remarks and include extraneous material on H.R. 748, the bill to be considered shortly.

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

There was no objection.

CHILD INTERSTATE ABORTION NOTIFICATION ACT

The SPEAKER pro tempore (Mr. PORTMAN). Pursuant to House Resolution 236 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 748.

The Chair designates the gentleman from Nebraska (Mr. TERRY) as chairman of the Committee of the Whole, and requests the gentleman from Florida (Mr. FOLEY) to assume the chair temporarily.

□ 1556

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 748) to amend title 18, United States Code, to prevent the transportation of minors in circumvention of certain laws relating to abortion, and for other purposes, with Mr. FOLEY (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

Mr. SENSENBRENNER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of H.R. 748, the Child Interstate Abortion Notification Act. Laws that require parental notification before an abortion can be obtained by a minor are overwhelmingly supported by the American people.

As recently as March 2005, 75 percent of over 1,500 registered voters surveyed favored requiring parental notification before a minor could get an abortion. In fact, the 2004 Democratic nominee for President said on ''Meet the Press'' this year, ''I am for parental notification.''

Across the country, medical personnel and others must obtain parental consent before performing routine medical services such as providing aspirin or including children in certain activities such as field trips and contact sports.

Yet, today, people other than parents can secretly take children across State lines in violation of parental notification laws for abortion without their parents even knowing about it.

Introduced by the gentlewoman from Florida (Ms. ROS-LEHTINEN), the Child Interstate Abortion Notification Act, or CIANA for short, will protect the health and physical safety of young girls and protect fundamental parental rights. This legislation contains two central provisions, each of which creates a new Federal crime subject to $100,000 fine or 1 year in jail or both.

The first section of the bill makes it a Federal crime to transport a minor across State lines in order to circumvent a State law requiring parental involvement in the minor's abortion decision. Twenty-three States currently have such parental involvement laws. The purpose of this section is to prevent people, including abusive boyfriends and older men who may have committed rape, from pressuring young girls into receiving a secret out-of-State abortion that keeps the abuser's sexual crimes hidden from that minor's parents or law enforcement authorities.

The first section of the bill does not apply to a minor seeking the abortion themselves or to their parents.

□ 1600

It also does not apply in life-threatening emergencies that may require that an abortion be provided immediately.

The second section of CIANA applies to cases in which a minor who is a resident of one State presents herself for an abortion in another State that does not have a parental involvement law. In those circumstances, the bill requires the abortion provider to give one of the minor's parents, or a legal guardian, notice of the minor's abortion decision before the abortion is performed. The purpose of this section is to protect the fundamental right of parents to be involved in a minor's decision to undergo a potentially dangerous medical procedure. A parent will be familiar with their daughter's medical history and able to give that information to a health care provider to ensure that she receives safe medical care and necessary follow-up treatment.

This section of the bill does not apply where the abortion provider is presented with court papers showing that the parental involvement law in effect in the minor's State of residence has been complied with. It also does not apply where the minor states that she has been the victim of abuse by a parent and the abortion provider informs the appropriate State authorities of such abuse. Furthermore, it does not apply where a life-threatening emergency may require that an abortion be provided immediately.

The need for this section was provided by Marcia Carroll, who testified on behalf of H.R. 748 before the Committee on the Judiciary. In her testimony, Mrs. Carroll described how her daughter, without Mrs. Carroll's knowledge, was pressured by her boyfriend's stepfather to cross State lines to have an abortion she did not want and which she now regrets. Mrs. Carroll said, ''My daughter does suffer. She has gone to counseling for this. I just know that she cries and wishes she could redo everything, relive that day over. She has asked me to come here for her sake and for other girls' safety to speak and let you know what was happening.''

It is important to note that nothing in this legislation prevents a minor from obtaining an abortion. CIANA simply protects the right of parents to be given a chance to help their children through difficult times. The Supreme Court has described parents' right to control the care of their children as ''perhaps the oldest of the fundamental liberty interests recognized by this Court.'' The Supreme Court has also observed that, ''The medical, emotional, and psychological consequences of an abortion are serious and can be lasting,'' and that ''it seems unlikely that the minor will obtain adequate counsel and support from the attending physician at an abortion clinic where abortions for pregnant minors frequently take place.''

The House of Representatives has passed similar legislation by over 100-vote margins in recent Congresses, and I urge all my colleagues to again support this legislation, which is so vital to parental rights and to the health and safety of America's minor daughters.

Mr. Chairman, I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield myself 4 minutes.

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

Mr. CONYERS. Mr. Chairman, ladies and gentlemen of the House, we have, this afternoon, a measure on the floor that will increase health risks to young women who choose to have an abortion, is clearly unconstitutional, is antifamily and antiphysician, and it goes way beyond limiting the travel rights of a young woman who would want or seek an abortion or forcing a physician to provide parental notices.

This bill is really about stopping any woman from crossing a State line to obtain an abortion under any conditions and about preventing a doctor from performing an abortion at any time. It is a tragic bill. It is a meanspirited bill.

If the proponents really wanted to allow young women to ever cross a State line to obtain an abortion, would they pass a law so extreme as to prevent even the woman's grandparents, aunts or uncles, siblings or clergy from helping safeguard the woman's safety? Why else would they pass a law that criminalizes not only taxi and bus drivers but nurses or any health professional who even gives a young woman directions home? There is only one possible answer, and that is they want to prevent any young woman from being able to obtain an abortion, even if she is raped, or even if she is too afraid of her parents to confide in them.

If the proponents of the bill really wanted to permit doctors to conduct abortions on young women under the proper circumstances, why would they force the doctors to travel in person across State lines to give actual written notice to parents? Why else would they fail to define what constitutes reasonable effort by a physician? Why else would they impose this burdensome requirement, even if a parent brought his or her child to the doctor's office to obtain this medical procedure?

So if the proponents really cared whether the bill complied with the Constitution, they would add a health exception that has been frequently enumerated by the Supreme Court in Stenberg versus Cahart; they would provide for a judicial bypass, as is mandated in Hodgson versus Minnesota. Yet the proponents continue to ignore the letter of the law and then act surprised and complain about activist judges when the Court merely does its duty and strikes down blatant unconstitutional proposals like the one before us today.

Unfortunately, this legislation constitutes yet another in a long line of shortsighted efforts to politicize tragic family dilemmas that does nothing to respond to the underlying problems of teen pregnancies, dysfunctional families, and child abuse. We in Congress should not be in the business of telling young women facing a terrible situation who they must confide in and that the Constitution does not apply to them.

Please listen carefully and reject this unwarranted piece of legislation.

Mr. Chairman, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio (Mr. CHABOT), the chairman of the Subcommittee on the Constitution.

Mr. CHABOT. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise in strong support of H.R. 748, the Child Interstate Abortion Notification Act, CIANA, which was introduced by my colleague, the distinguished gentlewoman from Florida (Ms. ROS-LEHTINEN). I would also like to thank our chairman, the gentleman from Wisconsin (Mr. SENSENBRENNER), for his leadership on this bill as well.

CIANA's predecessor, the Child Custody Protection Act, received broad support, passing this House by over 100-vote margins on three separate occasions, including the 105th, the 106th, and the 107th Congresses. H.R. 748, introduced this session, was favorably reported out of the Subcommittee on the Constitution on March 17 and out of the full Committee on the Judiciary on April 13 of this year.

Passing CIANA is critical to both protecting our minors as well as preserving the opportunity for parents to be involved in their children's decisions. The first section of CIANA, as our chairman mentioned, would make it a Federal crime to transport a minor across State lines to obtain an abortion in another State in circumvention of a State's parental notification law.

The primary purpose of the first section is to prevent people, including abusive boyfriends and older men, and oftentimes we have seen people in their twenties and we have seen girls 15, 16, 17 years of age here, so oftentimes it is statutory rape, from pressuring these young girls into circumventing their State's parental involvement laws by receiving secret out-of-State abortions, unknown to their parents. The parents are the ones that ought to be involved in making these oftentimes life-altering decisions, not some abusive boyfriend, not some older man whose interests are to protect himself and perhaps to do away with the evidence. He does not have that girl's best interests in mind. The parents are the ones that ought to be involved in making this decision.

CIANA recognizes certain exemptions to the act's requirements, including instances in which a life-threatening emergency may require an abortion be provided immediately; instances in which the abortion provider is presented with court papers showing that the parental involvement law in effect in the minor's home State has been complied with; and instances in which the minor states that she has been the victim of abuse by a parent and the abortion provider informs the appropriate State authorities of such abuse so that it can be prevented.

The statistics show that approximately 80 percent of the public favors parental notification laws, and as recently as last month, 75 percent of 1,500 registered voters favored requiring parental notification before a minor could get an abortion, with only 18 percent opposing parental notification.

Forty-four States have enacted some form of parental involvement statute. Twenty-three of these States enforce statutes that require the consent or notification of at least one parent or court authorization before a young girl can obtain an abortion, including my State, the State of Ohio. Such laws reflect the widespread agreement that the parents of a pregnant minor are best suited to provide counsel and guidance and support as the girl decides whether to continue her pregnancy or to undergo an abortion.

The Subcommittee on the Constitution heard firsthand about this life-altering procedure, as our chairman mentioned. We had the mother of a young girl. This young girl was essentially pressured by the boyfriend and the boyfriend's parents. This young girl's parents thought they were sending her to school; she was then taken out of State, from Pennsylvania into New Jersey, where an abortion was performed on her. The parents and the boyfriend, they went out and had lunch while she is undergoing this abortion.

This girl did not want to go through with it to begin with. They pressured her, and when she got there, she said she did not want to go through with it. That was the evidence in the committee. She was told by them if you do not go through with this, you do not have a way to get back home. So she would have been stuck there. The mother found out about this, and the daughter, she said, still cries about this constantly; that she wishes she could go back and undo what happened to her, but obviously it is too late.

The parents should have been entitled to have been involved in this process, but, unfortunately, too often that is not the case if they are being pressured by the boyfriend or some abusive adult. Parents such as Mrs. Carroll should be given the chance to be involved in these life-altering decisions. Confused and frightened young girls who find themselves in these situations are routinely influenced and assisted by adults in obtaining abortions and are encouraged to avoid parental involvement by crossing State lines.

These girls are often guided by those who do not share the love and affection that the parents do. It should be the parents involved. Parental involvement is critical. I strongly urge my colleagues to support this legislation.

Mr. CONYERS. Mr. Chairman, I am pleased now to yield 4 minutes to the gentleman from New York (Mr. NADLER), the ranking member of the Subcommittee on the Constitution, who has worked with great diligence on this subject across the years.

Mr. NADLER. Mr. Chairman, I thank the gentleman for yielding me this time, and first let me begin by noting that the case just alluded to by the gentleman from Ohio (Mr. CHABOT), that in the case where a young woman was held coercively, was threatened if she did not go through with an abortion she would not be able to get home, would seem to violate the laws against kidnapping and half a dozen other criminal laws. If those people were not prosecuted, it is the district attorney's fault. We do not need this bill to deal with a situation like that.

Mr. Chairman, we consider today legislation that is at once another flagrant violation of the Constitution and an assault on the health and well-being of young women and their health care providers. Some States have chosen to enact parental notification and consent laws. Some, like mine, have considered this issue and decided such laws are not good for the welfare of young women and have declined to enact them. This bill would use Federal authority to impose the restrictive laws of one State on abortions performed in another State. It would, in effect, make a young girl carry the law of her State on her back wherever she goes.

Mr. Chairman, I know of no law that has attempted to do this kind of thing since the Fugitive Slave Act of the 1850s. This bill would make criminals of grandparents, boyfriends, brothers, sisters, and clergymen and women who try to help a young woman, a young

woman who had a fear or alienation and thinks she cannot confide in her parents.

It would even apply to a case such as that of a 13-year-old from Idaho, Spring Adams, who was shot to death by her father after he found out that she planned to terminate a pregnancy, a pregnancy he caused by his act of incest. Under this bill, he would have the parental notification or veto right.

This bill is radically different from previous versions. If you voted for this bill in the past, look again. It would now, for the first time, jail doctors. It would now, for the first time, require doctors to know the laws of all 50 States. It would now, for the first time, require a doctor to fly to the young woman's home State and ring her parents' doorbell before treating her. Even if the young girl's State of residence and the doctor's State have both decided not to enact parental notification or consent laws, this bill would impose a new Federal parental notification law that is more Draconian than the laws of most States.

□ 1615

This bill imposes a 24-hour waiting period and does not waive that requirement even if the parents accompany the young woman to the abortion doctor and even if a delay would threaten her health. That is not only unconstitutional; it is immoral. Congress should not be tempted to play doctor. It is always bad medicine for women.

In an ideal world, loving, supportive and understanding families would join together to face these challenges. That is what happens in the majority of cases, law or no law; but we do not live in a perfect world. Some parents are violent; some parents are rapists. Some young people can turn only to their clergy, to a grandparent, a brother, a sister, or some other trusted adult. We should not turn these people into criminals simply because they are trying to help a young woman in a difficult or dire situation.

This bill is the wrong way to deal with a very real problem. It does not provide exceptions to protect the young woman's health. It does not provide exceptions where a parent has raped a young woman. It even allows the rapist to sue the clergyman or the doctor who tries to help the doctor deal with the effects of the rape committed by the rapist. It allows the rapist to sue the doctor and gain from his crime.

I urge my colleagues to reject this legislation on both constitutional and policy grounds. If only for the sake of humanity, I urge Members to join in providing the needed flexibility for the most difficult real-world cases involving the lives of real young women. We owe them at least that much.

We also owe the States the respect to note that some of them have passed such laws, some have not. Why should we impose these laws in States that have not done it? Why should we tell someone in one State because you came from another State, you are subject to the laws of that State wherever you go. We do not do that in this country generally. We are supposed to be a Federal Republic, although increasingly in this House we seem to forget that. I urge rejection of this bill.

Mr. SENSENBRENNER. Mr. Chairman, I yield 3 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN), the author of the bill.

Ms. ROS-LEHTINEN. Mr. Chairman, I would like to commend the gentleman from Wisconsin (Chairman SENSENBRENNER) for his critical leadership on this bill, as well as the gentleman from Ohio (Mr. CHABOT) for his help throughout this process.

As a mother of two teenage daughters, I, like so many Americans, believe that we as parents have a right to know what is going on in our daughters' lives, especially with regard to a potentially life-threatening medical procedure. And my bill, the Child Interstate Abortion Notification Act, CIANA, will incorporate all of the provisions previously contained in the Child Custody Protection Act making it a Federal offense to transport a minor across State lines in order to circumvent that State's abortion parental notification laws.

In addition, the bill will require in a State without a parent notification requirement, abortion providers are required to notify a parent. It will protect minors from exploitation from the abortion industry. It will promote strong family ties, and it will help foster respect for State laws.

This legislation will put an end to the abortion clinics and family planning organizations that exploit young, vulnerable girls by luring them to recklessly disobey State laws. This legislation has had the support of the overwhelming majority of Members who have voted in favor of a similar, but not identical, bill in not only 1998 and in 1999 but also in 2002. Today, CIANA has 129 cosponsors. The people have spoken in the past, and so have their representatives.

I am extremely hopeful that this Congress will pass this common-place and commonsense legislation. I hope it will pass the House and the Senate, and the President has said he will sign the bill into law. I encourage my colleagues to vote in favor of this legislation and reject weakening amendments that seek to put loopholes in this bill.

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. WATERS), a member of the Committee on the Judiciary.

Ms. WATERS. Mr. Chairman, I rise in strong opposition to what I think is an outrageous piece of legislation that is going to harm women and make criminals out of innocent individuals and even grandmothers who seek to help their granddaughters travel across State lines in order to end their pregnancy.

Mr. Chairman, we worked very hard in the Committee on the Judiciary to try and make sense out of this bill. Those of us who oppose this legislation thought for one minute that perhaps our colleagues would have enough humanity to recognize that there ought to be some exceptions to this bad bill. One that I dealt with had to do with incest.

Can Members imagine that a young girl has been raped or abused by a father, and now she has to go to him to ask him for permission to have an abortion; but beyond that, permission to travel out of the State to another State where the laws are different and would allow for abortion, perhaps without a bypass procedure?

It is inconceivable to me that we would have been denied this kind of an amendment. It is inconceivable to me that my colleagues on the other side of the aisle would think that they should not only force a young girl who is the victim of incest to go to the perpetrator, maybe the father or the relative to ask them for permission, they even create penalties for anyone that would assist the young girl in traveling across State lines. This is absolutely outrageous and unreasonable.

Young women in this country increasingly are confronted with far too many traumatic situations. We have sexual predators out there, many in the headlines today. We have more and more cases of incest that we are learning about, and at the same time we would make life more difficult for someone who is the victim of incest. I would ask my colleagues to reject this legislation. It is absolutely unreasonable.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX. Mr. Chairman, I thank the gentleman from Wisconsin (Chairman SENSENBRENNER) for yielding me this time to speak on this important issue.

I rise today to urge my colleagues to support H.R. 748, the Child Interstate Abortion Notification Act. This important piece of legislation will make it a Federal crime to transport a minor across State lines to obtain an abortion in another State.

Unfortunately, only about half our States currently have parental notification or consent laws in effect, and all too often these laws are circumvented by those wishing to take minors to other States that do not have parental notification requirements. This often happens under heavy pressure from older boyfriends or at the urging of abortion providers.

In order to protect the welfare of young women and the rights of their parents, Congress has a duty to regulate this interstate activity. Furthermore, those who manipulate and abuse young, vulnerable, pregnant women should be punished. This must include irresponsible abortionists who perform abortions on young women from other States. As Federal lawmakers, we also

have an obligation to protect the rights of the States. Unfortunately, when it comes to abortion, these State laws are being trampled on at the expense of vulnerable young women and their families.

Life does begin at conception and is sacred. We should do all we can to protect life. This includes empowering the States that have parental notification laws to enforce them. Abortionists should not be rewarded for opening their businesses to new markets in other States. The health and well-being of these young women is at risk.

I am optimistic about the future of this legislation because of the tenacity of the gentlewoman from Florida (Ms. ROS-LEHTINEN), the 129 cosponsors of the bill, the support the Committee on the Judiciary and the chairman of the committee, and our leadership in the House. Life is a gift from God delivered at conception. It must be protected and cherished at that point forward. I am happy and honored to be here to celebrate another great stride towards that goal.

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. LINDA T. SÁNCHEZ) who has worked tirelessly on the committee on this subject matter.

Ms. LINDA T. SÁNCHEZ of California. Mr. Chairman, I rise today in strong opposition to the Child Interstate Abortion Notification Act. This is simply another example of anti-woman and anti-choice legislation that jeopardizes a young woman's health and is at odds with the United States Constitution.

This bill will leave young girls like Spring Adams completely unprotected. Spring was a 13-year-old sixth grade student from Idaho who became pregnant as a result of her father's shameful actions. When Spring's father became aware that she planned to terminate the pregnancy, he shot and killed her. If H.R. 748 were law, girls in Spring's tragic circumstances would be more vulnerable to harm since young women will be forced to notify the same parent that sexually abuses them of their plan to seek medical care. Is that the dangerous situation we want to put an abused girl in?

What is worse is that H.R. 748 does not contain a health exception which is dangerous to a young woman's health. Under this bill, doctors will be guilty of a crime if they do not wait 24 hours before performing an abortion, a medical procedure, on a young girl even if the girl is at risk for serious injury. This means that in some circumstances conscientious doctors must sit on their hands and wait for 24 hours as young female patients suffer from complications and risk permanent injury.

Mr. Chairman, 24-hour delays are not always an option when a young girl is pregnant and experiencing medical complications. And if these victimized girls ask a caring grandparent or aunt to drive them to another State for an abortion, even if the girl is at risk for serious injury or has been sexually abused by a parent, their family members will be guilty of a crime and may wind up in prison.

That is a heavy price to pay for trying to help and protect a loved one. Doctors and grandparents should not have to make the unthinkable choice between protecting a patient or granddaughter from serious physical injury and going to jail. This bill forces them to make that impossible choice. For this reason, I urge every Member of this body to stand up for women's health, stand up for the U.S. Constitution, and vote ''no'' on this bill.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I rise today in support of the Child Interstate Abortion Notification Act. While many States require parental notification or consent before an abortion procedure, others do not. The gentlewoman from Florida (Ms. ROS-LEHTINEN) introduced this bill to prohibit the transportation of a minor across State lines in order to obtain an abortion.

As we have all heard in the discussion today, there are no Federal parental notification laws and not every State operates under the same rules. There are some States that do not require a parental consent form or notification, or their laws may be tied up in a court challenge, as was the case in Florida; but the voters voted overwhelmingly to have parental notification. When a minor is transported across State lines to evade these State laws, the rights of parents have been violated.

I only have daughters. I have three daughters and certainly any parent realizes that their children cannot have such a minor thing as a tattoo or a body piercing or even receive vaccines in school without their consent. Is it asking too much that our children receive parental consent before they undergo an out-of-state and serious medical procedure, all without their parents' consent? Can you imagine learning that your daughter was transported across State lines because she thought it was her only option? That is just plain wrong.

Mr. Chairman, we must support the Child Interstate Abortion Notification Act today. Certainly Congress does not want to condone nonparents transporting young women across State lines for the purpose of evading the parental involvement laws in the girl's home State. To me that is a dangerous and unconscionable precedent to set. Across the country, officials must obtain parental consent before performing even routine medical procedures.

Mr. CONYERS. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Chairman, the sponsor of this legislation, the gentlewoman from Florida (Ms. ROS-LEHTINEN), is my colleague and friend; but on this issue I must respectfully disagree with her.

I know that most of my colleagues believe teens should communicate with their parents and guardians when faced with difficult and terrifying choices. Unfortunately, that does not always happen; and in some cases where abuse and neglect are involved, we cannot force it to happen. In every community in every congressional district, whether red or blue, the sad truth is that there are unspeakable acts perpetrated against young girls by relatives that result in pregnancy, and this legislation does nothing to protect them.

In a perfect world, there would be no heinous acts against children. In a perfect world, no woman would become pregnant until she was spiritually, physically, and emotionally prepared to love and care for a child.

□ 1630

Just over a month ago, I stood on the floor of this House because I firmly believed that politicians have no right to meddle in personal and private affairs of medical decisions. As recent actions and events have reflected, leaders in this Congress across the country are seeking more ways to violate the Nation's laws and our personal freedoms in order to impose their will on American families. This is not the role of Congress, nor should it be. This legislation includes no provision for a teenager who fears turning to her parents because the pregnancy may be the result of an act of rape or incest. It is wrong and we must stop it.

Mr. SENSENBRENNER. Mr. Chairman, I yield 1 minute to the gentleman from Alabama (Mr. ADERHOLT).

Mr. ADERHOLT. Mr. Chairman, I rise today to voice my strong support for H.R. 748. And I thank the Committee on the Judiciary for allowing Members to speak on this bill and also particularly the gentlewoman from Florida, who brought this legislation to the floor and who has worked on this legislation to get it through.

Needless to say, this bill is something that many of us feel very strongly about, that will protect our daughters of minor age from those who would seek to harm them or that would interfere with that parental/child relationship.

In my State, for example, Alabama, we have a one-parent consent or judicial bypass law that is currently on the books. Three of the States that border Alabama, Georgia, Tennessee, and Mississippi, have laws that are at least as stringent as those in Alabama. The fourth State, Florida, currently has no parental involvement statute in effect, which in essence means that minor children from Alabama can be taken into Florida to have an abortion with no parental involvement.

I in no way believe that this legislation punishes young women. It was put there to protect them. Therefore, I

would urge my colleagues to vote in support of this important legislation.

Mr. CONYERS. Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Mr. Chairman, I thank the gentleman for yielding me this time. I applaud his leadership.

And I would like to be associated with the comments of the Members of minority in their comments strongly against this bill. It is not about protecting children. It is merely a part of the majority's agenda to please antichoice extremists. If the majority were truly concerned about children, then this bill would not be so extreme, so complex, and so unconstitutional. It provides no exception for the health of the mother, as required by the Supreme Court. It does not always provide an option for judicial bypass, which is also required by the Supreme Court. And it violates States rights by forcing the laws of one State on to another.

What this bill is really about is the majority war with our courts. The majority knows that this bill is unconstitutional, but they do not care. And when the first court determines that it is unconstitutional, the majority will blame the judges, just as they labeled them judicial activists, as they did in the Terri Schiavo case, and just as they did in the partial birth abortion case. Believe me, when the judges make their decision, it will be based on volumes and volumes of case precedent that sets the standard of constitutionality and not on a political agenda.

I urge my colleagues to vote ''no.''

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the gentleman from Kentucky (Mr. DAVIS).

Mr. DAVIS of Kentucky. Mr. Chairman, as a father with four daughters, the safety and well-being of young women are among my absolute priorities. The Child Interstate Abortion Notification Act is not a bill that affects a minor's right to have an abortion. It is a bill that protects young women from being pressured into having an abortion. The legislation requires that abortion providers provide 24-hour notice to one of the minor's parents or legal guardians before the procedure is performed. Abortion is already taking one life. We have a duty to protect the lives of the young girls forced to have these procedures.

Kentucky is among the Commonwealths and States that have parental involvement laws for minors seeking an abortion. An overwhelming majority of Americans support these laws, and parents, unlike those taking a young girl over State lines for the procedures, have the girl's best interests at heart. The decision to end the life of an unborn child is not one that should be made by a frightened young girl forced into a clinic.

Too often the men transporting the girls are either abusive boyfriends or men who have committed rape and are trying to dispose of the evidence. These predators should not be given the opportunity to circumvent State law and circumvent a girl's parents.

The House has passed legislation similar to this in the past, and we find ourselves here again supporting a bill that will protect young women. Officials must obtain parental notification before dispensing aspirin to minors and before taking students on field trips. States require written parental consent before a minor can get a tattoo or body piercing. But our current laws allow a young girl to be taken across the State lines for an abortion without notifying her parents. This is despicable. It is dangerous. And it should be stopped.

I urge my colleagues to join me to pass the Child Interstate Abortion Notification Act so that we can protect young girls and involve their parents or legal guardians in decisions of life or death.

Mr. CONYERS. Mr. Chairman, I yield 1 minute to the gentlewoman from Wisconsin (Ms. BALDWIN), a distinguished member of the Committee on the Judiciary.

Ms. BALDWIN. Mr. Chairman, I rise today in strong opposition to H.R. 748.

This bill is yet another example of government intrusion into the most private of family decisions, and it once again criminalizes the actions of doctors who seek to provide women with confidential reproductive health care services.

Mr. Chairman, in a perfect world every child would be able to turn to their parents for guidance. In a perfect world, every parent would have their child's best interests in mind. In a perfect world, every parent would create a safe and loving home where their teens could talk openly about important decisions.

But, Mr. Chairman, we do not live in a perfect world. And mandatory parental notification and consent laws like the one before us harm exactly those people whom our laws should be looking out for, those who cannot turn to their parents for guidance. These young women who feel they cannot turn to their parents often enlist the help of a grandparent or an aunt or a trusted family friend. H.R. 748 would make it a Federal crime for any of these people to help the young women in need.

I urge my colleagues to vote against this deplorable legislation.

Mr. SENSENBRENNER. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I have to take issue with the gentlewoman from Wisconsin (Ms. BALDWIN). She says this bill involves itself in the most personal of family decisions. How does it involve itself in a family decision when the family does not even know about it? And what this bill requires is that the family at least know about the fact that their daughter is being taken across a State line in circumvention of a State law requiring parental involvement.

Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. FERGUSON).

Mr. FERGUSON. Mr. Chairman, I certainly thank the gentlewoman from Florida for offering this legislation. I commend her, and I am proud to be an original cosponsor of this legislation.

We work so hard in the policies that we pass in this body. We work so hard in so many ways in this country today to try to help families to stay together. We try to encourage communication between parents and their kids. And that is exactly what this legislation is designed to do. It is designed to encourage parents and their children to have more conversations, to be communicating about some of life's most difficult and challenging circumstances and decisions that have to be made in families today.

We have young kids in our family, and time after time after time, kids come home from school with permission slips. They cannot do anything in school today without a permission slip. A school trip, being on a bus, participating in some activity. We cannot do anything in schools today, with young people today, without getting a permission slip from their parents. A child cannot get an aspirin in school without getting permission from their parents.

Yet with this legislation, we are simply suggesting and requiring that if someone is going to try to take a young child, a minor, a young woman, a girl, across State lines to evade a law that is designed to have parents and their children talking and communicating about some of the toughest things that families have to deal with, we are talking about an abortion procedure. We are talking about an invasive surgical procedure. It requires anesthesia. And we are saying that parents should not necessarily be involved in that decision? My gosh, it betrays common sense. It betrays norms for decency and common sense. We are talking about an invasive surgical procedure that requires anesthesia, when we require a parent to be notified and to give consent for their child to have an aspirin or to ride on a bus or to go on a school trip; yet saying parents should not be involved necessarily when their child is going to have an invasive surgical procedure requiring anesthesia simply betrays common sense.

I certainly encourage and urge passage of this legislation.

Mr. CONYERS. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Chairman, I rise today in opposition to H.R. 748.

Let us just pause for a moment and think about what it does. Will it prevent unwanted pregnancies that teenagers today have, although in smaller numbers, at least in California where we have had good education? Let us get real about it.

I think it glosses over the complexity of real people's lives and abandons

young women at a critical time. Young women deserve better than H.R. 748's complicated grid of State laws and intimidating legal procedures.

We cannot mandate healthy communication where it does not exist. Just the opposite, I think, can happen from this bill. But we can work together to prevent teen pregnancies through education, through counseling, through access to family planning services. Please let us focus on prevention rather than restrictions.

Mr. SENSENBRENNER. Mr. Chairman, I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, would the Chair inform us as to how much time remains on both sides?

The CHAIRMAN. The gentleman from Michigan (Mr. CONYERS) has 14 minutes left. The gentleman from Wisconsin (Mr. SENSENBRENNER) has 8½ minutes left.

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

It is very critical that we understand whose side everyone is on. The Center for Reproductive Rights, the American Medical Association, the American College of Obstetricians and Gynecologists, who are all opposed to this bill, the American College of Physicians, the American Public Health Association, Planned Parenthood, all have longstanding policies opposing mandatory parental involvement laws because of the dangers they pose to young women and the need for confidential access to physicians.

We have yet to have anyone explain why it is that the exception for health is not included in this law. So the dangers that are posed to young women in H.R. 748 underscore the need for confidential access to physicians. It is absolutely critical that we realize that this is about developing more human regulations of this very terrible circumstance.

Very little has been said on the other side about the constitutional concerns and the fact that we refuse to recognize that the lack of parental notification provisions raise at least three serious constitutional concerns.

□ 1645

So I urge the Members to consider how much more Draconian this law is than the previous bills that have been on the floor.

Mr. Chairman, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Chairman, I thank the chairman for yielding me this time. I do rise in strong opposition to this bill. I am a strong supporter of my own State's law requiring parental involvement, but I strongly oppose this bill.

First of all, it is quite different from any bill that has appeared before us, and it is truly ironic that we should have this bill before the House on the very same day we are passing a Small Business Bill of Rights. One of those rights is for small business to be relieved of litigation.

The majority of physicians in America practice in one, two, or three-man practices, which are small businesses. But, this bill opens up a new lawsuit possibility against them for civil damages in case they do not notify the parents, and that is plural, of a young person who comes to them for abortion services. It requires that the physician serve this notification in person. Now, what happens if that doctor gets in his car, goes and drives and notifies the mother, but since he does not know the mother and father are estranged, he does not notify the father. The father then has a right of action against him.

This is not fair or right. This bill requires physicians to reveal information that under HIPAA and all confidentiality laws, they are not allowed to reveal. So this puts a burden on physicians that is extraordinary, and they are small businesses, and we need to remember that.

Secondly, it puts young people, remember, it does not put the teenager of a healthy family in jeopardy, it puts the teenager of the at-risk family, of the family in which there is a lot of abuse, in jeopardy. Many of the teenagers who become pregnant young are pregnant because their fathers impregnated them, or an uncle or a nephew or a cousin. These are ugly situations, and if they find a grandmother or an aunt or a cousin who will substitute for a mother who may be the drugee and effectively out of their lives, who might help them deal with this situation, and that grandmother does not happen to know that she has to comply with State notification and all the other laws of both States, she will be subject to criminal penalties.

This is a bad bill for the children who most need our help.

Mr. CONYERS. Mr. Chairman, I yield 2 additional minutes to the gentleman from New York (Mr. NADLER), the subcommittee ranking member.

Mr. NADLER. Mr. Chairman, we have alluded repeatedly in this debate to the reasons why this bill is oppressive and is wrong, and we have alluded to the fact that it is unconstitutional, but we have not really gone into that.

The fact is that under the rulings of the Supreme Court, it is not permissible to pass a law which has the effect of imposing one State's legal requirements on another State, as this bill does. In essence, the bill imposes on States and physicians the laws of the States that have the most stringent requirements on abortion. Federalism dictates that one has the right to be treated as a welcome visitor rather than an unfriendly alien when temporarily present in another State, according to the privileges and immunities clause of the 14th amendment.

In the Saenz case in 1999, the Supreme Court held that a State cannot discriminate against a citizen of another State when there is no substantial reason for the discrimination, except for the fact that they are a citizen of another State. The court specifically referred to Doe v. Bolton, the companion case to Roe v. Wade, where it said the State cannot limit access to its medical care facilities for abortions to in-State residents. A State must treat all that are seeking medical care within that State in an equal manner.

This bill would, in effect, say that there are two legal regimes in a State. One is the regime, the system, the set of laws that apply to residents of that State passed by the State legislature of that State. The second law that applies applies to people who came from another State, and it is the laws of that other State that apply, plus the laws of this State. Constitutionally, you cannot do that. You cannot make, you cannot make a young woman carry the law of one State on her back wherever she goes because she originated in that State.

I said before that Congress has made no attempt to use Federal authority to impose the laws of one State on another since the Fugitive Slave Act. The Fugitive Slave Act, if passed today, would clearly be unconstitutional. This bill is clearly unconstitutional, as well as oppressive.

It is also wrong because the States that have decided not to impose such laws on their own citizens should not be forced to because we say so.

Mr. SENSENBRENNER. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I thank the distinguished chairman for yielding me this time, and I wand to commend him and the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from Ohio (Mr. CHABOT) for their outstanding work that they have done, and many others, on this very important legislation to protect life—especially the lives of underage teenagers.

Mr. Chairman, abortion mills in my home State of New Jersey go so far as to buy ads, especially in the yellow pages, to promote abortion for minors residing in Pennsylvania, where parental consent is required for abortion, to come to my State, where no parental involvement of any kind is needed. The marketing of teenage abortions in this way, Mr. Chairman, or in any way, for that matter, is morally indefensible. The abortion industry's engraved invitation to vulnerable young girls to procure a secret abortion means it becomes more likely and that more abortions will indeed occur. That means, Mr. Chairman, more dead babies; that means more wounded moms.

Earlier in this debate, the gentlewoman from California (Mrs. CAPPS) suggested that the Child Interstate Abortion Notification Act somehow constituted an ''abandonment'' of minor girls. Well, I thought I had heard just about everything one could hear in my 25 years in Congress during abortion debates, but to call a bill designed

to protect vulnerable teenagers from abuse by abortion mills and those who would facilitate that abuse ''abandonment'', is deeply and profoundly troubling. I respectfully submit that enabling secret abortions by underage teenagers without parental knowledge or consent is, in and of itself, abandonment. To abandon is to forsake, to desert, to give up on. Why abandon a 14-year-old or a 15-year-old or a 16-year-old to an abortion mill where she could be severely hurt and where the baby will be killed? Moreover, Mr. Chairman, abortion itself, by definition, is an act of abandonment of a baby.

Let us not kid ourselves. Abortion mills do not nurture, they do not heal, they do not cure disease; unless you construe pregnancy to be a disease, and some abortionists do, including Dr. Willard Cates, who used to be the head of the CDC Abortion Surveillance Unit and gave a 1976 speech before Planned Parenthood, titled ''Pregnancy: The Second Most Prevalent Sexually Transmitted Disease After Gonorrhea.'' But if you do not see pregnancy as a disease and the child a tumor or wart, then we are talking about abandonment.

Abortion clinics are in the business, and a Member just a few moments ago talked about abortion mills as small business. It is not just small business; this is big business, and abortionists make millions of dollars plying their lethal trade. But they are in the business, I say to my colleagues, of dismembering the fragile bodies of unborn children with sharp knives and hideous suction machines that are 25 to 30 times more powerful than a vacuum cleaner used at home. This is not healing, this is killing, and it is abandonment.

I say to my colleagues, no wonder 3 out of 4 Americans strongly support parental notification laws. This bill ensures that those State laws are not violated and young girls and young women are protected from abuse and abandonment.

Mr. CONYERS. Mr. Chairman, I yield 2½ minutes to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Chairman, I rise in opposition to the bill.

Mr. Chairman, under this legislation, we get two crimes for the price of one. H.R. 748 would not only make a felon out of anyone, a stepparent, grandparent, aunt, or member of the clergy who accompanies a young woman across State lines for an abortion; it would make a felon out of any doctor who performs an abortion on a minor from another State without having first obtained parental consent, in person, and abided by a 24-hour waiting period. In my judgment, this is a terribly misguided bill that has the potential to isolate young people and put doctors in the unthinkable position of having to decipher State and Federal law before practicing good medicine.

Thankfully, most young women involve their parents in the decision to seek an abortion. But, under this legislation, those who feel they cannot turn to their parents when facing an unintended pregnancy, and my colleague, the gentlewoman from Connecticut (Mrs. JOHNSON) talked about the terrible cases of incest where a young woman is impregnated by a father or a stepfather, they will be forced to fend for themselves without any help from a responsible adult. Some will seek unsafe abortions close to home. Others will travel to unfamiliar places, obtaining abortions by themselves. We should encourage the involvement of responsible adults in these difficult decisions, not criminalize this compassion.

Mr. Chairman, every single Member of this body knows that we cannot legislate family relationships. Sadly, parental consent laws do not always force young women to talk to their parents. In fact, we know that in some circumstances, these laws, without any exemptions, can literally tear families apart.

This bill is not about involving parents in the lives of their daughters, or about ensuring that doctors practice medicine responsibly or well; in my judgment, it represents a lack of compassion, empathy, and moral judgment. It distracts us from doing things that will actually help young people and their families make abortion less necessary, teaching and encouraging abstinence, fostering safe and healthy relationships in adolescence.

I believe this body can do better, and I encourage my colleagues to oppose this legislation.

Mr. SENSENBRENNER. Mr. Chairman, I yield 1 minute to the gentleman from Illinois (Mr. HYDE), my distinguished predecessor as chairman of the Committee on the Judiciary.

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

Mr. HYDE. Mr. Chairman, the question was asked, whose side are we on? I am on the side of the family. It seems to me the practice of ferreting some pregnant girl who is a minor out across the State line so that parents will not know about it is an assault on the family, and I do not know why the family should be assaulted as much as it is routinely by some elements. Where in the world is the humanity in killing an unborn child?

I have listened to this whole debate, and not one syllable has emanated from the opposition to this bill about the real tragedy of abortion: the killing of an innocent human life. That is what abortion is. And you are busy attempting to facilitate abortions.

The litany of medical societies that support abortion is a scandal. At one time, abortion was a crime. Now it is a constitutional right. But it is wrong, and the sad thing is, we have gotten used to it.

This is a good bill and we ought to support it. Get on the side of the family.

Mr. CONYERS. Mr. Chairman, I am pleased now to yield 2 minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I thank the distinguished gentleman from Michigan for yielding me this time.

I want to ask my colleagues to ask themselves, what messages are we sending to young women and girls about what their value is, with no provisions and no exceptions and no safety clauses in this bill to protect them from abuse? Why could we not have an amendment to ensure that protection for those young girls?

□ 1700

Mr. Chairman, I urge my colleagues to consider all of the unintended consequences and ramifications of passing this legislation. But more importantly, I ask them to consider the young women and girls and families whose lives we will be impacting. The result of this legislation, sadly, will not be more communication between parents and their daughters. It will not result in fewer minors becoming pregnant. It will result in more young girls ending their pregnancies themselves, giving birth in bathroom stalls and potentially harming their newborns and themselves. These and other dire outcomes are the potential unintended consequences of this legislation.

Mr. Chairman, I urge my colleagues to think carefully through the consequences of this legislation.

Mr. CONYERS. Mr. Chairman, I am proud to yield 1½ minutes to the gentlewoman from California (Ms. SOLIS), cochair of the Women's Caucus.

Ms. SOLIS. Mr. Chairman, I also rise in opposition to H.R. 748, the Child Interstate Abortion Notification Act. This bill especially concerns me because it endangers the lives of young women who are seeking abortion services in emergency circumstances, such as rape and incest.

The travel restrictions in this bill make it a Federal crime for any person other than a parent to assist a minor across State lines to access abortion services.

Unfortunately, this is not inclusive of young women who seek help from a grandparent or another family member when the relationship with the parent is either nonexistent or unhealthy. This places a burden on young women who are unable to seek help from a parent.

Plus, it is important to realize that often women must travel across State lines because they do not have reproductive health providers close by.

The notification requirements also place a burden on doctors. Under this bill, it would be illegal for a doctor to perform an abortion without first notifying a parent. This will not only deter doctors from performing such services but also endanger the life of a young woman who may not be able to consult with a parent. This could create a very dangerous situation at home.

The bill does not provide exemptions for critical and dangerous health situations which endanger a woman's life. The bill endangers the life of young women, and I encourage my colleagues to vote against the bill.

Mr. CONYERS. Mr. Chairman, it is my pleasure to yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Chairman, this bill imposes a Federal parental notification requirement on the 27 States, including my own of Illinois, that either have no parental involvement law in effect, or require parental involvement but allow flexible alternatives, such as allowing an adult family member to be notified or give consent.

Since Illinois has no parental involvement law in effect, the bill will impose tough and unrealistic requirements to Illinois providers for the first time. Under the bill, doctors will be asked to comply with other State laws, verify the information provided by patients, and obtain in-person parental consents, even if the parents were abusive or guilty of incest.

To make matters worse, because this bill lacks an adequate exception for medical emergencies, Illinois doctors could be force to withhold needed medical treatment from their patients in order to comply with this Federal law.

Young people from Missouri, Indiana, and other neighboring States often travel to Illinois for safe abortion care, frequently because the nearest abortion provider happens to be located in Illinois. Yet this legislation would criminalize responsible adults.

Mr. CONYERS. Mr. Chairman, I am now pleased to yield the remaining time to the gentlewoman from Colorado (Ms. DEGETTE), chair of the Pro-Choice Caucus.

Ms. DEGETTE. Mr. Chairman, I rise in opposition to this legislation. The bill before us is so ludicrous it would be laughable if it were not so dangerous. The bill is blatantly unconstitutional. It is unrealistic, and it is cruel.

Not since the Fugitive Slave Act has there been a law designed to extend individual State laws beyond their boundaries to intrude into the jurisdiction of other States.

The debate on this bill so far has centered on what young women should do, how families ought to be. And there is not any disagreement among us about how much we all love our kids. We all want the best for our kids, no matter what. And when it comes to making big decisions, I think we would all want our kids to come to us for advice. Certainly I would want my 15-year-old daughter to come to me first, and I think she would.

And, in fact, the majority of young women do involve one or more parents when considering an abortion. But, sadly, this is not the case for all young people in this country. For myriad reasons, many adolescents and young adults cannot turn to their parents with a problem like this. And in many situations, they have a very good reason. For example, what about the victims of incest?

Of course teenagers should seek out their parents' advice, but we also need to face reality. We need to do what will help these desperate kids from making a bad situation worse, even to take their own lives.

The government cannot, my friends, mandate healthy, open family communication when it does not exist. The bill here will not make families stronger, and will put more young women at risk.

Not everybody talks to their parents, because they cannot. And so it is these young people who most need the advice and assistance of a trusted family friend, a minister, or a sympathetic grandmother. When a young woman cannot involve her parents, public policies and medical professionals need to encourage her to involve a trusted adult. And if you look at this bill, it does just the opposite of that. If it is passed into law, these young women will have to face this life-altering decision themselves, alone and without any medical help.

So why do so many major medical associations, including the AMA, the American College of Obstetricians and Gynecologists, the American College of Physicians, and the American Public Health Association, all have longstanding policies against parental notification laws?

Because they are dangerous to these young women and they take away the need for confidential access to physicians. And so I think the harm to adolescents alone, by denying access to appropriate medical care, is cruel, it is against family values, and it makes this legislation so dangerous, it so ill serves our youth. We need to vote against this bill to preserve our families.

Mr. CONYERS. Mr. Chairman, I yield the remaining time to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I just simply want to come to the floor and wish upon my colleagues the ability to look at a bill that really denies a young person the comfort of clergy, of grandparents, and the ability to make a fair decision about a choice that should be the family, the doctor, and the religious leader.

This parental consent that confuses the issue of State laws is going to cost lives. I ask my colleagues to consider that we want to save lives. We want that young person to have someone to have comfort. And if their parent is incestuous, if their parent has created incest, then that is not the person for parental consent.

Mr. Chairman, I oppose the legislation before the House, H.R. 748, the Child Interstate Abortion Notification Act. The provisions contained within this proposal are very inflexible and unreasonably punitive. This legislation completely eliminates State rights and creates a maze of confusion during a troubling time.

Given the usual slant of my good colleagues on the other side of the aisle to favor uniformity in legislation, this bill is inconsistent with that purpose. Overall, H.R. 748 would force physicians to learn and enforce 49 other states' laws with respect to parental-involvement requirements. On its face, one of the policies that this bill seeks to enforce, the mandate that every parent will receive notice and can get involved when their daughter faces a crisis pregnancy, is a good one. However, one of its harmful effects is that it is unnecessarily punitive. In the absence of laws mandating parental involvement, young women come to their parents before or while they consider abortion. A study found that 61 percent of parents in states without mandatory parental consent or notice laws had knowledge of their daughter's pregnancy.

Interestingly enough, a majority of my colleagues on the other side of the aisle supported less governmental intrusion in personal family matters in the recent case of Terry Schiavo (S. 653/H.R. 1332). However, in the case of a young girl's decision to have an abortion, the proponents of H.R. 748 seek to force family communication even where it does not already exist. Excessive governmental intrusion can have detrimental consequences as evidenced in the case of a 13-year-old sixth grade student from Idaho named Spring Adams who was shot to death by her father after he learned of her plan to terminate a pregnancy caused by his acts of incest.

Some of the major health associations such as the American Medical Association, the American College of Obstetricians and Gynecologists, the American College of Physicians, and the American Public Health Association strongly oppose mandatory parental-involvement laws because of the dangers they pose to young women and the need for confidential access to physicians. This legislation poses such a risk by increasing the risk of harm to adolescents by obstructing their access to healthcare that could save their lives.

According to an article by Lawrence B. Finer and Stanley K. Henshaw, only 13 percent of U.S. counties have abortion providers. Therefore, the fact that many young women seek abortions outside of their home state is not solely attributable to an avoidance of home state law.

I will offer an amendment with Mr. NADLER of New York, #9 that expands the exceptions to the prohibitions of this act to include ''conduct by clergy, godparents, aunts, uncles, or first cousins.'' This amendment is a very simple but necessary dampening of the excessive punitive nature of this legislation. A young woman should not lose her right to seek counsel and guidance from a member of the clergy, her godparent, or the family member enumerated in the text of the amendment if she so desires.

The mandatory parental-involvement laws already create a draconian framework under which a young woman loses many of her civil rights. My State, Texas, is one of 23 states (AL, AZ, AR, GA, IN, KS, KY, LA, MA, MI, MN, MS, MO, NE, ND, PA, RI, SD, TN, UT, TX, VA, WY) that follows old provisions of the ''Child Custody Protection Act'' which make it a federal crime for an adult to accompany a minor across state lines for abortion services if a woman comes from a state with a strict parental-involvement mandate. There are 10

states (CO, DE, IA, ME, MD, NC, OH, SC, WI, WV) that are "non-compliant," or require some parental notice but other adults may be notified, may give consent, or the requirement may be waived by a health care provider in lieu of the parental consent. Finally, there are 17 states (AK, CA, CT, DC, FL, ID, IL, MT, NV, NH, NJ, NM, NY, OK, OR, VT, WA) that have no law restricting a woman's access to abortion in this case.

Given the disparity in state law requirements for the parental-notification requirement, not giving a young woman the right to seek assistance in deciding from a member of the clergy, a godparent, or family member could increase the health risks that she faces. I ask that my colleagues support this important amendment.

Young women as a population group are more likely to seek abortion later in their pregnancy. The Centers for Disease Control (CDC) have shown that adolescents obtain 30 percent of all abortions after the first trimester, and younger women are more likely to obtain an abortion at 21 weeks or more gestation. The provisions of H.R. 748 will exacerbate this dangerous trend, and the GAO study called for in my amendment would uncover this potential problem.

Mr. Chairman, this bill will add an unnecessary layer of legality, travel time, and mandatory delay to the already difficult job that physicians have in providing quality care to their patients. My colleagues on the other side of the aisle have consistently advocated for protection of health care providers by way of tort reform. This legislation flies in the face of that initiative and is totally inconsistent with it. I ask my colleagues to reject it.

Mr. SENSENBRENNER. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, what this bill does is it requires the involvement of parents or where State law requires the involvement of parents in the decision on whether or not a minor should have an abortion.

Now, minors have not reached the age of majority. They cannot sign contracts; they cannot serve on juries. Parents or legal guardians in every instance stand in the place of the minor and represent the minor's interests. And under the current law, a doctor cannot even treat a child for a hangnail without parental consent, or at least parental notification. But under the law, a doctor can perform an abortion.

Now, let us look at it this way. Abortion is a very serious medical procedure. In many cases, complications arise from that abortion. And the parents or the guardian are legally responsible for providing medical care when medical care is needed for minors.

So if you buy the argument of the people who are opposed to this bill, a parent of a minor who is not notified can end up being prosecuted for child neglect if complications ensue from the abortion and the parent does not know that they have a legal obligation to provide necessary medical care. That is why this bill should be passed, because parents ought to be involved in the medical decisions. They ought to have knowledge of the medical decisions. And we should not condone a system where a minor can run across a State line in order to get an abortion without the notification that is required by the State law of that minor's residence. This bill ought to pass.

Mr. UDALL of Colorado. Mr. Chairman, I rise today to express my opposition to H.R. 748, the Child Interstate Abortion Notification Act, because this bill may reduce the likelihood that girls will seek family planning assistance when they are faced with a pregnancy and does not include an exemption to protect the health of the young mother.

This bill is intended to ensure that parents are involved with a girl's decision to have an abortion, even if they cross a State line in an effort to avoid State parental notification laws. As the father of a teen-aged daughter I completely sympathize with the idea that parents be involved in helping their children through crises, including that of an unwanted pregnancy, and if my daughter found herself in this situation I hope that she would feel comfortable coming to me and my wife for guidance and support. Not every family functions with love and support, however, and if we intend to legislate in this area we must be careful to do so with an eye on the exception and not the rule.

In some families, young women are the victims of parental abuse, including sexual abuse. In the case of unwanted pregnancy, these girls may have another trusted adult, often a relative like a grandparent, in whom they feel comfortable seeking support and guidance from, and will turn to for assistance when faced with a pregnancy. I would much rather see a girl seek the guidance of a trusted adult than no one at all. This bill will make it a crime for an adult who is not the parent to take a girl across State lines to obtain an abortion if the girl's home State requires parental notification. Girls will be less likely to seek the assistance of a trusted adult if they know the adult could face criminal charges for assisting in obtaining an abortion.

I also have concerns that this bill does not include an exemption for the health of a mother. In t1e Supreme Court case Stenberg v. Carhart, the Court struck down Nebraska's Partial-birth abortion ban because it did not include such an exemption. This bill requires a physician to wait 24 hours before performing the abortion on a girl from a State with a parental notification law, even if the parent of the girl is present. If an abortion is needed to protect the health of the mother, a doctor would have to wait 24 hours before they could perform the procedure. Though I am not a lawyer, based on the precedent set in the aforementioned court case, I have concerns that this bill would be unconstitutional should it become law.

The Child Interstate Abortion Notification Act does not ensure that girls will seek the support and guidance of the parents when faced with a pregnancy. Instead it increases the likelihood that they will not seek the guidance of any adults, which could harm themselves and the fetus they are carrying. For these reasons, I cannot vote in support of H.R. 748.

Mr. SMITH of Texas. Mr. Speaker, I support H.R. 748, the Child Interstate Abortion Notification Act. This bill creates criminal offenses that are long overdue at the Federal level and are needed to prevent the disregard of a parent's right to know when their child is seeking a major medical procedure—an abortion.

The legislation makes it a Federal crime to transport a minor, for the purpose of obtaining an abortion, from a State that requires parental notification, across State lines to a State that does not require parental notification.

Almost half of the States, including my home State of Texas, currently require parental notification before a minor can obtain an abortion. However these laws are being circumvented by individuals who want to undermine the rights of parents. Such individuals can include abusive boyfriends who pressure their young girlfriends into having an abortion, older men who rape young females and want to hide their crime, and minor females who may not know all of the emotional and physical repercussions of having an abortion.

The bill also makes it a Federal crime for an abortion provider not to give the parent or legal guardian of a minor seeking an abortion 24 hours' notice in advance of the procedure, if the minor crosses State lines to have the abortion. The 24-hour notice period will allow parents the time necessary to discuss the ramifications of an abortion, and possible options such as adoption, with their daughters.

The Child Interstate Abortion Notification Act protects a minor's ability to have an abortion in cases of parental sexual abuse as long as the abortion provider informs the appropriate State authorities of the abuse. The ability to have an abortion is also protected in cases in which the minor's life is threatened if the abortion is not performed immediately.

There is a great deal of support and precedent for a law like this. The Supreme Court has consistently upheld the constitutionality of State parental notification laws. According to a March 2005 Quinniac University poll, 75 percent of those polled agree that parental notification should be required before a minor can obtain an abortion. We in the House of Representatives have shown our support for such laws by passing legislation similar to the Child Interstate Abortion Notification Act three previous times—in 1998, 1999, and 2002. Now it is time for this legislation to pass again and be signed into law by the President.

Mr. MILLENDER-McDONALD. Mr. Chairman, I rise to strongly urge all of my colleagues to vote against H.R. 748.

There are so many reasons to vote against this bill.

To begin, the premise of CIANA violates the core constitutional principles of federalism.

The ability to travel freely between states is fundamentally interwoven into the cloth of our country. The 50 states are not 50 different countries and the founding fathers would not have wanted us to treat them as such.

H.R. 748 violates the Constitutional right of every individual to travel freely from State to State. If we are to be a unified Nation, every citizen cannot be treated as a foreigner when visiting another State.

Every young woman who will be affected by this bill is a citizen. Every young woman who will be affected by this bill deserves the protections of the Constitution of the United States of America that applies to everyone.

CIANA treats a young woman who travels to a state or resides there temporarily (as in the case of a college student) differently than a young woman living in that State.

The Supreme Court held in Doe v. Bolton that the Privileges and Immunities Clause requires a state to make abortions available to out-of-state visitors on the same legal terms under which it makes them available to residents. CIANA would single handedly reverse this decision.

CIANA is potentially dangerous from a health and safety perspective.

CIANA contains no exception to the 24-hour waiting period for when an abortion may be necessary to protect a teenage girl's health. The only exception that exists is in cases where the minor's life is at risk. Even at that point, the bill contains no guidance as to how to draw the line between a lifethreatening situation and one that is a nonfatal medical emergency.

CIANA imposes a mandatory 24-hour waiting period even if the teenager's parents accompanied her to the doctor. This means that anything short of a possible death, including a risk of infertility or nonfatal hemorrhaging, will not waive the 24-hour delay. These delays can impose logistical and financial hardships on functional families who are trying to support their daughter.

A vote for this bill will signal that we do not even trust parents to make these incredibly personal and incredibly painful decisions with their daughters even in cases of medical emergency.

CIANA is an extremely dangerous attempt to incrementally encroach upon the Supreme Court's decision in Roe v. Wade. Imposing the aforementioned restrictions on a young woman's ability to obtain an abortion essentially places those young women in the same place as young women were prior to the Roe decision.

Most disturbing of all is that teenagers facing an unwanted pregnancy may turn to dangerous and drastic acts to avoid notifying their parents.

A teenager facing an unwanted pregnancy is already in crisis. Those young women who are unwilling or unable to tell a parent about an unwanted pregnancy may resort to self-induced or illegal abortions with tragic results.

I implore you to vote against this bill.

Mr. MEEHAN. Mr. Chairman, I rise in opposition to the Child Interstate Abortion Notification Act.

With this bill, the Republican Congress once again reaches inappropriately into the private lives of American citizens.

H.R. 748 would make criminals out of doctors, nurses, and family members who help young people who are seeking legal abortion services. It will not prevent abortions—but it will force young women to make that decision alone, without the help of adults they can trust. It may even force them into seeking unsafe abortions that put their health or their lives at risk.

Most minors seeking abortions involve their parents in the decision. But all too many young women live in emotionally or physically abusive households. Some have become pregnant as a result of rape or incest. For them, it is unrealistic and cruel to make it a crime for them to seek the help of other adults they can trust, such as a clergy member, older sibling, or grandparent.

H.R. 748 is blatantly unconstitutional. It restricts interstate travel and prevents young women from exercising their legal rights. It imposes undue burdens without making exception for emergencies where the young woman's health is threatened. It requires minors seeking judicial bypasses to go to court in not one but two States, even though this option is not even available in some States. Finally, this bill is another assault on federalism, usurping the laws of 27 states that have no parental notification laws or more reasonable laws.

Once again, the Republican Congress is attempting to legislate family relationships and restrict the constitutional rights of American citizens. I urge the defeat of H.R. 748.

Mr. STARK. Mr. Chairman, I rise in strong opposition to H.R. 748, the Child Interstate Abortion Notification Act of 2005. This bill would not only jail grandparents, older siblings, and others who attempt to help minors who can't turn to their parents, but it would criminalize doctors, regardless of the laws of the State in which they practice.

Today I stand here principally as a Californian. Republicans and Democrats in California have stood up for a woman's right to choose. They have defended the privacy and health of women. We do not have a parental consent law in California because we don't dare suggest that the decision to have an abortion is ever taken lightly or done in isolation unless it's absolutely necessary. We don't pretend that forcing girls who have been raped by their fathers to get their permission to terminate the pregnancy is somehow standing up for ''family values.''

The people of my home State have resisted the grotesque politics of the so-called ''culture of life.'' The politics of people who vote to cut $xx billion in health care for the poorest Americans and simultaneously intervene in private, end-of-life decisions and hide behind their hypocritical mandate of ''looking out for the most vulnerable.''

Even though the people of California and their bipartisan elected leaders have judiciously worked to protect the privacy and health of women, some in Washington, DC, think they know better. This legislation would jail California doctors with out-of-state patients unless they inform the parents in person 24 hours in advance of the procedure. If the parents are unreachable, doctors would have to give notice ''by certified mail, return receipt requested, restricted delivery to the last known address of the person being notified, with delivery deemed to have occurred 48 hours following noon on the next day subsequent to mailing on which regular mail delivery takes place.'' This ludicrous meddling in medical decisionmaking would be a joke if it weren't so tragic.

If enacted, the consequence for offending the religious right now carries with it up to a year in prison. God help the doctor who is as confused by that sentence as I am.

Mr. Chairman, those of us who still believe in science know that the best way to reduce the number of abortions in this country is to have comprehensive sex education and provide full funding for family planning so that unintended pregnancies don't happen in the first place. It's no coincidence that the abortion rate, which hit a 24-year low when President Clinton left office, has risen throughout President Bush's first term. The ''culture of life'' philosophy of hypocrisy, fear, and shame works better on the campaign stump then it does in practice. If this is what the culture of life is really all about, then I want no part of it. I vote no on this shameful, unconstitutional bill.

Ms. SCHAKOWSKY. Mr. Chairman, I stand today in strong opposition to H.R. 748, the Child Interstate Abortion Notification Act. It is a direct attack on a woman's right to choose, it endangers women's health, and it forces young women facing unintended pregnancies to choose between dealing with it on their own or enlisting the help of a trusted adult who could possibly be put in jail as a result. This bill makes it a crime for anyone other than a parent, including a grandparent or a religious counselor, to accompany a minor across state lines for an abortion if the minor has not complied with her home state's mandated parental consent or notification law. This bill also makes it a federal crime for a doctor to perform an abortion on a young woman who is a resident of another state unless the doctor notifies the young woman's parent in person at least 24 hours before the procedure.

I agree that, whenever possible, minors should go to their parents for help in difficult situations. And research tells us that the majority of the time, young women do talk with their parents when making difficult decisions about pregnancy, whether their state requires parental consent for an abortion or not. Unfortunately, H.R. 748 ignores the reality of many situations where a young woman may choose not to go to her parents, possibly because she fears violence or because she was the victim of incest or because their parent is not available. Very often in those situations, young women seek help and guidance from other trusted adults in their lives, such as grandparents, aunts, and ministers. Yet, this law would deter many young women from seeking help and would instead tell them that they must deal with this situation on their own.

The reality is that CIANA will not make more young women tell their parents about a pregnancy if they do not want to, nor will it reduce or prevent abortion. What it would do is endanger the health of young women who feel they have no other choice but to seek illegal or self-induced abortions and who will be limited in their options for receiving health care. The American Medical Association has noted that ''the desire to maintain secrecy has been one of the leading reasons for illegal abortion deaths.'' The American Academy of Pediatrics, American College of Obstetricians and Gynecologists, and the Society for Adolescent Medicine all oppose this bill because of the dangers they pose to young women and the need for confidential access to physicians. The coalition of health groups in their letter urging Congress to oppose this bill state, ''Our primary responsibility must be to our patients.

The potential health risks to adolescents if they are unable to obtain reproductive health services are so compelling that deference to parental involvement should not stand in the way of needed health care for patients who request confidentiality.''

This bill would force minors to delay urgent health care and, contrary to proponents' claims, infringe on the rights of parents. There is no exception to either the waiting period or the notification requirement in cases where a person is facing a serious but not life-threatening medical emergency. In a medical emergency, a young person would be forced to wait 24 hours for an abortion that could avert serious risks to her health. The abortion must be delayed even when the minor's parent accompanies her and requests medical help.

Furthermore, many young women who obtain abortions outside of their home States do so for reasons that have nothing to do with avoiding their home States' laws. The most prevalent and compelling of these reasons is the lack of abortion providers. Only 13 percent of U.S. counties have an abortion provider. Several states, in fact, have only a single provider or a provider who may be located many hours away from a young woman's home.

Lastly, CIANA violates the basic principle of federalism by attaching the laws of a woman's home State no matter where she travels in the Nation. The Supreme Court has held that States are required to make abortions available to visitors on the same legal terms under which they make them available to residents. Since Illinois has no parental involvement law in effect, this bill would impose tough and unrealistic requirements to Illinois providers for the first time. Under CIANA, doctors will be asked to comply with other State laws, verify the information provided by patients, and obtain in-person parental consent even if parents are abusive, guilty of incest or absent from the household. CIANA imposes a punitive and arbitrary federal parental notification requirement that will trump the public policy judgments of the 27 States that lack such requirements. It will mean that physicians who comply with their State's laws and provide medical care to their patients could be treated as criminals.

Make no mistake, this law is a direct threat to a woman's right to make decisions about her reproductive health. We need to see this bill for what it really is—another attempt to chip away at Roe v. Wade and deny women choice.

The Government cannot mandate healthy family communication where it does not already exist. We must face this reality and work to help teens receive the treatment, counseling, and support they need when it comes to reproductive health. I urge my colleagues to reject H.R. 748 because it would endanger young women's health and force them to be alone at a time when they are most vulnerable and most in need of support from a trusted adult.

Mr. HONDA. Mr. Speaker, I rise today in opposition to H.R. 748, the ''Child Interstate Abortion Notification Act.''

Over 20 years after Roe v. Wade, a woman's right to an abortion continues to be challenged and undermined. Amendments to appropriations bills have been added to restrict abortion coverage. A nationwide campaign of violence, vandalism, and blockades continues to curtail the availability of abortion services and endangers providers and patients. Anti-choice lawmakers continue to push for legislation that attempts to ban ''partial-birth'' abortions, reinstate ''global gag rule'' policies, restrict access to mifepristone and contraceptives, and protect those who participate in violence against abortion clinics through bankruptcy laws.

Now, Congress is considering H.R. 748, legislation that would make it a Federal crime for doctors or family members to help young adults obtain an abortion.

Like many of my colleagues, I believe that it is important for teenagers to talk to their parents about their decision to have an abortion, and research suggests that most do. Unfortunately, in the real world, parental involvement is not always in a minor's best interest. Many young women who choose not to involve their parents have valid reasons. One study concluded that one-third of teens who do not involve their parents are victims of family violence and fear its recurrence or they are forced to leave their homes due to their pregnancy.

To make matters worse, this legislation would endanger a young woman's health by delaying the abortion until later in the pregnancy when it is less safe by turning them to possible dangerous alternatives.

It is for all of these reasons that we must protect the rights of young women to access safe, affordable and appropriate health care.

We need to ensure that instead of making abortion more difficult and dangerous for young women, Congress should make abortion less necessary by providing opportunities for young women to make educated choices through comprehensive sex education and ensuring young women have access to a range of family planning options.

I urge my colleagues to oppose H.R. 748.

Mr. SIMMONS. Mr. Chairman, I rise in opposition to H.R. 748, the ''Child Interstate Abortion Notification Act.'' I do this because I believe this is bad public policy that will hurt young women.

Most young women today readily involve their parents in a decision to end a pregnancy. They do this because they come from loving homes where there is healthy communication and support, not because there is a law requiring them to do so.

Unfortunately, some young women come from homes where these support structures are not in place. Some young women come from families with absentee parents, or abusive parents. This is an unfortunate reality.

Rather than ensuring healthy communication between parents and their teenage daughter about the difficult decision to terminate a pregnancy, this bill may isolate these young women even further. This bill may cause a young woman to either delay care, when the risk of complications from an abortion will be greater, or cause her to avoid going to a doctor in the first place and consider unsafe alternatives.

By attempting to legislate on family dynamics, this bill puts the health of young women from troubled homes in jeopardy. I cannot believe we want to do this.

In discussing this issue, the American College of Obstetricians and Gynecologists, the American Academy of Pediatricians, and the Society of Adolescent Medicine have joined together in a letter opposing this bill. They say:

> The potential health risks to adolescents if they are unable to obtain reproductive health services are so compelling that deference to parental involvement should not stand in the way of needed health care for patients who request confidentiality.

The American Medical Association has also weighed in on the consequences of parental notification:

> Because the need for privacy may be compelling, minors may be driven to desperate measures to maintain the confidentiality of the pregnancies. They may run away from home, obtain a ''back alley'' abortion, or resort to self-induced abortion.

Surely we do not want to support legislation which has such adverse consequences for young women.

Mr. Chairman, many years ago I had the honor to work with Senator Barry Goldwater (R–AZ). In his classic work, The Conscience of a Conservative, Goldwater wrote:

> Every man, for his individual good and for the good of his society, is responsible for his own development. The choices that govern his life are choices he must make: they cannot be made by any other human being, or by a collectivity of human beings.

He went on to say:

> The Conservative looks upon politics as the art of achieving the maximum amount of freedom for individuals that is consistent with the maintenance of social order. The Conservative is the first to understand that the practice of freedom requires the establishment of order: it is impossible for one man to be free if another is able to deny him the exercise of his freedom.

And he concluded:

> Thus, for the American Conservative, there is no difficulty in identifying the day's overriding political challenge: it is to preserve and extend freedom.

Finally he said that:

> Throughout history, government has proved to be the chief instrument for thwarting man's liberty.

Mr. Chairman, this bill is a prime example of government inserting itself into the lives of our people, invading their privacy, and thwarting their liberty. This is unacceptable.

I urge a vote against this bill.

Mr. SHAYS. Mr. Chairman, I rise in opposition to H.R. 748, the Child Interstate Abortion Notification Act.

I support encouraging—not requiring—parental notification for minors seeking contraceptive services. This legislation proposes a variety of new mandates on women, families, and doctors.

For example, the bill forces doctors to learn and enforce 49 other States' laws, under the threat of fines and prison sentences. In many cases, it forces young women to comply with two states' parental-involvement mandates. It also requires a doctor to notify a young woman's parents in person, in another State, before abortion services can be provided.

Finally, in some cases, even if a parent travels with his or her daughter to obtain abortion care, the doctor must still give ''notice'' to the parent and wait 24 hours before providing the care. In such cases, this requirement acts as a built-in mandatory delay—which makes it more difficult logistically, more expensive, and more burdensome all around for the family. It may even endanger the young woman's health.

Not only does H.R. 748 include these negative provisions, it also could be found unconstitutional for three reasons. First, it contains no health exception.

Second, in some cases, it offers young women no judicial bypass. Judicial bypass is required by the Supreme Court and allows another responsible adult to consent instead of a parent.

Finally, it forces states to enforce other States' laws by forcing inalv carry their home State laws with them when they travel.

Every parent hopes that a child confronting a crisis will seek the advice and counsel of those who care for her most and know her best. In fact, even in the absence of laws mandating parental involvement, many young women do turn to their parents when they are considering an abortion. One study found that 61 percent of parents in States without mandatory parental consent or notice laws knew of their daughter's pregnancy.

In a perfect world, all children would have open, clear communication with their parents. Unfortunately, this is not the case in every family. I believe this legislation would dissuade young women from turning to other trusted adults, such as an aunt or older sibling, in a time of need.

While this bill might be well intentioned, it is a deeply flawed attempt to curb young women's access to private, confidential health services under the guise of protecting parental rights.

I would like to see abortion remain safe and legal, yet rare. Whatever one's views on abortion, I believe we all can recognize the importance of preventing unintended pregnancies. When women are unable to control the number and timing of births, they will increasingly rely on abortion. Making criminals of advisors, however, is simply not the way to accomplish this goal.

I urge my colleagues to oppose this legislation.

Mr. BLUMENAUER. Mr. Chairman, 3 years ago I voted against a bill that is similar to what is being considered in the House today. My position on the bill has not changed. In fact, H.R. 748, the ''Child Interstate Abortion Notification Act'' is worse. Not only will this anti-choice bill make it illegal for friends and relatives to assist young women with one of life's most difficult decisions, it will require physicians to notify a young woman's parents in person, regardless of whether they live in a different State, before the abortion services can be provided. The physician will be responsible for following the abortion laws of both the State where he is performing services and the State from which the patient has traveled. In effect, doctors will have to know the abortion laws of 50 different States.

I wish that every child was in a loving family that they could turn to first. The facts are, however, that many young women do not have that type of relationship with their parents and in too many cases we have seen the actual problem caused by abusive close family members.

People who would deny women reproductive choice have altered their tactics to chip away at women's reproductive freedoms; this is one of the most insidious examples. This bill would limit the choices for the most desperate women and is part of an overall anti-choice strategy that I reject.

Measures like H.R. 748 often have unintended consequences that can lead to desperate actions with dire consequences for the mental health and physical well-being of our nation's young women.

Mr. FARR. Mr. Chairman, I rise today in strong opposition to the Child Interstate Abortion Notification Act, H.R. 748. This bill would create a complex maze of State and Federal parental notification and consent requirements that impact young women, family members, and doctors differently depending on the young woman's State of residence and the State in which she is seeking abortion care. It would preempt State laws by imposing parental notification and a 24-hour mandatory waiting period that could result in criminal penalties for health care providers and citizens. This unwise legislation will endanger the health of teens, compromise the ability of doctors to provide the best treatment in a timely manner, and fail to actually prevent teen pregnancies or abortions.

Abortion is an extremely difficult, personal decision that should be made with the advice of trusted advisors like doctors, partners, parents, friends, or anyone else with whom the woman wishes to discuss her decision. Unfortunately for some young women, especially those whose families have histories of physical and emotional abuse, they cannot consult their parents on this complicated issue.

I wish that all young women would be able to discuss this decision with their parents, but in reality, this is simply not always the case. In these situations, we should encourage grandparents, adult siblings, religious advisors, and mentors to provide support for these young women. By making the people who offer teens help during this extremely difficult time, subject to criminal prosecution and lawsuits, Congress is isolating young women who desperately need the help and advice of trusted adults. This isolation will unnecessarily add to the emotional distress of a young woman facing an unintended pregnancy, and could contribute to her failure to seek timely medical care.

This legislation contains a complicated web of 24-hour waiting period, parental notification requirements, and judicial bypass procedures that will vary depending on the different State laws already in place. These intricate provisions will result in confusion and delay for a young woman who does not have the support of a trusted adult as she tries to navigate this system in order to receive safe and timely medical treatment.

In addition, H.R. 748 fails to provide an exemption to protect the health of the pregnant woman. Based on the Supreme Court decisions in Planned Parenthood of Southeastern Pennsylvania vs. Casey and Stenberg vs. Carhart, it is unconstitutional to interfere with a woman's choice to have an abortion if continuing the pregnancy is a threat to her health.

The restrictions and requirements in H.R. 748 clearly interfere with a woman's choice to have an abortion. It is an unconscionable and unconstitutional that this legislation would endanger the health of young women.

If H.R. 748 becomes law, doctors will face unprecedented mandates and infringements on their responsibilities to provide safe and timely medical care. The goal of doctors should be to provide the most unbiased, safe and personal medical care possible for each of their patients. Unfortunately this legislation forces doctors to spend more of their time focusing on the intricacies of State law rather than the well-being of their patients. The effect of this legislation on the complex web of State parent notification laws will force doctors to become legal experts in all States' laws, and in some cases doctors would be forced to personally travel to another State to inform a young woman's parents, in-person, of her intent to have an abortion. H.R. 748 establishes a confusing bureaucracy that threatens doctors with imprisonment while diminishing the quality and timeliness of the health care doctors are able to provide.

This legislation attempts to address teen pregnancy and abortion as issues of interstate commerce, but we are not talking about products or trade. We are talking about people; our nieces, granddaughters and friends who are in desperate need of help and advice from trusted adults. H.R. 748, deprives our young women of this needed support and counsel. The real issue we should be addressing today is how to prevent unwanted teen pregnancies, which is the only real way to decrease the number of abortions. I urge my colleagues to support comprehensive sex education so that young women have the information to prevent pregnancies. I urge my colleagues to support Title X funding that provides reproductive health care to low-income young women around the country. I urge my colleagues to support over-the-counter status for emergency contraception so that a young woman that is the victim of rape or incest can prevent a pregnancy.

We must do more to protect our teens and their health, but H.R. 748 only creates more roadblocks for vulnerable young women and the trusted adults and doctors that are attempting to help them.

Mr. TURNER. Mr. Chairman, I am pleased to co-sponsor H.R. 748, the Child Interstate Abortion Notification Act.

This bill makes it a Federal offense to knowingly transport a minor across State lines with the intent to circumvent parental notification laws so that the minor can obtain an abortion.

It is imperative that we stop the victimization of young girls who are transported across State lines to undergo abortions without their parents' knowledge. Not only does this practice endanger the lives of our daughters, imagine how parents would feel if their daughter was transported across State lines without their knowledge and pressured to have an unwanted abortion.

Across the country, officials must obtain parental consent before performing routine medical services such as providing aspirin, and before including children in field trips and contact sports. Some States require written parental consent before a minor can get a tattoo or a body piercing. Despite all this, in some States people other than parents can secretly take minor girls across State lines for abortions.

Mr. Chairman, the Child Interstate Abortion Notification Act protects the rights of parents to be involved in the medical decisions of their minor daughters and protects the health and safety of young girls by preventing valid constitutional State parental involvement laws from being circumvented. I am pleased to support this bill, which protects our daughters and supports our families.

Mr. DINGELL. Mr. Chairman, the bill before us is a tangled web of legal intricacies, which I found to be a muddled attempt to impose specific laws of individual States. After a careful reading of the bill, I am forced to rise in opposition to the legislation.

H.R. 748 is a two-part bill. The first part makes it a crime for anybody other than a parent to accompany a minor across State lines for an abortion if the minor's State of residence has parental notification laws. We have seen this language, known as the Child Custody Protection Act, in past Congresses and I have hesitantly voted in favor of it. I say hesitantly because I have always been concerned that: the bill violates the constitutional principles of federalism; there are no exceptions for another responsible adult family member to accompany the minor; and the language is so broad that it would allow a cab or bus driver to be prosecuted.

You are probably wondering, Mr. Chairman, why I voted for the bill even with these concerns. Well, as a parent, I feel strongly that parents should be involved in major decisions concerning the health and well-being of their children. The most knowledgeable resource regarding the minor's medical history is often their parent. Moreover, as is the case with any medical procedure, it is important that someone in the household be aware of the situation should there be side effects. Thus, I voted to move the process forward with the hope that my concerns would be addressed before the final legislation was sent to the President for signature. This did not happen because the Senate has never acted on the legislation.

The second part of the bill is new and would hold a doctor criminally liable for performing an abortion on a minor from another State. This, Mr. Speaker, is where the web gets really tangled. You see, in some cases, the minor would have to comply with the laws of two States, and in all cases, the doctor would have to get consent from the parent in person and a mandatory 24-hour waiting period would be instituted.

Probably the most striking scenario would be a minor who traveled between States with no parental consent law. In this case, the doctor would have to obtain consent in person from the parent, the mandatory 24-hour waiting period would be instituted, and in this specific case there would be no judicial bypass option.

This creates quite a burden on doctors, who would be required to have a near-encyclopedic knowledge of the parental involvement laws in each of the 50 States, their specific requirements and their judicial procedures.

Some States have strict parental consent laws, some have parental consent laws with reasonable bypass mechanisms, and some States have no consent laws at all. If this bill passes, we are saying to some States, ''your law is good.'' To others we are saying, ''your law is OK, but it is not quite good enough.'' And to still other States we are saying, ''your law, or lack thereof, is wholly inadequate.'' This is no way to legislate in our federalist system.

While reading over the bill, Mr. Chairman, I tried to think of what precedent there is for this kind of law. It took awhile, but the only law I could come up with was the Fugitive Slave Act. Going back to laws like this, Mr. Chairman, is not something this Congress should even consider.

Mr. Chairman, I often wonder why we do not focus more of our effort on preventing unwanted pregnancies. Reducing the number of abortions performed in this country is certainly a goal we can all agree on and strive for. As such, I would ask that all of my colleagues to come to the table to discuss the ways we can further this mutual goal.

Mr. Chairman, I urge my colleagues to vote yes on the Scott and Jackson-Lee amendments and no on the underlying bill.

Mr. MORAN of Virginia. Mr. Chairman, I would like to remind my colleagues that what we are talking about are young girls who are in trouble, young girls who are unmarried, young girls who invariably, according to the statistics, have been impregnated by older men exploiting them. While it should be common for parents to be responsible, to be nurturing and not to be punitive, it unfortunate is not always the case.

Proponents of this measure claim that this bill will ''give parents a chance to help their daughters during their most vulnerable times'' and would require doctors to give 24 hours' notice to the minor's parent before allowing her to have an abortion.

It is not quite as simple as that. In a perfect world, teenagers would be able to tell their parents that they are pregnant, but many are unable to due to fear of rejection at home, threats of physical and emotional abuse, and in the most troubling of situations, because it was a family member, such as a stepfather, that put them in that position in the first place.

These teenage girls should have a right to seek help from a trusted adult, such as a grandmother or a member of the clergy.

This bill will create a complicated patchwork of State and Federal law that will apply differently depending on the minor's State of residence and the State where the abortion is performed.

More importantly, it will be nearly impossible for teenagers to understand and physicians to comply with.

While this measure includes all the provisions of the Child Custody Protection Act, a measure considered in previous Congresses which would make it a Federal crime for a caring adult other than a parent to accompany a young woman across State lines for an abortion, the Child Interstate Notification Act, CINA, goes even further by mandating that doctors be fully aware and knowledgeable of the mandatory parental involvement laws in each of the 50 States, their specific requirements, their judicial-bypass procedures, and their interaction with the Child Interstate Abortion Notification Act or face criminal fines.

CIANA would make it a Federal crime for a doctor to perform an abortion on a minor who is a resident of another State unless the doctor notifies the minor's parent, in person, a minimum of 24 hours before the procedure.

It is also disturbing that this measure, not unlike the partial-birth abortion ban law, does not include an exception for emergency circumstances where a minor's health would be threatened by this delay. It is no wonder that the constitutionality of this law is being challenged in several Federal courts as we speak.

The intent of this measure is not to ensure that caring parents have access to their teenage daughters who are contemplating having an abortion. The true intent is to make it so difficult for doctors to comply with this law that they simply give up.

What would be compassionate of teenage girls is for this body to consider legislation such as the Prevention First Act, H.R. 1709, which would help to reduce the number of unintended teenage pregnancies by providing annual funding to both public and private entities to establish or expand teenage pregnancy prevention programs.

This measure would also require these entities to incorporate teenage pregnancy prevention programs that have been proven to delay sexual intercourse or sexual activity, increase contraceptive use or reduce teenage pregnancy, such as comprehensive sexual education.

Why are we not doing more to help the 820,000 teen girls who get pregnant each year?

This is the second time in as many months that the House of Representatives is legislating morals when we do not know the individual circumstances that may apply. We should leave this to the States.

I urge all my colleagues to vote against the Child Interstate Notification Act, a regressive measure, which will have no impact on reducing the number of unintended teenage pregnancies and will do more harm than good.

Mr. PAUL. Mr. Chairman, in the name of a truly laudable cause, preventing abortion and protecting parental rights, today the Congress could potentially move our Nation one step closer to a national police state by further expanding the list of Federal crimes and usurping power from the States to adequately address the issue of parental rights and family law. Of course, it is much easier to ride the current wave of criminally federalizing all human malfeasance in the name of saving the world from some evil than to uphold a constitutional oath, which prescribes a procedural structure by which the Nation is protected from what is perhaps the worst evil, totalitarianism carried out by a centralized government. Who, after all, wants to be amongst those Members of Congress who are portrayed as trampling parental rights or supporting the transportation of minor females across State lines for ignoble purposes.

As an obstetrician of almost 40 years, I have personally delivered more than 4,000 children. During such time, I have not performed a single abortion. On the contrary, I have spoken and written extensively and publicly condemning this ''medical'' procedure. At the same time, I have remained committed to upholding the constitutional procedural protections which leave the police power decentralized and in control of the States. In the name of protecting parental rights, this bill usurps States' rights by creating yet another Federal crime.

Our Federal government is, constitutionally, a government of limited powers, article I, section 8, enumerates the legislative area for which the U.S. Congress is allowed to act or enact legislation. For every other issues, the Federal Government lacks any authority or consent of the governed and only the State governments, their designees, or the people in their private market actions enjoy such rights to governance. The 10th amendment is brutally clear in stating ''The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.'' Our Nation's history makes clear that the U.S. Constitution is a document intended to limit the power of central government. No serious reading of historical events surrounding the creation of the Constitution could reasonably portray it differently.

Nevertheless, rather than abide by our constitutional limits, Congress today will likely

pass H.R. 748. H.R. 748 amends title 18, United States Code, to prohibit taking minors across State lines to avoid laws requiring the involvement of parents in abortion decisions. Should parents be involved in decisions regarding the health of their children? Absolutely. Should the law respect parents' rights to not have their children taken across State lines for contemptible purposes? Absolutely. Can a State pass an enforceable statute to prohibit taking minors across State lines to avoid laws requiring the involvement of parents in abortion decisions? Absolutely. But when asked if there exists constitutional authority for the Federal criminalizing of just such an action the answer is absolutely not.

This federalizing may have the effect of nationalizing a law with criminal penalties which may be less than those desired by some States. To the extent the Federal and State laws could co-exist, the necessity for a Federal law is undermined and an important bill of rights protection is virtually obliterated. Concurrent jurisdiction crimes erode the right of citizens to be free of double jeopardy. The fifth amendment to the U.S. Constitution specifies that no ''person be subject for the same offense to be twice put in jeopardy of life or limb. . .'' In other words, no person shall be tried twice for the same offense. However, in United States v. Lanza, the high court in 1922 sustained a ruling that being tried by both the Federal Government and a State government for the same offense did not offend the doctrine of double jeopardy. One danger of the unconstitutionally expanding the Federal criminal justice code is that it seriously increases the danger that one will be subject to being tried twice for the same offense. Despite the various pleas for Federal correction of societal wrongs, a national police force is neither prudent nor constitutional.

We have been reminded by both Chief Justice William H. Rehnquist and former U.S. Attorney General Ed Meese that more Federal crimes, while they make politicians feel good, are neither constitutionally sound nor prudent. Rehnquist has stated that ''The trend to federalize crimes that traditionally have been handled in state courts . . . threatens to change entirely the nature of our federal system.'' Meese stated that Congress's tendency in recent decades to make Federal crimes out of offenses that have historically been State matters has dangerous implications both for the fair administration of justice and for the principle that States are something more than mere administrative districts of a Nation governed mainly from Washington.

The argument which springs from the criticism of a federalized criminal code and a Federal police force is that States may be less effective than a centralized Federal Government in dealing with those who leave one State jurisdiction for another. Fortunately, the Constitution provides for the procedural means for preserving the integrity of State sovereignty over those issues delegated to it via the 10th amendment. The privilege and immunities clause as well as full faith and credit clause allow States to exact judgments from those who violate their State laws. The Constitution even allows the Federal Government to legislatively preserve the procedural mechanisms which allow States to enforce their substantive laws without the Federal Government imposing its substantive edicts on the States. Article IV, section 2, clause 2 makes provision for the rendition of fugitives from one State to another. While not self-enacting, in 1783 Congress passed an act which did exactly this. There is, of course, a cost imposed upon States in working with one another rather than relying on a national, unified police force. At the same time, there is a greater cost to State autonomy and individual liberty from centralization of police power.

It is important to be reminded of the benefits of federalism as well as the costs. There are sound reasons to maintain a system of smaller, independent jurisdictions. An inadequate Federal law, or an ''adequate'' Federal law improperly interpreted by the Supreme Court, preempts States' rights to adequately address public health concerns. Roe v. Wade should serve as a sad reminder of the danger of making matters worse in all States by federalizing an issue.

It is my erstwhile hope that parents will become more involved in vigilantly monitoring the activities of their own children rather than shifting parental responsibility further upon the Federal Government. There was a time when a popular bumper sticker read ''It's ten o'clock; do you know where your children are?'' I suppose we have devolved to the point where it reads ''It's ten o'clock; does the Federal Government know where your children are.'' Further socializing and burden shifting of the responsibilities of parenthood upon the Federal Government is simply not creating the proper incentive for parents to be more involved.

For each of these reasons, among others, I must oppose the further and unconstitutional centralization of police powers in the national government and, accordingly, H.R. 748.

Mr. SENSENBRENNER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Mr. GILLMOR). All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 748

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 ''Child Interstate Abortion Notification Act''.

SEC. 2. TRANSPORTATION OF MINORS IN CIRCUMVENTION OF CERTAIN LAWS RELATING TO ABORTION.

Title 18, United States Code, is amended by inserting after chapter 117 the following:

''CHAPTER 117A—TRANSPORTATION OF MINORS IN CIRCUMVENTION OF CERTAIN LAWS RELATING TO ABORTION

''§ 2431. Transportation of minors in circumvention of certain laws relating to abortion

''(a) OFFENSE.—

''(1) GENERALLY.—Except as provided in subsection (b), whoever knowingly transports a minor across a State line, with the intent that such minor obtain an abortion, and thereby in fact abridges the right of a parent under a law requiring parental involvement in a minor's abortion decision, in force in the State where the minor resides, shall be fined under this title or imprisoned not more than one year, or both.

''(2) DEFINITION.—For the purposes of this subsection, an abridgement of the right of a parent occurs if an abortion is performed or induced on the minor, in a State other than the State where the minor resides, without the parental consent or notification, or the judicial authorization, that would have been required by that law had the abortion been performed in the State where the minor resides.

''(b) EXCEPTIONS.—

''(1) The prohibition of subsection (a) does not apply if the abortion was necessary to save the life of the minor because her life was endangered by a physical disorder, physical injury, or physical illness, including a life endangering physical condition caused by or arising from the pregnancy itself.

''(2) A minor transported in violation of this section, and any parent of that minor, may not be prosecuted or sued for a violation of this section, a conspiracy to violate this section, or an offense under section 2 or 3 based on a violation of this section.

''(c) AFFIRMATIVE DEFENSE.—It is an affirmative defense to a prosecution for an offense, or to a civil action, based on a violation of this section that the defendant—

''(1) reasonably believed, based on information the defendant obtained directly from a parent of the minor, that before the minor obtained the abortion, the parental consent or notification took place that would have been required by the law requiring parental involvement in a minor's abortion decision, had the abortion been performed in the State where the minor resides; or

''(2) was presented with documentation showing with a reasonable degree of certainty that a court in the minor's State of residence waived any parental notification required by the laws of that State, or otherwise authorized that the minor be allowed to procure an abortion.

''(d) CIVIL ACTION.—Any parent who suffers harm from a violation of subsection (a) may obtain appropriate relief in a civil action.

''(e) DEFINITIONS.—For the purposes of this section—

''(1) the term 'abortion' means the use or prescription of any instrument, medicine, drug, or any other substance or device intentionally to terminate the pregnancy of a female known to be pregnant with an intention other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead unborn child who died as the result of a spontaneous abortion, accidental trauma or a criminal assault on the pregnant female or her unborn child;

''(2) the term a 'law requiring parental involvement in a minor's abortion decision' means a law—

''(A) requiring, before an abortion is performed on a minor, either—

''(i) the notification to, or consent of, a parent of that minor; or

''(ii) proceedings in a State court; and

''(B) that does not provide as an alternative to the requirements described in subparagraph (A) notification to or consent of any person or entity who is not described in that subparagraph;

''(3) the term 'minor' means an individual who is not older than the maximum age requiring parental notification or consent, or proceedings in a State court, under the law requiring parental involvement in a minor's abortion decision;

''(4) the term 'parent' means—

''(A) a parent or guardian;

''(B) a legal custodian; or

''(C) a person standing in loco parentis who has care and control of the minor, and with whom the minor regularly resides, who is designated by the law requiring parental involvement in the minor's abortion decision as a person to whom notification, or from whom consent, is required; and

''(5) the term 'State' includes the District of Columbia and any commonwealth, possession, or other territory of the United States.''.

SEC. 3. CHILD INTERSTATE ABORTION NOTIFICATION.

Title 18, United States Code, is amended by inserting after chapter 117A the following:

''CHAPTER 117B—CHILD INTERSTATE ABORTION NOTIFICATION

''Sec.
''2432. Child interstate abortion notification.

''§ 2432. Child interstate abortion notification

''(a) OFFENSE.—

''(1) GENERALLY.—A physician who knowingly performs or induces an abortion on a minor in violation of the requirements of this section shall be fined under this title or imprisoned not more than one year, or both.

''(2) PARENTAL NOTIFICATION.—A physician who performs or induces an abortion on a minor who is a resident of a State other than the State in which the abortion is performed must provide at least 24 hours actual notice to a parent of the minor before performing the abortion. If actual notice to such parent is not possible after a reasonable effort has been made, 24 hours constructive notice must be given to a parent.

''(b) EXCEPTIONS.—The notification requirement of subsection (a)(2) does not apply if—

''(1) the abortion is performed or induced in a State that has a law in force requiring parental involvement in a minor's abortion decision and the physician complies with the requirements of that law;

''(2) the physician is presented with documentation showing with a reasonable degree of certainty that a court in the minor's State of residence has waived any parental notification required by the laws of that State, or has otherwise authorized that the minor be allowed to procure an abortion;

''(3) the minor declares in a signed written statement that she is the victim of sexual abuse, neglect, or physical abuse by a parent, and, before an abortion is performed on the minor, the physician notifies the authorities specified to receive reports of child abuse or neglect by the law of the State in which the minor resides of the known or suspected abuse or neglect; or

''(4) the abortion is necessary to save the life of the minor because her life was endangered by a physical disorder, physical injury, or physical illness, including a life endangering physical condition caused by or arising from the pregnancy itself.

''(c) CIVIL ACTION.—Any parent who suffers harm from a violation of subsection (a) may obtain appropriate relief in a civil action.

''(d) DEFINITIONS.—For the purposes of this section—

''(1) the term 'abortion' means the use or prescription of any instrument, medicine, drug, or any other substance or device intentionally to terminate the pregnancy of a female known to be pregnant with an intention other than to increase the probability of a live birth, to preserve the life or health of the child after live birth, or to remove a dead unborn child who died as the result of a spontaneous abortion, accidental trauma, or a criminal assault on the pregnant female or her unborn child;

''(2) the term 'actual notice' means the giving of written notice directly, in person;

''(3) the term 'constructive notice' means notice that is given by certified mail, return receipt requested, restricted delivery to the last known address of the person being notified, with delivery deemed to have occurred 48 hours following noon on the next day subsequent to mailing on which regular mail delivery takes place, days on which mail is not delivered excluded;

''(4) the term a 'law requiring parental involvement in a minor's abortion decision' means a law—

''(A) requiring, before an abortion is performed on a minor, either—

''(i) the notification to, or consent of, a parent of that minor; or

''(ii) proceedings in a State court;

''(B) that does not provide as an alternative to the requirements described in subparagraph (A) notification to or consent of any person or entity who is not described in that subparagraph;

''(5) the term 'minor' means an individual who is not older than 18 years and who is not emancipated under State law;

''(6) the term 'parent' means—

''(A) a parent or guardian;

''(B) a legal custodian; or

''(C) a person standing in loco parentis who has care and control of the minor, and with whom the minor regularly resides;

as determined by State law;

''(7) the term 'physician' means a doctor of medicine legally authorized to practice medicine by the State in which such doctor practices medicine, or any other person legally empowered under State law to perform an abortion; and

''(8) the term 'State' includes the District of Columbia and any commonwealth, possession, or other territory of the United States.''.

SEC. 4. CLERICAL AMENDMENT.

The table of chapters at the beginning of part I of title 18, United States Code, is amended by inserting after the item relating to chapter 117 the following new items:

''117A. Transportation of minors in circumvention of certain laws relating to abortion 2431
''117B. Child interstate abortion notification ..... 2432''.

SEC. 5. SEVERABILITY AND EFFECTIVE DATE.

(a) The provisions of this Act shall be severable. If any provision of this Act, or any application thereof, is found unconstitutional, that finding shall not affect any provision or application of the Act not so adjudicated.

(b) The provisions of this Act shall take effect upon enactment.

The Acting CHAIRMAN. No amendment to the committee amendment is in order except those printed in House Report 109–56. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question.

It is now in order to consider amendment No. 1 printed in House Report 109–56.

AMENDMENT NO. 1 OFFERED BY MR. SCOTT OF VIRGINIA

Mr. SCOTT of Virginia. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. SCOTT of Virginia:

Page 4, after line 11, insert the following:

(3) The prohibitions of this section do not apply with respect to conduct by taxicab drivers, bus drivers, nurses, medical providers or others in the business of professional transport.

Redesignate succeeding subsections accordingly.

The Acting CHAIRMAN. Pursuant to House Resolution 236, the gentleman from Virginia (Mr. SCOTT) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the bill makes it a Federal crime to transport a minor across State lines with the intent that the minor obtain an abortion if the parental-involvement laws of the State were circumvented.

Now, transport is not defined in the bill. But it obviously includes taxicabs, buses, ambulance drivers and others that may transport a minor across State lines to get an abortion or return from an abortion under the bill. And it makes them criminals for the simple task of doing their job, transporting someone between two places.

Now, the bill also makes conspiracy and accessory after the fact criminal violations, so a nurse or receptionist or sorority sister who calls the cab could also be prosecuted for the Federal crime.

That is why, Mr. Chairman, I have introduced the amendment, which says that the prohibitions of this section do not apply with respect to the conduct of taxicab drivers, bus drivers, nurses, medical providers or others in the business of professional transport.

Now, even if a prosecutor uses commonsense prosecutorial discretion and does not prosecute a cab driver or a sorority sister in this situation, there are other problems with the bill, because a technical violation of the bill, such as one committed by the taxicab driver, automatically exposes that taxicab driver or the sorority sister who calls the cab, did not even go on the trip, to civil liability. That means that the parents can sue them for what they did.

The civil liability provisions of the bill create a blanket Federal cause of action for a parent that suffers ''legal harm,'' compounding the massive intimidation effects of the bill. Based on the language of the bill, the cab driver, receptionist, sorority sister could be held civilly liable for helping to provide safe and legal transportation assistance to the minor.

Moreover, based on the agency principles, not only is the cab driver exposed to civil liability, but the entire cab company is similarly exposed.

Now, you may say that the cab driver probably did not know. But what happens when the passenger gets into the cab and says, take me to the abortion clinic which happens to be across State lines. And during the trip, he hears the minor discuss with a friend where she is going and why. It becomes clear what the deal is.

Now, in prior discussions with the amendment, it has been suggested that the bill will immunize someone who may be a taxicab driver and also a sexual predator.

Let us not insult each other. If someone is a sexual predator, and the prosecutor evidence of that, this will be the last code section that they will be looking at because these are misdemeanors. The code is full of felonies for sexual predators.

And so if the parent finds out that the minor went across State lines by taxicab and gets mad, and the child has to explain what happened, how they got to the clinic, and what was said in the cab, obviously, the parent can sue the cab driver.

□ 1715

Now, an overwhelming portion of minors already discuss the situation with their parents. This will not reduce teen pregnancy. This will not increase the number of children that discuss the situation with their parents. This will make no exceptions for dysfunctional families. It will just make criminals out of friends and relatives and allow the parents to sue them.

I just do not think, Mr. Chairman, that the taxicab drivers ought to get caught up in that controversy and that is why I hope the amendment is adopted.

Mr. Chairman, I reserve the balance of my team.

Mr. SENSENBRENNER. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN (Mr. GILLMOR). The gentleman from Wisconsin (Mr. SENSENBRENNER) is recognized for 10 minutes.

Mr. SENSENBRENNER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment should be defeated for a number of reasons, most specifically of which, it is once again drafted overly broadly and will allow the immunization of people who really are a part of a scheme to transport people across State lines in violation of a State parental involvement law.

The amendment would allow the creation of an entire for-profit, interstate taxicab network specifically designed to thwart State parental notification laws. For example, we heard from the gentleman from New Jersey (Mr. SMITH) that there are ads in the Pennsylvania Yellow Pages for abortion clinics in New Jersey, since New Jersey does not have a parental notification or involvement law but Pennsylvania does.

So if this amendment were adopted, an ad could advertise the abortion clinic in New Jersey and then have a phone number of a cab company that is under contract with that New Jersey abortion clinic to pick up the minor and cross the State line for the abortion. And I do not think that is what we want to foster with this amendment.

The allegations that taxicab drivers would be inadvertently caught up under this bill I think is misstated. They are not generally liable under the bill which allows for the conviction of an individual who knowingly transports a minor across State lines with the intent that such an individual obtain an abortion. Although a taxicab driver or a bus driver or whoever may have the knowledge that the minor that he or she is transporting will obtain an abortion as soon as she arrives at her destination, his or her intent is not that the minor obtain the abortion. Rather, it is to transport the minor to the destination of choice, whether it is an abortion clinic or a shopping mall.

In other words, the taxicab driver's reason for transporting the minor is to receive the fare, not to ensure that he or that she obtain an abortion. So a taxicab driver will generally not have the requisite criminal intent necessary for prosecution under the bill.

On the other hand, there are some instances in which the taxicab driver does have such criminal intent; and this amendment, if adopted, would mean that even if they had that intent they could not be prosecuted. The driver may have the intent that a minor obtain an abortion across State lines perhaps because the minor has been the victim of statutory rape at the hands of the cab driver himself and he wants to erase any evidence of his impregnating her.

This amendment, if adopted, will allow such misconduct and that is wrong. A taxicab license should not be a license to commit crimes and avoid prosecution.

The amendment should be defeated for reasons I have stated. It seeks to address a problem that does not exist, and, in doing so, opens a huge loophole that can be exploited by those who would seek to keep parents in the dark and conceal criminal misconduct. I urge my colleagues to oppose this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Chairman, how much time do I have remaining?

The Acting CHAIRMAN. The gentleman from Virginia (Mr. SCOTT) has 6 minutes remaining.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Chairman, I rise in support of the Scott amendment and in opposition to H.R. 748. I commend the work of my colleagues, the gentlewoman from New York (Ms. SLAUGHTER) and the gentlewoman from Colorado (Ms. DEGETTE) in the work on this bill as well.

Here we go again. The party that talks about States rights is stepping on the rights of States. The party that talks about family values wants to put Grandma and Aunt Jane in jail.

Supporters of this bill argue that it will help reduce the number of abortions in this country or protect the health and well-being of our Nation's youth and families. But while these types of bills may look good for politics for some, they make very bad policy for all.

It is sad that the U.S. has the highest rates of teen pregnancy in the western civilized world, and I think everyone here agrees that we should take steps to counter that. That is why we should support programs that improve the health of our young people, improve communication among families, prevent teen pregnancy and reduce the number of abortions.

Fortunately, these programs like those under Title X do exist. Unfortunately, these programs are not what we are focusing on here today. Congress should work to find common ground on real solutions to problems of unintended pregnancies and abortions. Funding for programs like Title X is one way to reduce abortions. Passage of H.R. 748 is not, and I urge a ''no'' vote.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Mr. Chairman, I thank the gentleman for yielding me time.

This amendment, as the chairman previously indicated, is just unnecessary. If you go to the language of the bill itself, it indicates it is essentially illegal to knowingly transport a minor across the State line with the intent that such minor obtain an abortion, and so on.

Now, clearly the taxicab driver's intent is to obtain the fare, not that the young girl receive an abortion. So this is really unnecessary. I might add, during the course of this debate we have heard a number of things. We had heard that parents, for example, that a girl is not protected under this proposed bill because perhaps there is a case of incest; perhaps the father is the one that actually was responsible for the girl becoming pregnant. Judicial bypass, as we all know, as it does under the various State laws, protects that particular situation so that is really not an issue.

I think the gentleman from Illinois (Mr. HYDE) was exactly right when he said that in essence when you have somebody secreting a girl who is pregnant to have a secret abortion in another State, that is an assault on the family, and that is what we are trying to prevent.

Again, the parents are in the best position to be able to determine what is in the best interest of that child.

Finally, I just wanted to say we have heard this bill, which I think is a very good pill and has passed in this House three times before, we have heard it called by some folks on the other side ludicrous, laughable, cruel; but I just might note that the last time this bill was before this House, 58 Democrats, 58 folks on the other side of the aisle voted for this bill. And so that is a little more than 1 in 4 supported this bill.

I think it is great legislation. I am very pleased we will once again take it up.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. CONYERS), the ranking member of the Committee on the Judiciary.

Mr. CONYERS. Mr. Chairman, I am grateful to the gentleman from Virginia (Mr. SCOTT) who has been very careful about what he has said and

written about this bill, and his amendment is very thoughtful.

Now, for anybody that thinks this is the same bill you have voted on three times, I want to tell you it is not. This bill goes far further and federalizes more things than any of the legislation we have ever had. And as the bill is drafted now, and as the gentleman from Virginia (Mr. SCOTT) has perceived, anyone involved in any way with the transportation of a minor would have violated the law if they were going to get an abortion, whether he knows it or not.

That is because the bill does not require proof of any intent to avoid State parental consent laws. Just simply transporting a minor, a driver, a taxi man, a bus driver, a family member, could be jailed up to a year or fined, or both. The same applies to emergency medical personnel.

As the gentlewoman pointed out, doctors who may be aware that they are taking a minor across State lines to obtain an abortion but would have no choice if a medical emergency was occurring, what about the Supreme Court requirement for medical emergencies for abortion? Does that not mean anything to anybody here?

Similarly, a nurse at a clinic just providing directions to a minor or her driver could be convicted as an accessory. We have never had that in the bills before us before. A doctor who procures a ride home for a minor and a person accompanying her because of car troubles, coupled with the minor's expressed fear of calling her parents for assistance, could be convicted as an accessory after the fact. A sibling of the minor who merely agrees to transport a minor across States lines without knowledge of any intent to evade the resident State's parental consent or notification laws could be thrown in jail and convicted of a conspiracy to violate the statute.

Let us pass this amendment that brings just a little bit of humanity back into a very mean-spirited bill. We need this amendment to protect these individuals who are innocently swept into the young woman's abortion act and are not made innocent victims of the law.

Support the Scott amendment.

Mr. SENSENBRENNER. Mr. Chairman, I am prepared to close if the gentleman from Virginia (Mr. SCOTT) has no further speakers.

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, let me read the operative language of the bill. ''Whoever knowingly transports a minor across a State line with the intent that such minor obtain an abortion,'' clearly covers a taxicab driver who knows where he is going and has heard the discussion behind him.

I just do not think the bill ought to apply to the taxicab driver. If the others do not think it applies, then just pass the amendment. I think it is a commonsense amendment. The taxicab driver ought not get caught up into an interfamily dispute over who did what and he get sued and the cab company get sued because he did not know it was illegal to take the fare to the nearest abortion clinic which happened to be across the State line.

The taxicab driver could clearly know and he could hear the discussion about where they were going and why. That would make him guilty, the taxicab company guilty, the sorority sister that called the taxicab guilty for conspiracy.

This is a commonsense amendment. I do not think the taxicab driver ought to be part of this discussion, ought not be sued by a mad parent, and I hope we will adopt the amendment.

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

Mr. SENSENBRENNER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, one standard element of obtaining a criminal conviction is that the defendant has the appropriate criminal intent.

Now, under the bill without the Scott amendment, if the taxicab driver does not have the criminal intent which includes knowledge of what is going on, then the taxicab driver and the company cannot be convicted. If they do have the criminal intent to evade a State parental involvement law, then they ought to be convicted of transporting the minor across the State line.

What the Scott amendment does is effectively immunize transporters who have criminal intent, and that is why the amendment ought to be defeated. I urge the membership to vote ''no.''

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia (Mr. SCOTT).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. SCOTT of Virginia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia (Mr. SCOTT) will be postponed.

□ 1730

The Acting CHAIRMAN (Mr. GILLMOR). It is now in order to consider amendment No. 2 printed in House Report 109–56.

AMENDMENT NO. 2 OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Ms. JACKSON-LEE of Texas:

Page 4, after line 11, insert the following:

''(3) The prohibition of subsection (a) does not apply with respect to conduct by a grandparent of the minor or clergy person.

The Acting CHAIRMAN. Pursuant to House Resolution 236, the gentlewoman from Texas (Ms. JACKSON-LEE) and the gentleman from Wisconsin (Mr. SENSENBRENNER) each will control 10 minutes.

The Chair recognizes the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, before yielding to the cosponsor of this legislation, I yield 30 seconds to the distinguished gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Chairman, I support the amendment, but I also wanted to point out that at the end of the last debate the chairman of the committee suggested that there needs to be a criminal intent for the evasion of the parental consent laws, but we do not need intent for that. If, in fact, you have circumvented the parental consent laws, then there is a violation. You do not even have to know you violated them if, in fact, you did; and I think the chairman would acknowledge that.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield 3½ minutes to the distinguished gentleman from New York (Mr. NADLER), the ranking member of the subcommittee.

Mr. NADLER. Mr. Chairman, I am pleased to be offering this amendment with my good friend, the gentlewoman from Texas.

Mr. Chairman, this is one of the amendments that the committee report lied about. This amendment would prevent terrible and, I assume, unintended injustices. The amendment creates an exception to the provisions that make it a crime to accompany a minor across State lines who is seeking abortion services if the person accompanying the minor is a grandparent or a member of the clergy.

These are responsible adults to whom young people often turn when they are in trouble and cannot go to their parents. In an ideal world, that would never happen; but where that is the case, where they feel they cannot turn to their parents, I think we want our young people to able to turn to a grandparent or their minister, priest, or rabbi.

At the very least, I do not think Members want to put grandmothers and members of the clergy behind bars simply because they did not want to leave a young person alone and unaided during a very difficult moment.

Do we really want to put grandmothers and clergy in jail? Surely the supporters of this bill would not want to put a grandmother or reverend in jail who is only trying to help a minor.

I know they argue that the evil abortion providers are spiriting them away, but we are not talking about if that ever occurred. We are talking about the grandmother of the minor. We are talking about the trusted minister, priest, or rabbi of the minor whom she seeks out and confides in.

The opponents of this amendment have argued that it is the fundamental right of a parent to be involved in any decision concerning the pregnancy of their child. This is certainly true.

But in the real world, there are situations where it is impossible for a minor to tell a parent about a pregnancy, for instance, in cases of incest, where the parents physically abuse their children or in the case that I mentioned while in general debate of the young 13-year-old girl whose father had raped her, found out she was pregnant, and murdered her. In these cases, a minor needs to be able to turn to a responsible adult, such as a grandparent or a clergy member, for assistance. We should not criminalize this assistance. We should not be throwing caring grandmothers, grandparents, or ministers in jail.

Now, it may be that a properly drafted amendment that would say if it was a ring of people doing this for money, maybe that would be reasonable, but not a grandparent or a clergy member who was helping a young person in trouble.

Some have argued that we should defeat this amendment because there are cases, albeit few and isolated, where a grandparent or a member of the clergy may be a sexual predator. Sadly, this is true sometimes. Thankfully, it is rarely true. It is also true that sometimes a parent is a sexual predator, and this bill not only does not protect the minor in those cases. It requires the doctor to ring the sexual predator's doorbell to tell him what is going on, and it gives the sexual predator the ability to sue the doctor. That is what the bill does.

Even with this exception, with the exception in this amendment, any sexual predator will still face the full force of the law. Those crimes can, and should still, be punished. This amendment in no way shields these criminals from the consequences of their acts. It does, however, protect caring grandparents and clergy from going to jail just because they cared enough about a young person to stand with them in a difficult time.

Mr. Chairman, it should be the duty of the government and Congress to provide help to young women in these trying times, not to make life more difficult than it needs to be.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I reserve my time.

Mr. SENSENBRENNER. Mr. Chairman, I am the only speaker on this amendment, and I will reserve my time so I can close.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. CONYERS), the distinguished ranking member. And may I ask how much time is remaining.

The Acting CHAIRMAN. The gentlewoman from Texas (Ms. JACKSON-LEE) has 6 minutes remaining, and the gentleman from Michigan (Mr. CONYERS) is recognized for 2 minutes.

Mr. CONYERS. Mr. Chairman, I want to thank the gentlewoman from Texas, whose amendment, with the gentleman from New York (Mr. NADLER), helps to bring a little sensitivity, a little care, understanding, concern about the awful problem behind the necessity that is thought to be needed for this bill.

The Jackson-Lee/Nadler amendment seeks to give the young women who are already in desperate situations an opportunity to turn to a trusted adult. Specifically, it creates an exception for grandparents and clergy members from civil or criminal liability.

Now, one could almost, in a more rational circumstance, ask who could be against that. The alternative to this, without this amendment, would be to leave the young women at the mercy of their peers and adults who do not have their best interests at heart or leave them alone.

So the amendment is absolutely vital. Even further, some young women justifiably fear they would be physically abused if forced to disclose their pregnancy to their parents. Nearly one-third of minors who choose not to consult with their parents have experienced violence in their family or feared violence or feared being forced to leave home. So enacting this legislation and forcing young women in these circumstances to notify their parents of their pregnancies will only exacerbate the dangerous cycle of violence in dysfunctional families.

This is the lesson of Spring Adams, an Idaho teenager who was shot to death by her father after he learned she was planning to terminate a pregnancy he caused. It is clear that when a young woman believes that she cannot involve her parents in her decision to terminate a pregnancy, the law cannot mandate healthy, open family communications.

I urge my colleagues to support Jackson-Lee/Nadler.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield 1 minute to the distinguished gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, in an ideal world, teens would talk to their parents if they found themselves pregnant. I guess some would even go so far as to say, in an ideal world, our teens would not be having sex at all; but let us face it, that is not the world we live in. Many teenagers would do anything not to tell their parents about an unintended pregnancy, even if it means putting their own life in jeopardy.

Make no mistake, I strongly support measures that will help foster healthy relationships between parents and their children; but those out there who believe this is a good, family-friendly bill are out of touch with reality.

This bill is not going to encourage teens to talk to their parents. It is not going to curb abortion. Rather, this bill will only encourage young girls to seek unsafe, illegal abortions.

I urge my colleagues to vote for this amendment; vote against H.R. 748.

I thank the gentlewoman very much for yielding time to me.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself the balance of the time.

I thank the distinguished gentlewoman for her leadership. I thank the gentleman from New York (Mr. NADLER) for his leadership, and I thank him very much for the fight that he has put forward for a fair and balanced response to what could be a very tragic set of circumstances.

I am delighted to follow the gentlewoman from California (Ms. WOOLSEY) because I want to reinforce the fact that we want healthy relationships between parents. We want a young woman to be able, a girl, a minor to be able to consult with her parents in a prayerful manner with her clergy and with her physician in this potentially tragic set of circumstances.

But allow me to read into the RECORD a circumstance that does occur in America. In Idaho, a 13-year-old girl named Spring Adams was shot to death by her father after he learned that she planned to terminate her pregnancy caused by his acts of incest. Might I repeat it again, Mr. Chairman, by his acts of incest. One more time. By his acts of incest.

This is what the debate is about. This particular legislation, although it may be well intended, does not have an exemption for incest, does not have an exemption for incest. The amendments that my colleagues offered in the Committee on the Judiciary all went to the idea of providing the greater safety for this minor, not to eliminate the responsibility of a parent, nor to eliminate the relationship between parent and child.

Let me for the record, as the gentleman from New York (Mr. NADLER) did indicate in his remarks, that the amendment that I offered in the Committee on the Judiciary did not exempt sexual predators, and I am so terribly offended and offended for this institution for the untruths that were reported in the report language.

The Jackson-Lee amendment that offered to include aunts, uncles and cousins and godparents to be able to provide counsel to that minor was to speak to the question of incest, in case a parent was engaged in incest. Unfortunately, we could not get our colleagues on the other side of the aisle to understand the clarity of trying to provide an additional person cover, counsel if you will, so that if the parent perpetrated incest, that child had somewhere to go.

The untruth of the representation in the report language needs to be qualified and corrected. I hope my colleagues will see fit very shortly to have that corrected; but I would simply say that H.R. 748, as it is drafted, does not provide protection for that minor child.

Our amendment, the Nadler/Jackson-Lee amendment, allows for the grandparent and the clergy to be exempted

from being sued by the parents when they can stand instead to provide counsel, religious counsel, social counsel, comfort counsel to that minor child; and that they should be subjected to a lawsuit by a parent who may have perpetrated incest is an insult and a travesty.

This legislation will not improve family communication or help young women facing crisis pregnancies. We all hope that loving parents will be involved in their daughters' lives, and I will tell my colleagues that 61 percent seek counsel. Ninety-three percent who do not get counsel from their parent do seek to from a close associate, friend, grandparent.

It is important, even in the absence of laws mandating parental involvement, many young women do turn to their parents. I would argue that this is a poorly drafted legislative initiative. I would ask my colleagues to support this amendment because there is no incest exemption.

Mr. Chairman, I rise to offer and support an amendment on which my colleague from New York, Mr. NADLER has joined me.

My amendment, in particular, made no mention of sexual predators. One can infer virtually anything about amendments until they are taken into context. In fact, one can infer a myriad of negative things from what is not included in the base legislation. The report was, frankly, ludicrous as to this matter. We must take it upon ourselves to accurately interpret our colleagues' amendments; lest we turn ourselves into a body of mud-slinging, vindictive individuals.

As Chair of the Children's Caucus, the report has risen to an inflammatory inference that must be corrected because justice requires it. However, one thing about this debate is different. The unprofessional way in which our committee colleagues have elected to report out the amendments that were offered by Mr. SCOTT, Mr. NADLER, and me has morphed from the simple reiteration of the precise idea of the amendment two years ago when we last debated this to an abomination that insinuates that our amendments would protect sexual predators. As my colleague and partner in offering the amendment I will present today stated before the Committee on Rules, our committee colleagues have behaved in an unfair manner and have made a clear partisan attack when the lives of minor females are at stake.

The Child Interstate Abortion Notification Act (CIANA), while good in its intention, was written with several areas of vagueness, overly punitive nature, and constitutional violations that very much deserve debate in order to save lives and to obviate the need for piles upon piles of legal pleadings.

The mandatory parental-involvement laws already create a draconian framework under which a young woman loses many of her civil rights. My state, Texas, is one of 23 states (AL, AZ, AR, GA, IN, KS, KY, LA, MA, MI, MN, MS, MO, NE, ND, PA, RI, SD, TN, UT, TX, VA, WY) that follows old provisions of the ''Child Custody Protection Act'' which make it a federal crime for an adult to accompany a minor across state lines for abortion services if a woman comes from a state with a strict parental-involvement mandate. There are 10 states (CO, DE, IA, ME, MD, NC, OH, SC, WI, WV) that are ''non-compliant,'' or require some parental notice but other adults may be notified, may give consent, or the requirement may be waived by a health care provider in lieu of the parental consent. Finally, there are 17 states (AK, CA, CT, DC, FL, ID, IL, MT, NV, NH, NJ, NM, NY, OK, OR, VT, WA) that have no law restricting a woman's access to abortion in this case. The base bill, if passed, would take away the States' rights to make their own determination as to legislating the abortion issue for minors with respect to parental notification.

Our amendment to the Child Interstate Abortion Notification Act, would change the prohibitions to exempt grandparents of the minor or clergy persons. This must be done because some minors want the counsel of a responsible adult, and are unable to turn to their parents. In Idaho, a 13 year old girl named Spring Adams was shot to death by her father after he learned that she planned to terminate a pregnancy caused by his acts of incest. This is an exact situation where the help of a grandparent or clergy would have been more helpful. Spring Adams may still be with us today if she could have found someone more compassionate and caring to confide in.

H.R. 748, as drafted, will not improve family communication or help young women facing crisis pregnancies. We all hope that loving parents will be involved when their daughter faces a crisis pregnancy. Every parent hopes that a child confronting a crisis will seek the advice and counsel of those who care for her most and know her best. In fact, even in the absence of laws mandating parental involvement, many young women do turn to their parents when they are considering an abortion. One study found that 61 percent of parents in states without mandatory parental consent or notice laws knew of their daughter's pregnancy.

Unfortunately, some young women cannot involve their parents because they come from homes where physical violence or emotional abuse is prevalent or because their pregnancies are the result of incest. In these situations, the government cannot force healthy family communication where it does not already exist—and attempts to do so can have tragic consequences for some girls.

Major medical associations—including the American Medical Association, the American College of Obstetricians and Gynecologists, the American College of Physicians, and the American Public Health Association—all have longstanding policies opposing mandatory parental-involvement laws because of the dangers they pose to young women and the need for confidential access to physicians. These physicians see young ladies on a daily basis and hear their stories. They would not protest this law unless they felt there were severe stakes.

CIANA criminalizes caring adults—including grandparents of the minor, who attempt to assist young women facing crisis pregnancies. In one study, 93 percent of minors who did not involve a parent in their decision to obtain an abortion were still accompanied by someone to the doctor's office. If CIANA becomes law, a person could be prosecuted for accompanying a minor to a neighboring state, even if that person does not intend, or even know, that the parental-involvement law of the state of residence has not been followed. Although legal abortion is very safe, it is typically advisable to accompany any patient undergoing even minor surgery. Without the Jackson Lee-Nadler Amendment, a grandmother could be subject to criminal charges for accompanying her granddaughter to an out-of-state facility—even if the facility was the closest to the young woman's home and they were not attempting to evade a parental involvement law.

In a statement given by Dr. Warren Seigel, a member of the Physician for Reproductive Choice and Health, to the House Judiciary Subcommittee on the Constitution, he says ''I recognize that parents ideally should be—and usually are—involved in health decisions regarding their children. However, the Child Interstate Abortion Notification Act does nothing to promote such communication. Instead, CIANA places incredible burdens on both young women and physicians; infringes on the rights of adolescents to health care that does not violate their safety and health; makes caring family, friends and doctors criminals; and could be detrimental to the health and emotional well-being of all patients.''

Although this legislation is supposedly aimed at increasing parent-child communication, the government cannot mandate healthy families and, indeed, it is dangerous to attempt to do so. Research has shown that the overwhelming majority of adolescents already tell their parents before receiving an abortion. In fact, the younger the woman is, the more likely she is to tell her parent. The American Academy of Pediatrics, a national medical organization representing the 60,000 physician leaders in pediatric medicine—of which I am a member and leader—has adopted the following statement regarding mandatory parental notification:

Adolescents should be strongly encouraged to involve their parents and other trusted adults in decisions regarding pregnancy termination, and the majority of them voluntarily do so. Legislation mandating parental involvement does not achieve the intended benefit of promoting family communication, but it does increase the risk of harm to the adolescent by delaying access to appropriate medical care.

It is important to consider why a minority of young women cannot inform their parents. The threat of physical or emotional abuse upon disclosure of the pregnancy to their parents or a pregnancy that is the result of incest make it impossible for these adolescents to inform their parents. My amendment would allow other trusted adults to be a part of this process. Support the Jackson Lee-Nadler amendment.

Mr. SENSENBRENNER. Mr. Chairman, I yield myself the time given to me in opposition to the amendment.

Mr. Chairman, first, both sections of the bill do provide an exception for incest, and all of the arguments that have been made to the contrary are simply not correct.

Furthermore, this amendment should be defeated because it would codify the circumvention of parental involvement when the overwhelming majority of Americans support parental involvement. In some polls, over 80 percent of the public supports parental involvement. As recently as March 2005, 75 percent of over 1,500 registered voters

surveyed favored requiring parental notification before a minor gets an abortion, and only 18 percent opposed parental notification.

□ 1745

Under current law, grandparents and clergy do not have the authority to authorize a medical procedure for a minor child, or even ear piercings or the dispensing of aspirin at schools. So why should such a fundamental parental right be thrown aside for the abortion procedure alone? This amendment would sever the essential parent-child relationship. Grandparents and undefined clergy are not parents. It is that simple.

It is instructive that the Supreme Court has always held that the important duty to ensure and provide for the care and nurture of minor children lies only with the parents, a conclusion which arises from the traditional legal recognition that ''the natural bounds of affection lead parents to act in the best interest of their children.'' That was Parham v. J.R., 1979, of the Supreme Court. And as Justices O'Connor, Kennedy, and Souter observed in Planned Parenthood v. Casey, parental consent and notification laws related to abortions are ''based on the quite reasonable assumption that minors will benefit from consultation with their parents and that children will often not realize that their parents have their best interests at heart.''

Significantly for CIANA, the Supreme Court recently struck down a Washington State visitation law under which grandparents were granted visitation of their grandchildren over the objection of the children's mother. That State visitation law was struck down precisely because it failed to provide special protection for the fundamental right of parents to control with whom their children associate.

The amendment also excludes from the bill any clergy, and the amendment leaves the word ''clergy'' undefined. Just last year, one State court ominously described the dangers of using the term ''clergy'' in the law without providing any clear definition. That court stated, ''Almost anyone in a religious organization willing to offer what purports to be spiritual advice would qualify for clergy status.'' That is Waters v. O'Connor, 2004, the Court of Appeals of Arizona. That means that under this amendment, an impressionable and vulnerable minor could be sexually exploited by a cultist and the cultist could escape liability and prosecution under this legislation because the cultist claims clergy status.

In fact, when the Federal Rules of Evidence were being debated in Congress, Congress specifically rejected using the word clergy in those rules. Doing so would have invited courts, just as this amendment would, to allow all matter of cult figures to fall under the term.

Parents, and not anyone else, know and can provide their dependent minor children's complete and accurate medical histories. Before children undergo medical procedures, parents are required to provide this critical information. Without that medical history, an abortion could be devastating to a child's health.

As the Supreme Court has made clear, ''the medical, emotional, and psychological consequences of an abortion are serious and can be lasting. An adequate medical and psychological case history is important to the physician. Parents can provide medical and psychological data, refer the physician to other sources of medical history, such as family physicians, and authorize family physicians to give relevant data.'' That is H.L. v. Matheson, 1981.

And in addressing the right of parents to direct the medical care of their children, the Supreme Court has stated, ''Our jurisprudence historically has reflected western civilization concepts of the family as a unit with broad parental authority over minor children. Our cases have consistently followed that course; our constitutional system has long rejected any notion that a child is a mere creature of the State.'' And, on the contrary, asserted that parents generally ''have the right, coupled with the high duty, to recognize and prepare their children for additional obligations. Surely this includes the high duty to recognize symptoms of illness and to seek and follow medical advice. The law's concept of the family rests on a presumption that parents possess what a child lacks in maturity, experience, and capacity for judgment required for making life's difficult decisions.'' Parham v. J.R., 1979.

Parents, not grandparents or undefined clergy, are legally, morally, and financially responsible for their children's follow-up medical care. If parents are kept in the dark by others, they will not be able to recognize potentially dangerous consequences of abortions.

Mr. Chairman, I urge my colleagues to defend the integrity of the parent-child relationship, which this amendment does so much to undo; to protect the rights of young girls from potential medical harm by defeating this amendment. Please vote ''no.''

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

The Acting CHAIRMAN (Mr. GILLMOR). All time for debate on this amendment has expired.

The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment No. 1, offered by Mr. SCOTT of Virginia, and amendment No. 2, offered by Ms. JACKSON-LEE of Texas.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote.

AMENDMENT NO. 1 OFFERED BY MR. SCOTT OF VIRGINIA

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on amendment No. 1 offered by the gentleman from Virginia (Mr. SCOTT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 179, noes 245, not voting 10, as follows:

[Roll No. 141]

AYES—179

Abercrombie	Engel	McCollum (MN)
Ackerman	Eshoo	McDermott
Allen	Etheridge	McGovern
Andrews	Evans	McKinney
Baca	Farr	Meehan
Baird	Fattah	Meek (FL)
Baldwin	Filner	Meeks (NY)
Barrow	Ford	Menendez
Bass	Frank (MA)	Michaud
Bean	Gonzalez	Millender-McDonald
Becerra	Green, Al	Miller (NC)
Berkley	Gutierrez	Miller, George
Berman	Harman	Moore (KS)
Biggert	Hastings (FL)	Moore (WI)
Bishop (GA)	Herseth	Moran (VA)
Bishop (NY)	Higgins	Nadler
Blumenauer	Hinchey	Napolitano
Boehlert	Hinojosa	Neal (MA)
Boswell	Holt	Obey
Boucher	Honda	Owens
Boyd	Hooley	Pallone
Brady (PA)	Hoyer	Pastor
Brown (OH)	Inslee	Paul
Butterfield	Israel	Payne
Capps	Jackson (IL)	Pelosi
Capuano	Jackson-Lee (TX)	Price (NC)
Cardin	Jefferson	Rangel
Cardoza	Johnson (CT)	Reyes
Carnahan	Johnson, E. B.	Ross
Carson	Jones (OH)	Roybal-Allard
Case	Kaptur	Ruppersberger
Castle	Kelly	Rush
Clay	Kennedy (RI)	Sabo
Cleaver	Kilpatrick (MI)	Salazar
Clyburn	Kind	Sánchez, Linda T.
Conyers	Kirk	Sanchez, Loretta
Cooper	Kolbe	Sanders
Costa	Kucinich	Schakowsky
Crowley	Lantos	Schiff
Cummings	Larsen (WA)	Schwartz (PA)
Davis (AL)	Larson (CT)	Schwarz (MI)
Davis (CA)	Leach	Scott (GA)
Davis (FL)	Lee	Scott (VA)
Davis (IL)	Levin	Serrano
DeFazio	Lewis (GA)	Shays
DeGette	Lofgren, Zoe	Sherman
Delahunt	Lowey	Simmons
DeLauro	Lynch	Slaughter
Dent	Maloney	Smith (WA)
Dicks	Markey	Solis
Dingell	Matsui	Spratt
Doggett	McCarthy	
Emanuel		

Stark
Strickland
Sweeney
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—245

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Berry
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Chabot
Chandler
Chocola
Coble
Cole (OK)
Conaway
Costello
Cox
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Cunningham
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emerson
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kennedy (MN)
Kildee
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kuhl (NY)
LaHood
Langevin
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Ortiz
Osborne
Otter
Oxley
Pascrell
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Portman
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (OH)
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Skelton
Smith (NJ)
Smith (TX)
Snyder
Sodrel
Souder
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—10

Brown, Corrine
Brown-Waite, Ginny
English (PA)
Green, Gene
Grijalva
Olver
Pearce
Rothman
Westmoreland
Wicker

□ 1817

Mr. KING of Iowa changed his vote from ''aye'' to ''no.''

Messrs. ISRAEL, SCHWARZ of Michigan, LYNCH and MOORE of Kansas changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MS. JACKSON-LEE OF TEXAS

The Acting CHAIRMAN (Mr. GILLMOR). The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 177, noes 252, not voting 5, as follows:

[Roll No. 142]

AYES—177

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Barton (TX)
Bass
Bean
Becerra
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Doyle
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gilchrest
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kilpatrick (MI)
Kind
Kirk
Kucinich
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren, Zoe
Lowey
Maloney
Markey
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Obey
Olver
Owens
Pallone
Pastor
Paul
Payne
Pelosi
Price (NC)
Rangel
Ross
Roybal-Allard
Ruppersberger
Rush
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (WA)
Solis
Spratt
Stark
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—252

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Beauprez
Berry
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Chabot
Chandler
Chocola
Coble
Cole (OK)
Conaway
Costello
Cox
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Cunningham
Davis (FL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Jenkins
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kildee
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moore (KS)
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Ortiz
Osborne
Otter
Oxley
Pascrell
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Portman
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Skelton
Smith (NJ)
Smith (TX)
Snyder
Sodrel
Souder
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—5

Brown, Corrine
Istook
Rothman
Westmoreland
Wicker

□ 1827

Mr. SAXTON changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIRMAN (Mr. GILLMOR). There being no further amendments, the question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The Acting CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. GILLMOR, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 748) to amend title 18, United States Code, to prevent the transportation of minors in circumvention of certain laws relating to abortion, and for other purposes, pursuant to House Resolution 236, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

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

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

MOTION TO RECOMMIT OFFERED BY MR. NADLER

Mr. NADLER. Mr. Chairman, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. NADLER. Yes, Mr. Speaker, I am most certainly opposed to the bill.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. NADLER moves to recommit the bill H.R. 748 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment:

Page 5, line 5, insert after ''(a)'' the following: '', other than a parent who caused the minor to become pregnant as a result of rape or incest''.

Page 9, line 2, insert after ''(a)'' the following: '', other than a parent who caused the minor to become pregnant as a result of rape or incest''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. NADLER) is recognized for 5 minutes.

Mr. NADLER. Mr. Speaker, this bill allows a father to sue the person who accompanied the young woman or, if he did not receive the required notice, to sue the doctor who provided the abortion even if he himself, the father, that is, caused the pregnancy by rape or incest.

If adopted, my motion to recommit would simply ensure that this right to sue does not extend to a parent who caused the pregnancy through rape or incest. The motion to recommit would ensure that this bill would not enable such rapists to profit from their wrongdoing.

I know the gentleman from Wisconsin (Mr. SENSENBRENNER) will say that the bill already prohibits suits by rapists, but the so-called prohibition in the bill applies only to suits against the doctor, not against the person who accompanied her, and even against the doctor only in the unlikely event that the minor declares the rape in a signed written statement to the doctor.

□ 1830

Aside from that exception, the rapist under this bill will profit from the newly established rights to sue the doctor or the unlimited newly established right to sue the person who accompanied her.

I cannot believe that any Member of this House, even those who support parental-consent laws, could really want to enable a criminal, a father who raped his daughter and caused the pregnancy, to be able to profit from his wrongdoing by suing doctors, grandmothers, and clergymen. This motion would correct this obvious mistake; and I think, or at least I hope, that the sponsors of this bill would agree that this amendment should be adopted.

Mr. Speaker, there has been a great deal of loose talk over the last few days about sexual predators and the need to protect young women. We may not agree in this House on the best way to protect these young women, but we should all be able to agree that a father who rapes his daughter should not profit from his crime. This bill as presently constituted gives him that power. The motion to recommit would take that ability away from him and would do nothing else at all.

The motion to recommit simply says a father who rapes his daughter or commits incest with her and causes that pregnancy cannot then sue someone who performs an abortion or who accompanies her to an abortion.

Mr. Speaker, I yield the balance of my time to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of the motion to recommit with instructions. This motion is necessary in order to correct a glaring deficiency in H.R. 748. In its current form, H.R. 748 would permit a parent who impregnated his daughter nonetheless to bring an action under the bill against a health provider or a person accompanying a young girl across State lines for violation of the bill's notification provisions when a young girl travels across State lines to seek an abortion.

Mr. Speaker, this is about incest. My friends on the opposite side of the aisle would have you believe that there is an exception in this bill, that somehow they have taken care of this. It is not true. They have not made an exception for someone, a parent, that could now sue because the young girl did not come to them and get their permission, or if a person assisted this young girl, taking her across State lines.

The Nadler-Waters motion to recommit would prohibit a parent who caused his daughter's pregnancy from bringing an action under the bill against a health care provider or any person accompanying the minor across State lines when that minor travels across State lines to obtain an abortion.

Mr. Speaker, a parent who has molested his child and left her facing pregnancy should not be allowed to sue a medical care provider who aided this child in her moment of need or sue someone who accompanied his child across State lines to help her safely address this tragic situation. Nor should that parent have any role in his daughter's decision to seek an abortion, unless the daughter chooses to give her parent such a role. A person who has violated his daughter in such a horrible way simply must not be entitled to any relief.

Mr. Speaker, I urge my colleagues to support the motion to recommit H.R. 748 to the Committee on the Judiciary with instructions so that, at the very least, the committee may correct the obvious miscarriage of justice that the bill produces in its current form. And if my colleagues on the opposite side of the aisle continue to insist that they made an exception, make them show it to you in the bill. Make them prove it to you.

Mr. SENSENBRENNER. Mr. Speaker, I claim the time in opposition to the motion to recommit.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Wisconsin is recognized for 5 minutes.

Mr. SENSENBRENNER. Mr. Speaker, what the two proponents of the motion to recommit are arguing is something that simply is not going to happen. If the father of a young girl impregnates her as a result of an incestuous act, filing a lawsuit will expose that crime and the evidence that would have to be submitted by the defendants would end up very clearly showing that that father did commit a crime.

What would happen as a result of this bill not passing, with or without the amendment, is that the father who did commit that crime of incest would want to destroy the evidence of that crime without alerting the authorities. This bill prevents that, and the bill requires the alerting of appropriate authorities to protect young girls from future abuse.

Those who oppose this bill and are supporting this motion to recommit would doom the victims of rape and incest to continued abuse. Supporters of this bill want to prevent that abuse from continuing.

Vote down the motion to recommit, and vote for the bill.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

Mr. NADLER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on the question of passage.

The vote was taken by electronic device, and there were—yeas 183, nays 245, not voting 6, as follows:

[Roll No. 143]

YEAS—183

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bass
Bean
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boehlert
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Ehlers
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Frank (MA)
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (RI)
Kilpatrick (MI)
Kind
Kirk
Kolbe
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Price (NC)
Rangel
Reyes
Ross
Roybal-Allard
Ruppersberger
Rush
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NAYS—245

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Berry
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boustany
Bradley (NH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Chabot
Chocola
Coble
Cole (OK)
Conaway
Costello
Cox
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Cunningham
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kildee
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Ortiz
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Portman
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Skelton
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—6

Bishop (GA)
Brady (TX)
Brown, Corrine
Rothman
Westmoreland
Wicker

□ 1855

Mr. COX and Ms. FOXX changed their vote from ''yea'' to ''nay.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the passage of the bill.

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

RECORDED VOTE

Mr. SENSENBRENNER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 270, noes 157, not voting 7, as follows:

[Roll No. 144]

AYES—270

Aderholt
Akin
Alexander
Baca
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Beauprez
Berry
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Cannon
Cantor
Capito
Cardoza
Carter
Chabot
Chandler
Chocola
Clay
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cox
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Cunningham
Davis (AL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emerson
English (PA)
Etheridge
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hinojosa
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kildee
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Ortiz
Osborne
Otter
Oxley
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Portman
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar

Saxton	Souder	Tiberi
Schwarz (MI)	Spratt	Turner
Sensenbrenner	Stearns	Upton
Sessions	Strickland	Walden (OR)
Shadegg	Stupak	Walsh
Shaw	Sullivan	Wamp
Sherwood	Sweeney	Weldon (FL)
Shimkus	Tancredo	Weldon (PA)
Shuster	Tanner	Weller
Simpson	Taylor (MS)	Whitfield
Skelton	Taylor (NC)	Wilson (SC)
Smith (NJ)	Terry	Wolf
Smith (TX)	Thomas	Young (AK)
Snyder	Thornberry	Young (FL)
Sodrel	Tiahrt	

NOES—157

Abercrombie	Harman	Neal (MA)
Ackerman	Herseth	Olver
Allen	Higgins	Owens
Andrews	Hinchey	Pallone
Baird	Holt	Pascrell
Baldwin	Honda	Pastor
Bass	Hooley	Paul
Bean	Hoyer	Payne
Becerra	Inslee	Pelosi
Berkley	Israel	Price (NC)
Berman	Jackson (IL)	Rangel
Biggert	Jackson-Lee (TX)	Roybal-Allard
Bishop (NY)	Jefferson	Ruppersberger
Boehlert	Johnson (CT)	Rush
Boucher	Johnson, E. B.	Sabo
Brady (PA)	Jones (OH)	Sánchez, Linda T.
Brown (OH)	Kaptur	Sanchez, Loretta
Butterfield	Kennedy (RI)	Sanders
Capps	Kilpatrick (MI)	Schakowsky
Capuano	Kind	Schiff
Cardin	Kirk	Schwartz (PA)
Carnahan	Kucinich	Scott (GA)
Carson	Lantos	Scott (VA)
Case	Larsen (WA)	Serrano
Castle	Larson (CT)	Shays
Cleaver	Lee	Sherman
Clyburn	Levin	Simmons
Conyers	Lewis (GA)	Slaughter
Crowley	Lofgren, Zoe	Smith (WA)
Cummings	Lowey	Solis
Davis (CA)	Maloney	Stark
Davis (FL)	Markey	Tauscher
Davis (IL)	Matsui	Thompson (CA)
DeFazio	McCarthy	Thompson (MS)
DeGette	McCollum (MN)	Tierney
Delahunt	McDermott	Towns
DeLauro	McGovern	Udall (CO)
Dicks	McKinney	Udall (NM)
Dingell	Meehan	Van Hollen
Doggett	Meek (FL)	Velázquez
Emanuel	Meeks (NY)	Visclosky
Engel	Menendez	Wasserman Schultz
Eshoo	Michaud	Waters
Evans	Millender-McDonald	Watson
Farr	Miller (NC)	Watt
Fattah	Miller, George	Waxman
Filner	Moore (KS)	Weiner
Frank (MA)	Moore (WI)	Wexler
Gilchrest	Moran (VA)	Woolsey
Gonzalez	Murphy	Wu
Green, Al	Nadler	Wynn
Green, Gene	Napolitano	
Grijalva		
Gutierrez		

NOT VOTING—7

Blumenauer	Rothman	Wilson (NM)
Brown, Corrine	Westmoreland	
Camp	Wicker	

□ 1903

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1900

PRIVILEGED REPORT ON RESOLUTION OF INQUIRY REQUESTING THE PRESIDENT TO TRANSMIT CERTAIN INFORMATION TO THE HOUSE OF REPRESENTATIVES RESPECTING A CLAIM MADE BY THE PRESIDENT ON FEBRUARY 16, 2005, AT A MEETING IN PORTSMOUTH, NEW HAMPSHIRE, THAT THERE IS NOT A SOCIAL SECURITY TRUST

Mr. THOMAS, from the Committee on Ways and Means, submitted a privileged report (Rept. No. 109–58) together with dissenting views, on the resolution (H. Res. 170) of inquiry requesting the President to transmit certain information to the House of Representatives respecting a claim made by the President on February 16, 2005, at a meeting in Portsmouth, New Hampshire, that there is not a Social Security trust, which was referred to the House Calendar and ordered to be printed.

AMENDING THE RULES OF THE HOUSE OF REPRESENTATIVES TO REINSTATE CERTAIN PROVISIONS OF THE RULES RELATING TO PROCEDURES OF THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT TO THE FORM IN WHICH THOSE PROVISIONS EXISTED AT THE CLOSE OF THE 108th CONGRESS

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 109–59) on the resolution (H. Res. 241) providing for the adoption of the resolution (H. Res. 240) amending the Rules of the House of Representatives to reinstate certain provisions of the rules relating to procedures of the Committee on Standards of Official Conduct to the form in which those provisions existed at the close of the 108th Congress, which was referred to the House Calendar and ordered to be printed.

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 241 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 241

Resolved, That upon adoption of this resolution, House Resolution 240 is hereby adopted.

The SPEAKER pro tempore (Mr. LAHOOD). The question is, Will the House now consider House Resolution 241.

The question was taken; and (two-thirds having voted in favor thereof) the House agreed to consider House Resolution 241.

The SPEAKER pro tempore. The gentleman from California (Mr. DREIER) is recognized for 1 hour.

Mr. DREIER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my very good friend from Rochester, New York, the distinguished ranking minority Member of the Committee on Rules, the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, this rule provides that upon its adoption, House Resolution 240 will be adopted. This will take us back to the 108th Congress's rules with regard to ethics, word for word, comma for comma, exactly the same rules that existed in the 108th Congress.

Mr. Speaker, our Founding Fathers understood the need for Members to scrutinize the actions of their peers. I commend those who, over the years, have volunteered for service to the House as members of the Committee on Standards of Official Conduct.

Mr. Speaker, the Father of our great Constitution, James Madison, in Federalist No. 57 said: ''The aim of every political constitution is, or ought to be, first to obtain for rulers men who possess most wisdom to discern, and most virtue to pursue the common good of society; and in the next place, to take the most effectual precautions for keeping them virtuous whilst they continue to hold their public trust.''

Now, it is not surprising that our Constitution contains in Article I, section 5 the peer review requirements for each House of the Congress. Article 1, section 5 is as follows: ''The House shall be the Judge of the Elections, Returns and Qualifications of its own Members,'' and ''may punish its Members for disorderly behavior.''

Now, Mr. Speaker, unfortunately, we have recently seen that there are those who have wanted to use the ethics process for political purposes. At the start of the 109th Congress, our great Speaker, the gentleman from Illinois (Mr. HASTERT), decided, along with the membership of the Republican Conference and through a vote of the full House, to include reforms of the ethics process because we believed it was flawed and needed increased transparency and accountability. Mr. Speaker, we still believe that.

The reforms adopted at the start of the 109th Congress were an effort to address the fairness of the ethics process.

Now, as many of you know, the ethics complaints filed at the end of the 108th Congress placed Members in jeopardy without any notice or opportunity for due process. That is not fair to any Member or to the institution itself.

Speaker HASTERT justly has been concerned about the rights of every single Member of this institution on both sides of the aisle, and he has also been very concerned about the integrity of this institution in the eyes of the American people. The Members of this great body and the American people deserve a structure which provides due process in the area of ethics.

Accordingly, we tried to take political jeopardy out of the ethics process with our changes at the beginning of this Congress.