dec 1, 2011
Rep. Bartlett, Roscoe G. [R-MD-6]	R · MD		Dec 1, 2011
Rep. Bishop, Rob [R-UT-1]	R · UT		Dec 1, 2011
Rep. Black, Diane [R-TN-6]	R · TN		Dec 1, 2011
Rep. Blackburn, Marsha [R-TN-7]	R · TN		Dec 1, 2011
Rep. Boren, Dan [D-OK-2]	D · OK		Dec 1, 2011
Rep. Boustany, Charles W., Jr. [R-LA-7]	R · LA		Dec 1, 2011
Rep. Brady, Kevin [R-TX-8]	R · TX		Dec 1, 2011
Rep. Broun, Paul C. [R-GA-10]	R · GA		Dec 1, 2011
Rep. Burton, Dan [R-IN-5]	R · IN		Dec 1, 2011
Rep. Chabot, Steve [R-OH-1]	R · OH		Dec 1, 2011
Rep. Coble, Howard [R-NC-6]	R · NC		Dec 1, 2011
Rep. Cole, Tom [R-OK-4]	R · OK		Dec 1, 2011
Rep. Crawford, Eric A. "Rick" [R-AR-1]	R · AR		Dec 1, 2011
Rep. Duncan, John J., Jr. [R-TN-2]	R · TN		Dec 1, 2011
Rep. Farenthold, Blake [R-TX-27]	R · TX		Dec 1, 2011
Rep. Fleming, John [R-LA-4]	R · LA		Dec 1, 2011
Rep. Forbes, J. Randy [R-VA-4]	R · VA		Dec 1, 2011
Rep. Fortenberry, Jeff [R-NE-1]	R · NE		Dec 1, 2011
Rep. Garrett, Scott [R-NJ-5]	R · NJ		Dec 1, 2011
Rep. Gohmert, Louie [R-TX-1]	R · TX		Dec 1, 2011
Rep. Graves, Tom [R-GA-9]	R · GA		Dec 1, 2011
Rep. Harris, Andy [R-MD-1]	R · MD		Dec 1, 2011
Rep. Huelskamp, Tim [R-KS-1]	R · KS		Dec 1, 2011
Rep. Huizenga, Bill [R-MI-2]	R · MI		Dec 1, 2011
Rep. Hultgren, Randy [R-IL-14]	R · IL		Dec 1, 2011
Rep. Jones, Walter B., Jr. [R-NC-3]	R · NC		Dec 1, 2011
Rep. Kinzinger, Adam [R-IL-11]	R · IL		Dec 1, 2011
Rep. Lankford, James [R-OK-5]	R · OK		Dec 1, 2011
Rep. Latta, Robert E. [R-OH-5]	R · OH		Dec 1, 2011
Rep. Lipinski, Daniel [D-IL-3]	D · IL		Dec 1, 2011
Rep. Lummis, Cynthia M. [R-WY-At Large]	R · WY		Dec 1, 2011
Rep. Manzullo, Donald A. [R-IL-16]	R · IL		Dec 1, 2011
Rep. McCaul, Michael T. [R-TX-10]	R · TX		Dec 1, 2011
Rep. McCotter, Thaddeus G. [R-MI-11]	R · MI		Dec 1, 2011
Rep. McHenry, Patrick T. [R-NC-10]	R · NC		Dec 1, 2011
Rep. Miller, Jeff [R-FL-1]	R · FL		Dec 1, 2011
Rep. Neugebauer, Randy [R-TX-19]	R · TX		Dec 1, 2011
Rep. Pearce, Stevan [R-NM-2]	R · NM		Dec 1, 2011
Rep. Pence, Mike [R-IN-6]	R · IN		Dec 1, 2011
Rep. Peterson, Collin C. [D-MN-7]	D · MN		Dec 1, 2011

Cosponsor	Party / State	Role	Date Joined
Rep. Posey, Bill [R-FL-15]	R · FL		Dec 1, 2011
Rep. Roby, Martha [R-AL-2]	R · AL		Dec 1, 2011
Rep. Roe, David P. [R-TN-1]	R · TN		Dec 1, 2011
Rep. Ross, Dennis A. [R-FL-12]	R · FL		Dec 1, 2011
Rep. Scalise, Steve [R-LA-1]	R · LA		Dec 1, 2011
Rep. Schmidt, Jean [R-OH-2]	R · OH		Dec 1, 2011
Rep. Smith, Christopher H. [R-NJ-4]	R · NJ		Dec 1, 2011
Rep. Smith, Lamar [R-TX-21]	R · TX		Dec 1, 2011
Rep. Stutzman, Marlin A. [R-IN-3]	R · IN		Dec 1, 2011
Rep. Walberg, Tim [R-MI-7]	R · MI		Dec 1, 2011
Rep. Westmoreland, Lynn A. [R-GA-3]	R · GA		Dec 1, 2011
Rep. Wilson, Joe [R-SC-2]	R · SC		Dec 1, 2011
Rep. Yoder, Kevin [R-KS-3]	R · KS		Dec 1, 2011
Rep. Canseco, Francisco "Quico" [R-TX-23]	R · TX		Dec 6, 2011
Rep. Cravaack, Chip [R-MN-8]	R · MN		Dec 6, 2011
Rep. Kelly, Mike [R-PA-3]	R · PA		Dec 6, 2011
Rep. King, Steve [R-IA-5]	R · IA		Dec 6, 2011
Rep. Alexander, Rodney [R-LA-5]	R · LA		Dec 12, 2011
Rep. Bachmann, Michele [R-MN-6]	R · MN		Dec 12, 2011
Rep. Duffy, Sean P. [R-WI-7]	R · WI		Dec 12, 2011
Rep. Duncan, Jeff [R-SC-3]	R · SC		Dec 12, 2011
Rep. Herger, Wally [R-CA-2]	R · CA		Dec 12, 2011
Rep. Johnson, Bill [R-OH-6]	R · OH		Dec 12, 2011
Rep. Nunnelee, Alan [R-MS-1]	R · MS		Dec 12, 2011
Rep. Poe, Ted [R-TX-2]	R · TX		Dec 12, 2011
Rep. Gowdy, Trey [R-SC-4]	R · SC		Jan 23, 2012
Rep. Hall, Ralph M. [R-TX-4]	R · TX		Jan 23, 2012
Rep. Luetkemeyer, Blaine [R-MO-9]	R · MO		Jan 23, 2012
Rep. Rokita, Todd [R-IN-4]	R · IN		Jan 23, 2012
Rep. Kingston, Jack [R-GA-1]	R · GA		Jan 27, 2012
Rep. Scott, Austin [R-GA-8]	R · GA		Jan 27, 2012
Rep. Carter, John R. [R-TX-31]	R · TX		Jan 31, 2012
Rep. Conaway, K. Michael [R-TX-11]	R · TX		Jan 31, 2012
Rep. Johnson, Sam [R-TX-3]	R · TX		Jan 31, 2012
Rep. Jordan, Jim [R-OH-4]	R · OH		Jan 31, 2012
Rep. Marchant, Kenny [R-TX-24]	R · TX		Jan 31, 2012
Rep. Ellmers, Renee L. [R-NC-2]	R · NC		Feb 1, 2012
Rep. Austria, Steve [R-OH-7]	R · OH		Feb 3, 2012
Rep. Flake, Jeff [R-AZ-6]	R · AZ		Feb 3, 2012
Rep. Goodlatte, Bob [R-VA-6]	R · VA		Feb 3, 2012
Rep. Griffin, Tim [R-AR-2]	R · AR		Feb 3, 2012
Rep. Hunter, Duncan D. [R-CA-52]	R · CA		Feb 3, 2012

Cosponsor	Party / State	Role	Date Joined
Rep. Landry, Jeffrey M. [R-LA-3]	R · LA		Feb 7, 2012
Rep. Gallegly, Elton [R-CA-24]	R · CA		Feb 8, 2012
Rep. Sensenbrenner, F. James, Jr. [R-WI-5]	R · WI		Feb 8, 2012
Rep. Pompeo, Mike [R-KS-4]	R · KS		Feb 16, 2012
Rep. Gingrey, Phil [R-GA-11]	R · GA		Feb 29, 2012
Rep. Olson, Pete [R-TX-22]	R · TX		Feb 29, 2012
Rep. Schweikert, David [R-AZ-5]	R · AZ		Feb 29, 2012
Rep. Stivers, Steve [R-OH-15]	R · OH		Feb 29, 2012
Rep. West, Allen B. [R-FL-22]	R · FL		Feb 29, 2012
Rep. Culberson, John Abney [R-TX-7]	R · TX		Apr 17, 2012
Rep. Palazzo, Steven M. [R-MS-4]	R · MS		Apr 17, 2012
Rep. Benishek, Dan [R-MI-1]	R · MI		Apr 18, 2012
Rep. Bucshon, Larry [R-IN-8]	R · IN		May 9, 2012
Rep. LoBiondo, Frank A. [R-NJ-2]	R · NJ		May 9, 2012
Rep. Gosar, Paul A. [R-AZ-1]	R · AZ		May 16, 2012

### Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Discharged from	Feb 2, 2012

### Subjects & Policy Tags

#### Policy Area:

Crime and Law Enforcement

### Related Bills

Bill	Relationship	Last Action
112 S 3290	Related bill	<b>Jun 13, 2012:</b> Read twice and referred to the Committee on the Judiciary.

Prenatal Nondiscrimination Act (PRENDA) of 2012 - (Sec. 3) Imposes criminal penalties on anyone who knowingly or knowingly attempts to: (1) perform an abortion knowing that the abortion is sought based on the sex, gender, color or race of the child, or the race of a parent; (2) use force or the threat of force to intentionally injure or intimidate any person for the purpose of coercing a sex-selection or race-selection abortion; (3) solicit or accept funds for the performance of such an abortion; or (4) transport a woman into the United States or across a state line for the purpose of obtaining such an abortion.

Requires such violations or attempted violations to result in fines under the federal criminal code, imprisonment for up to five years, or both.

Authorizes civil actions, for verifiable money damages for injuries and punitive damages, by: (1) fathers, or maternal grandparents if the mother is an unemancipated minor, of unborn children who are the subject of an abortion performed or attempted through any of the above violations; and (2) women upon whom an abortion has been performed with a knowing or attempted use of force or threat of force to intentionally injure or intimidate any person for the purpose of coercing a sex-selection or race-selection abortion.

Authorizes, to prevent an abortion provider from performing or attempting further abortions in violation of this Act, injunctive relief to be obtained by the women upon whom such an abortion is performed or attempted, spouses or parents of a woman upon whom such an abortion is performed, or the Attorney General (DOJ).

Deems a violation of this Act to be prohibited discrimination under title VI (Federally Assisted Programs) of the Civil Rights Act of 1964. (Violators of title VI lose federal funding.)

Requires a medical or mental health professional to report known or suspected violations to law enforcement authorities. Imposes criminal penalties for a failure to so report.

Directs federal courts to expedite the disposition of any matter brought under this Act.

Prohibits a woman having such an abortion from being prosecuted or held civilly liable.

Directs courts to: (1) make such orders as 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; and (2) include with any such order specific written findings explaining why the anonymity of the woman must be preserved from public disclosure, how the order is essential and narrowly tailored to serve that interest, and why no reasonable less restrictive alternative exists. Requires, in the absence of such a woman's written consent, that any party, other than a public official, who brings an action under this Act do so under a pseudonym.

Defines "abortion" as 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 intended to: (1) save the life or preserve the health of the unborn child, (2) remove a dead unborn child caused by spontaneous abortion, or (3) remove an ectopic pregnancy.

(Sec. 4) Declares that, if any portion or application of this Act 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.

## Actions Timeline

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- **May 31, 2012:** Considered as unfinished business. (consideration: CR H3289-3290)
- **May 31, 2012:** Failed of passage/not agreed to in House: On motion to suspend the rules and pass the bill, as amended Failed by the Yeas and Nays: (2/3 required): 246 - 168 (Roll no. 299).
- **May 31, 2012:** On motion to suspend the rules and pass the bill, as amended Failed by the Yeas and Nays: (2/3 required): 246 - 168 (Roll no. 299).
- **May 30, 2012:** Mr. Franks (AZ) moved to suspend the rules and pass the bill, as amended.
- **May 30, 2012:** Considered under suspension of the rules. (consideration: CR H3180-3191; text of measure as reported in House: CR H3180-3182)
- **May 30, 2012:** DEBATE - The House proceeded with forty minutes of debate on H.R. 3541.
- **May 30, 2012:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **May 29, 2012:** Reported (Amended) by the Committee on Judiciary. H. Rept. 112-496.
- **May 29, 2012:** Placed on the Union Calendar, Calendar No. 349.
- **Feb 16, 2012:** Committee Consideration and Mark-up Session Held.
- **Feb 16, 2012:** Ordered to be Reported (Amended) by the Yeas and Nays: 20 - 13.
- **Feb 8, 2012:** Committee Consideration and Mark-up Session Held.
- **Feb 7, 2012:** Committee Consideration and Mark-up Session Held.
- **Feb 2, 2012:** Subcommittee on the Constitution Discharged.
- **Dec 6, 2011:** Subcommittee Hearings Held.
- **Dec 5, 2011:** Referred to the Subcommittee on the Constitution.
- **Dec 1, 2011:** Introduced in House
- **Dec 1, 2011:** Referred to the House Committee on the Judiciary.