

Waters	Waxman	Woolsey
Watson	Weiner	Wu
Watt	Wexler	Wynn

□ 1546

NAYS—222

Aderholt	Gillmor	Nussle
Akin	Gingrey	Obey
Alexander	Gohmert	Osborne
Bachus	Goode	Otter
Baker	Goodlatte	Oxley
Barrett (SC)	Granger	Paul
Bartlett (MD)	Graves	Pearce
Barton (TX)	Green (WI)	Peterson (PA)
Bass	Gutknecht	Petri
Beauprez	Hall	Pickering
Biggert	Harris	Platts
Billrakis	Hart	Poe
Bishop (UT)	Hastings (WA)	Pombo
Blackburn	Hayes	Porter
Blunt	Hayworth	Portman
Boehlert	Hefley	Price (GA)
Boehner	Herger	Pryce (OH)
Bonilla	Hobson	Putnam
Bonner	Hoekstra	Radanovich
Bono	Hostettler	Rahall
Boozman	Hulshof	Ramstad
Boren	Hunter	Regula
Boustany	Hyde	Rehberg
Bradley (NH)	Inglis (SC)	Reichert
Brown (SC)	Issa	Renzi
Burgess	Jenkins	Reynolds
Buyer	Jindal	Rogers (AL)
Calvert	Johnson (CT)	Rogers (KY)
Camp	Johnson (IL)	Rogers (MI)
Cannon	Jones (NC)	Rohrabacher
Cantor	Keller	Ros-Lehtinen
Capito	Kelly	Royce
Carter	Kennedy (MN)	Ryun (KS)
Case	Kildee	Salazar
Castle	Kind	Saxton
Chabot	King (IA)	Schwarz (MI)
Chocola	King (NY)	Sensenbrenner
Coble	Kingston	Sessions
Cole (OK)	Kirk	Shaw
Conaway	Kline	Shays
Conyers	Knollenberg	Sherwood
Costa	Kolbe	Shimkus
Cox	Kuhl (NY)	Shuster
Crenshaw	LaHood	Simmons
Culberson	Latham	Simpson
Cunningham	LaTourrette	Smith (NJ)
Davis (KY)	Leach	Smith (TX)
Davis, Jo Ann	Lewis (CA)	Sodrel
Davis, Tom	Lewis (KY)	Stearns
Deal (GA)	Linder	Sullivan
DeLay	LoBiondo	Sweeney
Dent	Lucas	Tancredo
Diaz-Balart, L.	Lungren, Daniel	Taylor (MS)
Diaz-Balart, M.	E.	Taylor (NC)
Drake	Mack	Terry
Dreier	Manzullo	Thomas
Duncan	Marchant	Thornberry
Ehlers	McCaul (TX)	Tiahrt
Emerson	McCotter	Tiberi
English (PA)	McCrery	McHenry
Everett	McHenry	McHugh
Ferguson	McHugh	Upton
Fitzpatrick (PA)	McKeon	Walden (OR)
Foley	McMorris	Walsh
Forbes	Mica	Wamp
Fortenberry	Miller (FL)	Weldon (FL)
Fossella	Miller (MI)	Weldon (PA)
Foxx	Miller, Gary	Weller
Franks (AZ)	Moran (KS)	Whitfield
Frelinghuysen	Murphy	Wilson (NM)
Galleghy	Neugebauer	Wilson (SC)
Garrett (NJ)	Ney	Wolf
Gerlach	Northup	Young (AK)
Gibbons	Norwood	Young (FL)
Gilchrest	Nunes	

NOT VOTING—24

Brady (TX)	Hensarling	Rothman
Brown, Corrine	Hinojosa	Ryan (WI)
Brown-Waite,	Istook	Scott (GA)
Ginny	Johnson, Sam	Shadegg
Burton (IN)	Lynch	Souder
Cubin	Musgrave	Westmoreland
Doolittle	Myrick	Wicker
Feeney	Pence	
Flake	Pitts	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FOLEY) (during the vote). Members are advised there are 2 minutes remaining in the vote.

Messrs. KIND, THORNBERRY, LEACH, PETERSON of Pennsylvania and REGULA changed their vote from “yea” to “nay”.

Messrs. ENGEL, DAVIS of Tennessee and OBERSTAR and Mrs. MALONEY changed their vote from “nay” to “yea”.

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. HINOJOSA. Mr. Speaker, on rollcall No. 140, had I been present, I would have voted “yes.”

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken tomorrow.

SUPPORTING GOALS OF WORLD INTELLECTUAL PROPERTY DAY

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 210) supporting the goals of World Intellectual Property Day, and recognizing the importance of intellectual property in the United States and worldwide.

The Clerk read as follows:

H. RES. 210

Whereas intellectual property is the backbone of our Nation’s economic competitiveness and the only sector where the United States has a trade surplus with every nation in the world;

Whereas all nations can use the intellectual property system to achieve economic growth and cultural development;

Whereas intellectual property plays an important role in an increasingly broad range of areas, ranging from the Internet to health care to nearly all aspects of science and technology and literature and the arts, and understanding the role of intellectual property in these areas—many of them still emerging—often requires significant new research and study;

Whereas World Intellectual Property Day provides an opportunity to reflect on how intellectual property touches all aspects of our lives: how copyright helps bring music to our ears and art, films, and literature before our eyes, how industrial design helps shape our world, how trademarks provide reliable signs of quality, and how patenting helps promote ingenious inventions that make life easier, faster, safer—and sometimes completely changes our way of living;

Whereas World Intellectual Property Day is an opportunity to encourage young people everywhere to recognize the creator, the

problem-solver, and the artist within themselves, because the classrooms of today will produce the entrepreneurs, the scientists, the designers, and the artists of tomorrow;

Whereas the over-arching objectives for World Intellectual Property Day 2005 are to reach out to young people about the importance of intellectual property, to increase understanding of how protecting intellectual property rights helps foster creativity and innovation, and to raise awareness of the importance in daily life of patents, copyrights, trademarks, and designs;

Whereas April 26, 1970, was the date on which the Convention establishing the World Intellectual Property Organization entered into force;

Whereas in 2000, member states of the World Intellectual Property Organization established World Intellectual Property Day to celebrate the contribution made by innovators and artists to the development and growth of societies across the globe and to highlight the importance and practical use of intellectual property in our daily lives; and

Whereas April 26, 2005, has been designated as World Intellectual Property Day as a time to celebrate the importance of intellectual property to the United States and world economy: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals of World Intellectual Property Day to promote, inform, and teach the importance of intellectual property as a tool for economic, social, and cultural development;

(2) congratulates the World Intellectual Property Organization for building awareness of the value of intellectual property and developing the necessary infrastructure to help citizens take full advantage of their own creativity;

(3) applauds the ongoing contributions of human creativity and intellectual property to growth and innovation and for the key role they play in promoting and ensuring a brighter and stronger future for the Nation; and

(4) recognizes that intellectual property continues to face serious, new challenges, which affect prospects for future growth of the United States economy.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Florida (Mr. WEXLER) each will control 20 minutes. The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on House Resolution 210, currently under consideration.

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

There was no objection.

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

Mr. Speaker, the purpose of House Resolution 210 is to congratulate the World Intellectual Property Organization, commonly referred to as WIPO, for its work and to support the goals of World Intellectual Property Day, which include teaching the importance of intellectual property as a tool for

economic, social, and cultural development.

WIPO is considered the most important international organization for the promotion of intellectual property.

Among its other responsibilities, WIPO administers those treaties known as the Berne and the Paris conventions to protect intellectual property globally. The United States is a WIPO member.

Five years ago, WIPO member states celebrated the founding of the organization by establishing World Intellectual Property Day. April 26, 1970, is the date on which the convention that created WIPO took effect.

House Resolution 210 commemorates the achievements of WIPO and its designation of April 26, 2005, as World Intellectual Property Day for the current year.

I support the resolution and urge other Members to do so as well.

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

Mr. WEXLER. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise today in strong support of House Resolution 210. First, I would like to thank the gentleman from Wisconsin (Chairman SENSENBRENNER) for his graciousness and the degree of support that he has lent to this bill.

I want to extend a very special thank you to the gentleman from Texas (Mr. SMITH), the chairman of the subcommittee, without whom we would not have had the energy and the direction to be here today.

I also want to thank the gentleman from Michigan (Mr. CONYERS) and the gentleman from California (Mr. BERMAN) for their leadership, as well as the three other Chairs of the Intellectual Property Caucus, the gentlewoman from California (Mrs. BONO), the gentleman from Florida (Mr. FEENEY), and the gentleman from Washington (Mr. SMITH), who have joined with me in sponsoring House Resolution 210.

This important resolution commemorates World Intellectual Property Day, which is April 26, 2005. On April 26, 1970, the United Nations established the World Intellectual Property Organization, WIPO, which is one of the 16 specialized agencies of the United Nations system of organizations. WIPO focuses solely on promoting the use and protection of patents, trademarks, and copyrights internationally. As part of their important advocacy and public awareness campaign, WIPO created World Intellectual Property Day, and it is celebrated each year on the anniversary of WIPO's creation, April 26.

World Intellectual Property Day brings attention to the importance of intellectual property in the world economy and celebrates the contribution made by innovators and artists to the development and growth of societies across the globe. While most Members of the Congress have had the opportunity to see firsthand the importance

of intellectual property to artists and businesses in our respective districts, World Intellectual Property Day serves as a helpful reminder to us and as an educational tool for those who may not realize how vital intellectual property is to our economic prosperity.

From artistic works to life-saving medicines to revolutionary inventions, intellectual property enriches, enhances, and informs our lives. In spite of the tremendous importance of intellectual property, many Americans are unaware that the entertainment they enjoy and the technology they use to get their work done would not exist if not for the protections our Founding Fathers placed in the Constitution and the value our society has continued to place on these vital, yet intangible, contributions.

World Intellectual Property Day is focused this year on bringing intellectual property to young people around the globe. Through it, we can reach out to young people about the importance of intellectual property and to increase understanding of how protecting IP rights helps to foster creativity and invention. America is an unsurpassed leader in imagination and innovation, and it will be up to our children and through the efforts of groups like the World Intellectual Property Organization of the U.N. to continue this strong tradition.

House Resolution 210 will help bring attention to World Intellectual Property Day and to the tremendous value of intellectual property, and I hope that all of our colleagues will join us in support of this resolution.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. Mr. Speaker, first of all, I would like to thank the gentleman from Wisconsin, the chairman of the Committee on the Judiciary, for yielding me time.

I would also like to thank the gentleman from Florida (Mr. WEXLER), my friend, for his generous comments and especially for taking the initiative on this resolution.

Mr. Speaker, I am an original cosponsor of this resolution which supports World Intellectual Property Day and applauds the work of the World Intellectual Property Organization, WIPO.

WIPO is the leading intellectual property organization that works globally to promote intellectual property. Its mission is to promote the use and protection of works of the human spirit.

The organization administers 23 intellectual property treaties and works to educate member countries about the importance of intellectual property.

In the United States, the intellectual property industries drive our economy. Whether it is the creative industries that produce music and movies or high-tech companies that produce software and research, nanotechnology, innovation keeps America competitive.

The United States is a member of WIPO. In order to safeguard our inventors and innovators, we must not only enact strong intellectual property laws in the U.S. but also must make sure our products are protected abroad. WIPO works to do just that.

April 26 was established by WIPO 5 years ago as World Intellectual Property Day. H. Res. 210 applauds WIPO for its work and commemorates April 26, 2005, as World Intellectual Property Day.

This resolution is an appropriate way to call attention to such a worthy organization, and I encourage my colleagues to support it. Once again, I would like to thank the gentleman from Florida (Mr. WEXLER) for his sponsoring of this resolution.

Mr. ISSA. Mr. Speaker, I rise today in support of H. Res. 210, a resolution acknowledging the importance of intellectual property in the United States and throughout the world. I thank Mr. WEXLER for introducing this important legislation.

Prior to my election to Congress, I spent over twenty years in the consumer electronic industry. I know firsthand the importance of allowing an individual or company to reasonably protect their creative works. If it were not for this ability to prevent others from infringing upon a creator's ideas, the United States would not be the engine of economic growth that it is today.

World Intellectual Property Day was established in recognition of these principles. The goals of this Day are simple—to promote, inform, and teach the importance of intellectual property. Through my travels abroad, I have come to realize that not all entities around the globe, public or private, respect intellectual property rights to the same degree. For example, we still face increasing amounts of piracy of copyrighted works and counterfeiting of patented medications. Put plainly, the incentive to create stems in great part from the desire to do so exclusively. Ensuring the continuation of intellectual property rights in the United States and throughout the world will only serve to bring more high quality and safe products consumers want to the market.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and agree to the resolution, H. Res. 210.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their

remarks and include extraneous 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. Car-

roll 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 mean-spirited 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.